

Tarnished Badges and Bent Bugles

A Presentation for the 30th Annual
Virginia EMS Symposium
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Tarnished Badges and Bent Bugles

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Alternate Presentation Title

“What were
they
thinking?!”



Course Objectives

- Review enforcement actions
 - Review case histories
 - How to stay out of trouble
- Scratch your head and wonder why...

Disclaimer (legal mumbo-jumbo)

The case files within this presentation are real. The names have been changed to protect the innocent, well maybe...

Should you recognize the case during this presentation, it would be best not to bring attention to yourself...someone may think it was you!

A word regarding enforcement...

- Verbal Warning
- Citation
- Suspension
- Revocation
- Correction Order
- Civil Penalties (coming soon!)

Man Pleads Guilty To Impersonating Navy Officer

POSTED: 9:36 pm EDT October 11, 2007



GREENBELT, Md. -- A man who impersonated a U.S. Navy officer to gain access to patient records at Bethesda Naval Medical Center has pleaded guilty to federal charges.

The U.S. attorney's office says Thomas A. Minto, 39, of Germantown, admitted in U.S. District Court on Thursday to impersonating a federal officer or employee of the U.S. Navy. He was sentenced to one year of probation.

Court documents state that Minto went into the Bethesda Naval Medical Center wearing a naval uniform in October and November 2006 and falsely claimed to be a chief or senior chief of the U.S. Navy.



Minto used the false pretenses to review patient information on a computer, obtain answers to patients' questions from nurses and communicate the answers to patients. He also took part in a training session.

Investigators found that Minto's actions caused no physical harm to the patients.

Northern Virginia
The Daily

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Saturday

February 10, 2007

Region

Man arrested for threatening woman

STAR TANNERY — A 43-year-old man was arrested by the Shenandoah County Sheriff's Office on Jan. 31 and charged with threatening a woman with a gun.

Robert Elwood Bowley Jr., of 9280 Zepp Road, was charged with attempted malicious wounding, domestic violence, use of a firearm in committing a felony and possession of a firearm after having been convicted of a felony.

Deputies were dispatched to Bowley's house around 11 p.m. Jan. 30, Maj. Scott Proctor said. A verbal fight between Bowley and his 50-year-old girlfriend, who also lives at the home, had turned physical, he said.

Proctor said Bowley threatened the woman with a rifle. An emergency protective order was issued for her, he said.

Bowley was scheduled to appear in Shenandoah County

Juvenile and Domestic Relations Court on the charge Feb. 8.

Radio Station Owner Arrested on Child Porn Charges

WSLS News Channel 10

Wednesday, September 5, 2007

Police arrest the owner of a local radio station on child pornography charges.

State Police tell us Jamie Clark was arrested on Tuesday. Clark faces charges of possession and distribution of child pornography. Detectives say Clark e-mailed pornographic images on his computer, and had video tapes with child porn on them.

Investigators believe Clark let high school students meet at his home to have sex with each other.

The investigation has been going on since September 2005.

Clark owns WHEO in Stuart, Patrick County.

Case Study

The case of the Placebo King!



Placebo King

- EMS provider from another state
- Working for a larger urban system
- Previous Clinical Manager
- Provided patient with a saline IM injections
- Bragged to students and fellow providers
- No documentation on PPCR

Placebo King

■ Results

- Agency confronted and provider admitted
- Agency terminated provider's employment

■ OEMS

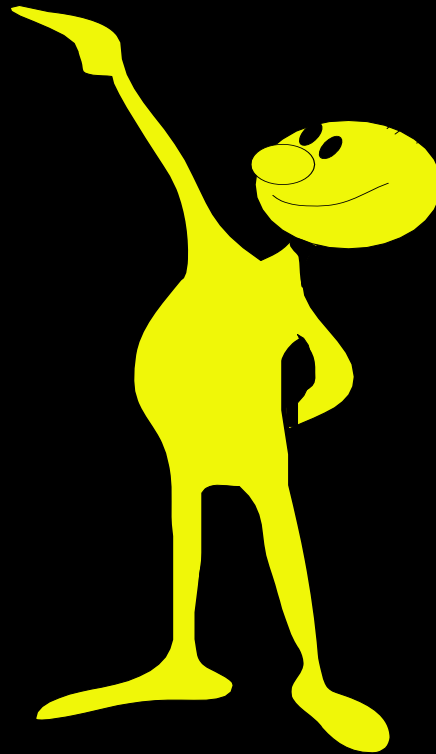
- Discussed with agency OMD
- Discussed with state OMD
- Citation issued – with another employer...

