

**RESTRICTED DELIVERY CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Before the Iowa Department of Public Health

IN THE MATTER OF: Chad Harris PO Box 446 Buffalo, Iowa 52728 Certification: P-09-310-08	Case Number: 08-07-15 NOTICE OF PROPOSED ACTION REVOCATION
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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 **REVOKE** your EMS certification identified.

The department may revoke an EMS certification when it finds that the certificate holder has committed any of the following acts or offenses:

*Knowingly making misleading, deceptive, untrue or fraudulent representation in the practice of the profession or engaging in unethical conduct or practice harmful or detrimental to the public. Proof of actual injury need not be established.
Iowa Code Section 147A.7(1)f and IAC 641—131.7(2)f*

*Failure to comply with a subpoena issued by the department or failure to cooperate with an investigation of the department.
IAC 641—131.7(2)h*

*Violating a statute of this state, or the United States, without regard to its designation as either a felony or misdemeanor, which relates to the provision of emergency medical care, including but not limited to a crime involving dishonesty, fraud, theft, embezzlement, controlled substances, substance abuse, assault, sexual misconduct, or homicide. A copy of the record of conviction or plea of guilty is conclusive evidence of the violation.
Iowa Code Section 147A.7(1)j and IAC 641—131.7(2)t*

*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 incidents resulted in issuance of this proposed action:

You entered a plea of guilty of the following crime:


- Theft 1st Degree on September 24, 2008.

Court records indicate that you were the Treasurer of your ambulance service from 2005-2007. During that period, you diverted the service's funds to pay personal debts, supplement your salary and used the services checks to pay your personal credit card bills. The total amount you diverted was \$72, 834.26. You have been placed on 4 years probation, ordered to perform 600 hours of community service, pay restitution and a civil penalty of \$1000.

In addition, The Department sent you letter, that you received on January 7, 2009, requesting the charging orders and court disposition from you. The letter instructed you to respond within 30 days, and that failure to respond may result in disciplinary action. As of the date of this notice, you have failed to provide the requested information.

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
EMS Bureau Chief



Date