



State of New Jersey

DEPARTMENT OF HEALTH  
OFFICE OF EMERGENCY MEDICAL SERVICES  
PO BOX 360  
TRENTON, N.J. 08625-0360

CHRIS CHRISTIE  
Governor

KIM GUADAGNO  
Lt. Governor

[www.nj.gov/health](http://www.nj.gov/health)

MARY E. O'DOWD, M.P.H.  
Commissioner

November 14, 2012

Mr. Thomas J. Ingham

**Re: Notice of Summary Suspension:  
EMT-Basic and EMT-Basic (Instructor) Certification # 522035  
Investigation Control # 2012-636**

Dear Mr. Ingham:

The New Jersey Department of Health (the Department) is vested with the responsibility of carrying out the provisions of *N.J.S.A. 26:2H-1 et seq., Health Care Facilities Planning Act*, which was enacted, in part, to ensure that all hospital and related health care services rendered in the State of New Jersey are of the highest quality. As defined at *N.J.S.A. 26:2H-2b*, health care services include any pre-hospital admission care rendered by basic life support (BLS) personnel. In addition, *N.J.S.A. 26:2K-7 et seq., Emergency Medical Services Act*, authorizes the Department to certify Emergency Medical Technicians (EMTs). In furtherance of the objectives set forth in the statutes, the Department has adopted regulations that govern the training, certification and professional conduct of EMTs and EMT candidates. (See: *N.J.A.C. 8:40A-1.1, Emergency Medical Technicians-Basics: Training and Certification.*)

On October 15, 2012, the Department's Office of Emergency Medical Services (OEMS) received a news article from NJ.com, dated October 11, 2012, which alleged you were arrested by Passaic County Prosecutor's Office for allegations of sexual abuse to two minors. As a result, the OEMS opened an investigation into this matter.

Further investigation revealed that under Complaint-Warrant # W-2012-1614-001174, issued by the Passaic County Prosecutor's Office, you were charged with: (a) one count in the 2<sup>nd</sup> degree of endangering the welfare of a child by engaging in sexual conduct that would impair/debauch the morals of a child, in violation of *N.J.S.A. 2C:24-4A*; (b) one count in the 2<sup>nd</sup> degree of engaging in sexual conduct to impair debauch morals of a child, in violation of *N.J.S.A. 2C:24-4A*; (c) one count in the 2<sup>nd</sup> degree of committing acts of sexual contact on the victim, in violation of *N.J.S.A. 2C:14-2B*; (d) one count in the 4<sup>th</sup> degree of criminal sexual contact, in violation of *N.J.S.A. 2C:14-3B*; and, (e) two counts in the 4<sup>th</sup> degree of indecent exposure of yourself to the victim, in violation of *N.J.S.A. 2C-14-4B(1)*. These complaints further allege that you engaged in sexual contact with two victims, who are now 18 and 17 years of age, when they were between the ages of eight and fourteen years old.

As a certified EMT, you are aware that EMTs work in an unsupervised environment. The nature of this work requires that these individuals make important medical assessments and carry out appropriate pre-hospital interventions at motor vehicle accidents, in people's

homes and at other difficult field locations. In order to be effective, EMTs must unconditionally trust each other and be incontestably trusted by paramedics, police officers, fire fighters, doctors and other professionals. Because EMTs treat vulnerable patients of all ages, from infants to the elderly, they are required to place a high value on the health, safety and welfare of the patients they treat.

You are also aware that EMTs oftentimes are called upon to perform physical exams and depending upon the circumstances, may be required to remove the patient's clothing in order to properly visualize and assess the presenting condition and treat the injuries. In addition, patients presenting with traumatic injury must always be properly exposed to assure that all injuries are clearly identified and treated accordingly. Consequently, EMTs are placed in a position of authority and influence over vulnerable and/or frightened individuals, which means these factors implicitly demand that the EMT be trustworthy, especially with minors.

As an EMT Instructor and Course Coordinator for EMT education, it is your responsibility to ensure the safety and well-being of all students attending your courses. During EMT education, instructors are often called upon to teach patient assessments and guide students through proper techniques, including removal of clothing to perform proper trauma assessments. Furthermore as New Jersey allows sixteen year-olds to attend an EMT program and become certified as an EMT, you are vested with the responsibility of protecting each minor whose parents entrust them to you as an educator.

*N.J.A.C. 8:40A-10.2(a)* states: "The Commissioner, or his/her designee, may summarily suspend a person's EMT and/or EMT-Instructor certification when, in his/her opinion, the continued certification of that person poses an immediate or serious threat to the public's health, safety or welfare."

Because of the seriousness of the crimes with which you have been charged, the Department finds that your continued certification as an EMT and EMT Instructor constitutes an immediate and serious threat to the health, safety, and welfare of the public. **Therefore, your certification as both an EMT and EMT Instructor is immediately suspended and shall remain suspended indefinitely.**

Be aware that you shall not under any circumstances act in the capacity of, or perform the duties of an EMT and/or an EMT Instructor in New Jersey during this period of suspension. You shall not conduct and/or attend any EMS training while your suspension is in place. Also, be aware that if you act in the capacity of, or perform the duties of an EMT and/or EMT Instructor in New Jersey during this period of suspension, your actions shall constitute the impersonation of an EMT and/or EMT Instructor, in violation of *N.J.A.C. 8:40A-10.4* and shall incur further penalties.

In accordance with *N.J.A.C. 8:40A-7.1(f)*, certification cards are the property of the Department and shall be immediately surrendered upon demand. You are hereby directed to immediately surrender your EMT certification card(s) to the OEMS, either by U.S. mail to the address on the first page of this Notice or by physical delivery to the Department of Health, Office of Emergency Medical Services, John Fitch Way, Market and Warren Streets, Trenton, NJ, 08611.

In the interim, the OEMS will continue to investigate this matter. You will be notified when the OEMS has completed its investigation, at which time you will be advised of what action(s), if any, will be taken with respect to your EMT and EMT-Instructor certifications.

Pursuant to *N.J.A.C. 8:40A-10.3(a)*, you may appeal to the Commissioner of the Department of Health for a hearing before the Office of Administrative Law to contest this summary suspension. Your request for an administrative hearing regarding this matter must be submitted in writing and must be accompanied by a response to the charges contained herein. Please include control number **2012-636** on your correspondence, and forward your request to:

The New Jersey Department of Health  
Office of Legal & Regulatory Compliance  
P.O. Box 360, Room 805  
Trenton, NJ 08625-0360  
Attn: Ms. Tami Roach

**Finally, please note that failure to submit a request for a hearing within 30 days from the date of this Notice shall be interpreted as an acceptance of this Department's decision, thereby negating any further appeal rights.** If you have any questions concerning this matter, please contact Dr. Jo-Bea Sciarrotta, OEMS Compliance Officer, at (609) 633-7777.

Sincerely,

Karen Halupke, RN, M.Ed.  
Director  
Emergency Medical Services

c. Christopher Rinn, Assistant Commissioner  
Christopher Ryan, OEMS  
Candace Gardner, OEMS  
Tami Roach, OL&RC

SENT VIA U.S.P.S. FIRST CLASS MAIL and  
CERTIFIED MAIL #  
RETURN RECEIPT REQUESTED