Placebo King

- 12VAC5-31-1040 Operational medical director authorization to practice.

Case Study

“But they need me at the big one!”



The Big One!

- Dual response with Fire 1st responder and transport ambulance
- Fire AIC – EMT-Enhanced, Ambulance – EMT
- Patient's cc: chest pain, hx: s/p cardiac cath with MI (10 days)

The Big One!

- Provider explained the need for O2, Nitro, IV
 - Enhanced was “going to ride in”
- During transfer to ambulance fire call dispatched....
- Ambulance drives to Firehouse to “drop off” the Enhanced provider...

The Big One!

- Second engine was put on standby at station – EMT-Enhanced was not used
- Failed to complete a PPCR until nearly a day later

The Big One!

■ Results

- Local jurisdiction investigated
- OEMS contacted

■ OEMS

- IFFC
- Multiple citations
- Suspension for 5 years

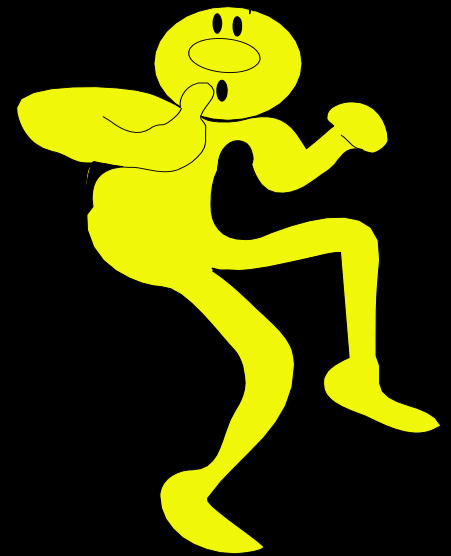


The Big One!

- 12VAC5-31-1110 Transfer of patient care/patient abandonment.

Case Study

They will never check!



They Will Never Check!

- Reports of an agency failing to respond to request for service
- Efforts to assist organization failed
- Spot inspection ensued

They Will Never Check!



They Will Never Check!



They Will Never Check!



They Will Never Check!

■ Results

- All three trucks with permits removed, agency suspended – re-inspected several days later - passed
- Local government removes authority to respond
- OMD removes authority to practice

■ OEMS

- No agency OMD – agency suspended

They Will Never Check!

- 12VAC5-31-710 EMS vehicle occupant safety.
- 12VAC5-31-810 Ground ambulance specifications.

They Will Never Check!



Case Study

Who is watching the cookie jar?



Who is Watching the Cookie Jar?

Case Study 1

- Source of information – fellow provider
- Agency Manager arrested for possible embezzlement
- Employee left employment – but name never removed from payroll
- Collected nearly one year of payroll for fictitious employee

Who is Watching the Cookie Jar?

■ Result

- Felony conviction
- Loss of employment

■ OEMS

- Citation
- Suspension of certification
- Still can become an EMS provider...

Who is Watching the Cookie Jar?

Case Study 2

- Source of Information – fellow provider
- Agency Treasurer charged and convicted of embezzlement
- Sick family member – hard times financially

Who is Watching the Cookie Jar?

■ Result

- Felony conviction
- Removed from agency affiliation
- Tried to join another agency

■ OEMS

- Suspension
- Can return to EMS...

Who is Watching the Cookie Jar?

- 12VAC5-31-910 Criminal or enforcement history

Case Study

The case of Dr. Feel Good (and more!)



