

**RESTRICTED DELIVERY CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

**Before the Iowa Department of Public Health**

<p>IN THE MATTER OF</p> <p>Andrew Makari 1325 31<sup>st</sup> Street Apt 507 Des Moines, Iowa 50311-2803</p> <p>Certification: B-08-255-96</p>	<p style="text-align: right;">Case: 11-11-07</p> <p style="text-align: center;"><b>NOTICE OF PROPOSED ACTION</b></p> <p style="text-align: center;"><b>SUSPENSION/CIVIL PENALTY</b></p>
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Pursuant to the provisions of Iowa Code Sections 17A.18, 147A.7, and Iowa Administrative Code (I.A.C.) 641—131.7, the Iowa Department of Public Health is proposing to indefinitely **SUSPEND** your EMS certification identified above and levy a **CIVIL PENALTY** against you in the amount of \$50.00.

The Department may suspend and levy a civil penalty on an EMS provider when it finds that the certificate holder has committed any of the following acts or offenses:

*Failure to comply with the terms of a department order or the terms of a settlement agreement or settlement order.*

*IAC 641—131.7(2)d*

*Failure to respond within 30 days of receipt, unless otherwise specified, of communication from the department which was sent by registered or certified mail.*

*IAC 641—131.7(2)ab*

The following events have lead to this notice:

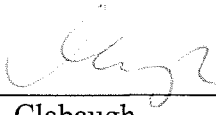
On September 7, 2010, the Department placed your certification on probation through September 7, 2014. As a condition of your probation, you are required to submit probation reports due on the tenth of April, July, October and January. In November 24 of 2010, you received a letter from the Department requesting the probation report for July – September of 2010. The letter stated that future failure to submit probation reports by the established deadline could result in suspension or revocation of your certification. The last probation report you submitted was for the period of July – September 2010 and was received by the Department on December 15, 2010.

Your certification shall be suspended until the following is received, processed and approved by the Department:

- 1) Probation reports covering the period of October 1, 2010 through September 20, 2011.
- 2) \$50 civil penalty

**You have the right to request a hearing concerning this notice of disciplinary action.** A request for a hearing must be submitted in writing to the Department by certified mail, return receipt requested, within twenty (20) days of receipt of this Notice of Proposed Action. The written request must be submitted to the Iowa Department of Public Health, Bureau of Emergency Medical Services, Lucas State Office Building, 321 East 12<sup>th</sup> Street, Des Moines, Iowa 50319. If the request is made within the twenty (20) day time limit, the proposed action is suspended pending the outcome of the hearing. Prior to, or at the hearing, the Department may rescind the notice upon satisfaction that the reason for the action has been or will be removed.

**If no request for a hearing is received within the twenty (20) day time period, the disciplinary action proposed herein shall become effective and shall be final agency action.**



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Gerd W. Clabaugh  
Deputy Director and  
Director, Division of Acute Disease Prevention and Emergency Response

12-9-11

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Date