

**RESTRICTED DELIVERY CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Before the Iowa Department of Public Health

IN THE MATTER OF: Matthew Pearce 1320 Ellis Avenue Iowa Falls, IA 50126-1927 Certification : B-06-344-03	Case Number: 09-05-20 NOTICE OF PROPOSED ACTION DENIAL
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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 **DENY** your application for EMS certification.

The department may deny an application for EMS certification when it finds that the applicant has committed any of the following acts or offenses:

*Willful or repeated violation of Iowa Code chapter 147A or these rules
147A.7i; IAC 641—131.7(2)s*

Specifically:

If the order of revocation or suspension did not establish terms and conditions upon which reinstatement might occur, or if the certification was voluntarily surrendered, an initial application for reinstatement may not be made until one year has elapsed from the date of the order or the date of the voluntary surrender.

IAC 641—131.9(2)

All proceedings for reinstatement shall be initiated by the respondent, who shall file with the department an application for reinstatement of the certification. Such application shall be docketed in the original case in which the certification was revoked, suspended, or relinquished. All proceedings upon the application for reinstatement shall be subject to the same rules of procedure as other cases before the department.

IAC 641—131.9(3)

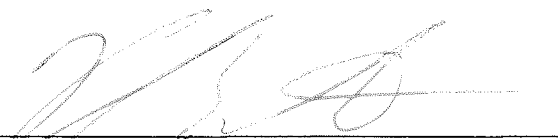
The following incidents resulted in issuance of this proposed action:

On November 10, 2008, the Department issued a notice of proposed action for revocation of your EMT-Basic certification. This action was issued due to your failure to respond to an audit. On February 26, 2009, you received the notice of proposed action. You did not file a request for appeal and the action became effective on March 18, 2009.

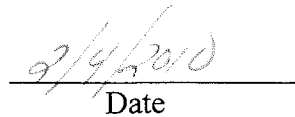
On February 16, 2009, you registered for an EMT-Basic course. At the time you registered in the course, your certification was active. You are not eligible to apply for reinstatement until after March 18, 2010.

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 E 12th St, 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.



Kirk E. Schmitt, Bureau Chief
Emergency Medical Services



Date