Dr. Feel Good (and more!)

Case Study 1

- Source of Information – agency
- Provider who admitted to taking Schedule VI items from agency “x”
- Comes to large gathering of EMS providers
- Sets up a “rehab” station
- Teaches EMTs to start IVs

Dr. Feel Good (and more!)

Case Study 1 continued

- Teaches EMTs to mix meds in syringe
- One “consumer” developed infection at IV site
- Another “consumer” had a reaction
- Knew it was wrong

Dr. Feel Good (and more!)

■ Result

- Agency Investigation
- Suspended from agency

■ OEMS

- Citation
- Certification revoked
- National Registry notified
- Employer dismissed provider

Dr. Feel Good (and more!)

Case Study 2

- Party at local agency facility (private)
- Underage drinking...(yes alcohol was served)
- Alcohol poisoning – breathing funny
- Persistent vomiting
- Seizure like activity

Dr. Feel Good (and more!)

Case Study 2 continued

- Concerned person would “get in trouble with parents”
- IV started at station and IV bolus of fluid
- No reassessment, no PPCR
- Stayed with patient for several hours at station

Dr. Feel Good (and more!)

■ Result

- Jurisdiction investigated allegations
- Turned over to OEMS
- OMD removed authority to practice
- EMT class re-assigned
- Resigned board position with EMS council

Dr. Feel Good (and more!)

■ OEMS

- Immediate Suspension
- IFFC
- Revocation
- Not allowed to return to EMS

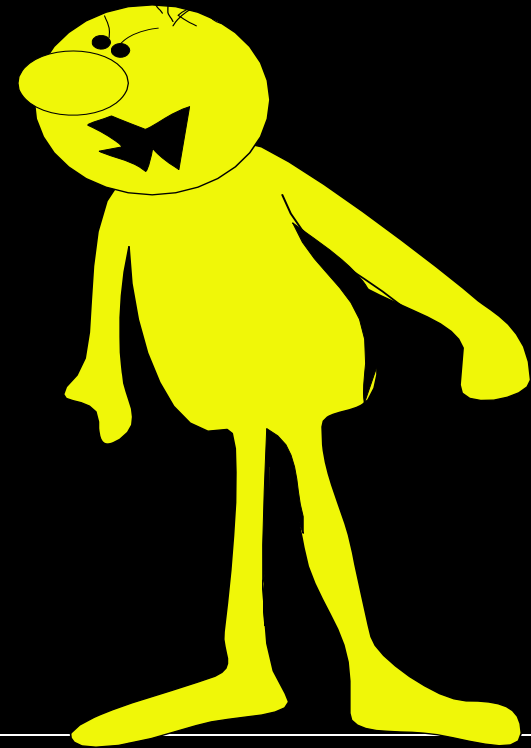


Dr. Feel Good (and more!)

- 12VAC5-31-1040 Operational Medical director authorization to practice.
- 12VAC5-31-1010 Misappropriation or theft of medications.

Case Study

The case of “ But we asked?!”



But We Asked?!

- Source of Information – a concerned citizen (witness)
- Crew performing interfacility transport
- Several hours of driving – got hungry
- Inquired patient if they could stop and get something to eat – patient agreed
- Crew parked unit and went in restaurant and sat down to eat – patient in unit...(with family member)

