

THOMAS J. MILLER
ATTORNEY GENERAL

HEATHER L. ADAMS
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Iowa Department of Justice

ADDRESS REPLY TO:
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October 15, 2013

Kenford Simon
300 4th Ave.
Charles City, IA 50616-2911

CERTIFIED MAIL

Re: NOTIFICATION TO CEASE AND DESIST

Dear Mr. Simon:

I am legal counsel for the Iowa Department of Public Health, Bureau of Emergency Medical Services (Department). It has come to the attention of the Department that you may have provided emergency medical care in the state of Iowa without being certified to do so. Specifically, the Department has received information that you attended to a diabetic patient on an emergency transport on December 6, 2012. You are not currently a certified EMS provider within the state of Iowa, nor have you ever held an EMS certification within this state.

In accordance with Iowa law, a person may not function as an emergency medical care provider unless that person is certified by the Department to do so. See Iowa Code § 147A.11(1). Emergency medical care includes

- a. Administration of intravenous solutions.
- b. Intubation.
- c. Performance of cardiac defibrillation and synchronized cardioversion.
- d. Administration of emergency drugs as provided by rule by the department.
- e. Any other medical procedure approved by the department, by rule, as appropriate to be performed by emergency medical care providers who have been trained in that procedure. [see 641 Iowa Administrative Code 131.3(3)]

Iowa Code § 147A.1(3).

Iowa law also prohibits a person from claiming, indicating, or implying that the person is an emergency medical care provider if the person is not currently certified by the Department. See Iowa Code § 147A.11(1). A person who acts as emergency medical care provider, or who claims, indicates, or implies that the person is certified without having obtained the appropriate certification from the Department is guilty of a class "D" felony. See Iowa Code § 147A.11(1).

You are hereby advised that you must CEASE AND DESIST from practicing as an emergency medical care provider and from claiming, indicating, or implying that you are an emergency medical care provider. If the Department receives information that you have engaged in the unauthorized practice of emergency medical care after the date you receive this letter, the Department may request the Iowa Attorney General's Office to file a civil injunctive action against you and will refer the information to the appropriate County Attorney's Office for possible criminal prosecution.

If you have questions regarding this letter or your obligations pursuant to the above legal authority, I would strongly advise you to contact your attorney to seek advice regarding this matter.

Sincerely,

A handwritten signature in cursive script that reads "Heather L. Adams".

HEATHER L. ADAMS
Assistant Attorney General

HLA\

cc: Joe Ferrell, Regulation Manager