



State of New Jersey
DEPARTMENT OF HEALTH
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PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

JUDITH M. PERSICHILLI, RN, BSN, MA
Acting Commissioner

)	
)	
ANGELICA ATHENS)	FINAL AGENCY DECISION
)	
Petitioner)	
)	
v.)	
)	
NEW JERSEY)	OAL DKT. No. HLT 07440-15
DEPARTMENT OF HEALTH)	
)	AGENCY DKT. No.: 2014-0111v
Respondent)	
)	

In this matter, Petitioner, Angelica Athens, contests the decision by the Department of Health (Department), Office of Emergency Medical Services (OEMS), to deny her application for an Emergency Medical Technician (EMT)- Paramedic certification for failing to complete the minimum clinical training requirements.

Because Petitioner requested a hearing, this matter was transmitted to the Office of Administrative Law for a hearing before the Honorable Carl V. Buck III, A.L.J. (“ALJ”). A plenary hearing in this matter was conducted on January 29, 2018, May 14, 2018, and May 15, 2018. Judge Buck admitted documents into evidence and heard testimony from the Petitioner and one witness offered by the Department. After hearing the matter, Judge Buck left the record open for the receipt of closing statements. The Respondent and Petitioner filed written summations and Judge Buck closed the record on September 24, 2018.

After receiving multiple extensions, Judge Buck issued his Initial Decision on October 9, 2019. In his decision, Judge Buck concluded that Petitioner failed to complete the clinical portion of her EMT-Paramedic training program as required for certification. While noting that OEMS raised numerous deficiencies in Petitioner's clinical training, Judge Buck resolved the matter on three clinical objectives: nasal suctioning, cardiac arrests, and defibrillations/synchronized cardioversions. Specifically, the ALJ further found that it was undisputed that Petitioner failed to complete these three clinical requirements, which she was required to complete under N.J.A.C. 8:41A-2.5(c)(3), N.J.A.C. 8:41A-2.6(a)(9) and (10) in order to be certified as an EMT-paramedic. The ALJ reasoned that as Petitioner had not satisfied all of the minimum clinical requirements required under OEMS's rules, the Department properly denied Petitioner's application for an EMT-Paramedic certification. Accordingly, the ALJ affirmed the Department's denial of Petitioner's EMT-paramedic certification application.

Neither party filed Exceptions to the Initial Decision.

As the Commissioner of the Department of Health, I have considered the record for this matter and Judge Buck's Initial Decision, and having made an independent evaluation of the record, I accept and adopt the Findings of Fact and Conclusions of Law that are contained in the Initial Decision and incorporate the same herein by reference that Petitioner, Angelica Athens, failed to successfully complete an EMT-Paramedic training program as required by N.J.A.C. 8:41A-4.1 for certification. Specifically, Petitioner failed to complete the minimum clinical training requirements set out at N.J.A.C. 8:41A-2.5 and N.J.A.C. 8:41A-2.6. Therefore, I find that Petitioner's application for an EMT- Paramedic certification was properly denied under N.J.A.C. 8:41A-5.2(b).

Parties have the right to appeal this Final Decision within 45 days to the New Jersey Superior Court, Appellate Division, Richard J. Hughes Justice Complex, P.O. Box 006, Trenton, New Jersey 08625-0006.

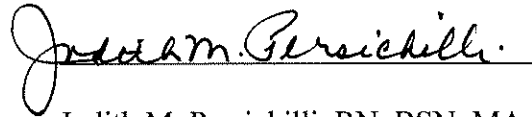
THEREFORE, it is on this 21 day of November, 2019

ORDERED:

The Initial Decision of the Administrative Law Judge is hereby **ADOPTED**; and

FURTHER ORDERED:

That any action required by this decision shall be promptly implemented by appropriate Department staff.



Judith M. Persichilli, RN, BSN, MA
Acting Commissioner