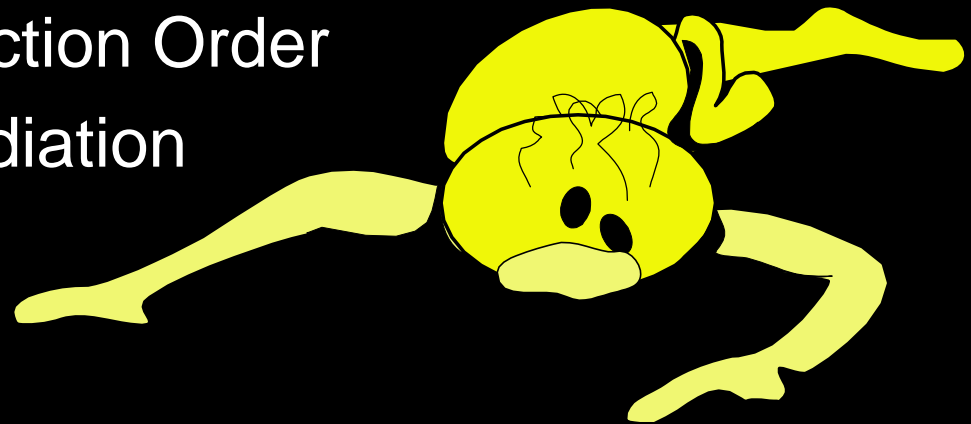
But We Asked?!

■ Results

- Agency policy revisited
- OMD notified

■ OEMS

- Citation with Correction Order
- Educational Remediation



But We Asked?!

- 12VAC5-31-1110 Transfer of patient care/patient abandonment.

Case Study

The case of “Not in my ambulance!”

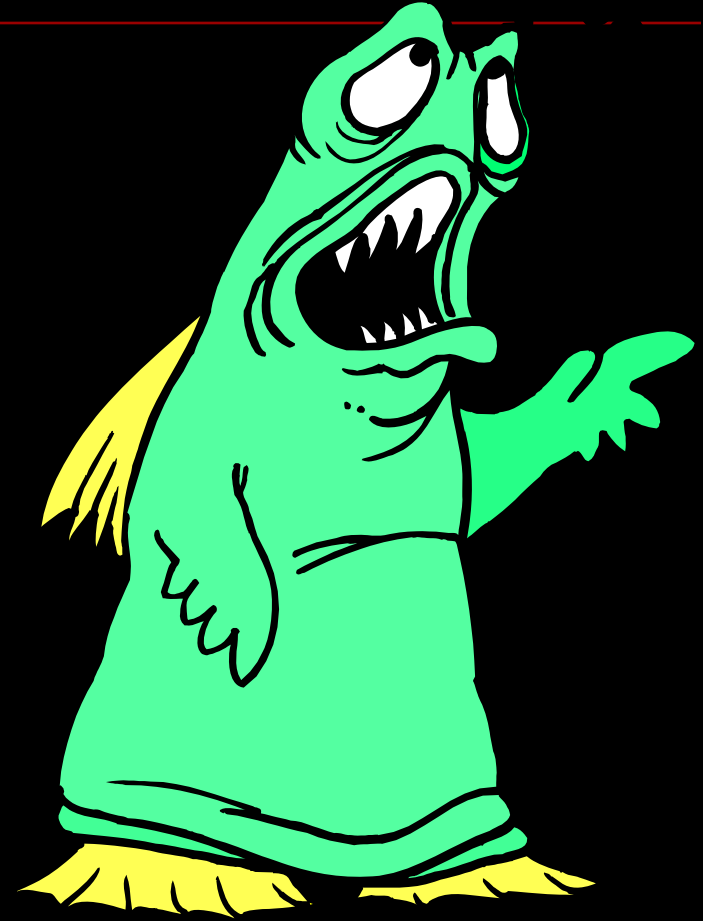


Not in My Ambulance!

- Source of Information – receiving facility
- Responds to “man down,” scooter nearby
- “Maggots!”
- Pt’s cc: ankle pain
- No physical assessment by provider
- Minimal vital signs (use of P/O only)

Not in My Ambulance!

- Results
 - Suspension by agency
 - Suspension by OMD
- OEMS
 - Citation

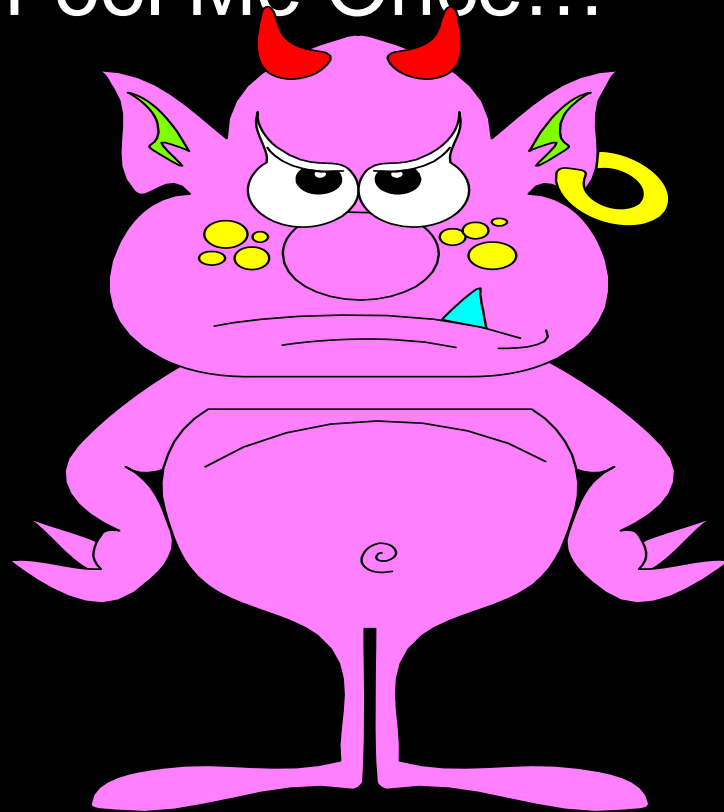


Not in My Ambulance!

- 12VAC5-31-1020 Discrimination in provision of care.

Case Study

The case of Fool Me Once...



Fool Me Once

- Source of Information – Rep initiated
- Students showing to CTS not knowing how to perform basic skills
- Interview notes students not taught
- Classes not held as scheduled (or made up)

Fool Me Once

- No parental permission slips
- Students allowed without CPR certification
- Skills verification signed when none occurred
- No clinical to speak of...
- Previous interaction with instructor of record

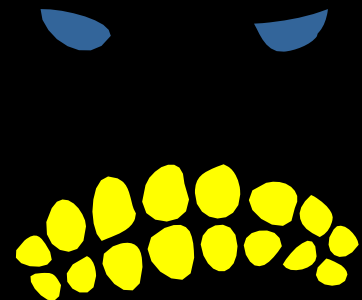
Fool Me Once

■ Results

- OMD of course withdraws support
- Course reassigned (OEMS/Regional Council)
- Course topics redone, clinical completed
- Employment jeopardized

■ OEMS

- IFFC
- Instructor status revoked



Fool Me Once

- 12VAC5-31-980 False application for license, permit, certificate, endorsement or designation.
- 12VAC5-31-1320 Course coordinator and instructor responsibilities.
- 12VAC5-31-1450 BLS student enrollment requirements.
- 12VAC5-31-1410 Physician course director involvement.

Final Presentation

The case of Warning Will Robinson!



Warning Will Robinson!

- EMT recently hired
- Dismissed from previous agency
- With basic crew to have lunch
- Returning from lunch, EMT took paddles and reached through doorway of ambulance, waiving the paddles...



Warning Will Robinson!

- Paddles contacted passenger, delivered 150 joules of energy
- Contact points on left side and top of shoulder
- Passenger told driver she had been shocked and then became unconscious

Warning Will Robinson!

- Patient transported to ED where agency OMD worked
- Patient resuscitated after 3 hours, transferred to level I center
- Patient succumbed to overwhelming organ failure

Warning Will Robinson!

- EMT initially to be charged with reckless endangerment
- Charged and convicted of involuntary manslaughter
- 5 years in prison, 5 years probation

Warning Will Robinson!

■ Results

- OMD withdrew authorization for provider
- Employee terminated
- Criminal investigation
- OEMS notified

■ OEMS

- Immediate suspension
- Certification revoked

Tarnished Badges and Bent Bugles

- Be careful
- Use common sense
- If it feels wrong, then it is wrong!

So, what is your question?

