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State of Wisconsin
Department of Health Services

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DIVISION OF PUBLIC HEALTH

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March 11, 2024

(Via E-Mail and Certified US Mail)

Beaver Dam Fire Department

Jake Zemlicka-Retzlaff
205 S. Lincoln Avenue
Beaver Dam, WI 53916

Re: Reprimand of Jake Zemlicka-Retzlaff #7031344

Dear Mr. Zemlicka-Retzlaff,

The Department of Health Services (Department), Emergency Medical Services (EMS) Section, hereby reprimands you, Jake Zemlicka-Retzlaff, License #7031344, as service director Beaver Dam Fire Department, related to your failure to ensure that all EMS personnel are properly licensed and credentialed as required by Wis. Admin Code DHS §110.48(3).

Factual Basis for the Department's Action

In September 2019, the Beaver Dam Fire Department reported to the Department that it had a paramedic providing patient care after his Cardiopulmonary Resuscitation (CPR) certification had expired. This event caused significant financial consequences to the Beaver Dam Fire Department. At that time, Beaver Dam Fire Department updated policies to ensure the issue would not reoccur.

As of February 8, 2022, are the service director on record with the Beaver Dam Fire Department. In your role as a service director for Beaver Dam Fire Department, you are responsible for assuring that EMS personnel working for Beaver Dam Fire Department are properly licensed and credentialed.

In your role as the current service director for Beaver Dam Fire Department, you completed the 2023-2026 EMS Service Provider Renewal Application on June 5, 2023. On the 2023-2026 EMS Service Provider Renewal Application, you entered your initials in the box provided to indicate you agreed with the following statements:

I understand that Wis. Admin. Code DHS § 110.48 states "Service director. An emergency medical service provider shall have a service director who shall:

- (1) Serve as the primary contact between the emergency medical service provider and the department.*
- (2) Assure that all elements of the operational plan are kept current.*
- (3) Assure that EMS personnel are properly licensed and credentialed.*
- (4) Provide day-to-day supervision of the ambulance service provider's operations."*

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An Emergency Medical Technician (EMT) was credentialed with Beaver Dam Fire Department had a Cardiopulmonary Resuscitation (CPR) certification that expired on August 30, 2023.

On January 2, 2024, the Department received a notification that the EMT was functioning as an EMT practitioner with Beaver Dam Fire Department since September 1, 2023, without a CPR certification. The EMS practitioner did not renew his CPR certification until January 4, 2024.

On February 8, 2024, the Department requested you provide the number of times the EMT had responded with Beaver Dam Fire Department after his CPR certification expired.

On February 9, 2024, the Department was provided with documentation listing at least 104 emergency medical responses the EMT completed with Beaver Dam Fire Department since September 1, 2023, to January 2, 2024, while his CPR certification was expired.

The documentation provided included at least 104 emergency medical responses the EMT completed with Beaver Dam Fire Department while you were the service director of record.

Legal Authority for Department Action

Under Wis. Admin Code DHS § 110.56,

The department may reprimand a licensee, permit holder, or certificate holder if the department finds that the person has violated a requirement of this chapter or ch. 256, Stats., or engaged in conduct described in s. DHS 110.54. A reprimand documents the department's finding that the permittee, certificate holder or licensee has violated a requirement of this chapter or ch. 256, Stats., or has engaged in conduct described in s. DHS 110.54. A reprimand may be in the form of a letter issued to the person who is the subject of the reprimand...

Wis. Admin. Code DHS § 110.54 provides:

The department may take any enforcement action under ss. 110.55 to 110.58, which it determines is appropriate against a person subject to the requirements of this chapter and ss. 256.12 to 256.18, Stats., for any of the following reasons:

(4) The person has violated any provision of ch. 256, Stats., or this chapter.

Wis. Admin. Code DHS §110.48 states,

An emergency medical service provider shall have a service director who shall:

- (1) Serve as the primary contact between the emergency medical service provider and the department.
- (2) Assure that all elements of the operational plan are kept current.
- (3) Assure that EMS professionals are properly licensed and credentialed.
- (4) Provide day-to-day supervision of the ambulance service provider's operations.

Department Action

Based on the records submitted, it has been determined that you failed to ensure EMS personnel were properly licensed and credentialed in accordance with Wis. Admin. Code 110 and Wis. Stat. ch 256.

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You are the service director for a Wisconsin EMS service. One of the practitioners with your service responded to and provided emergency care after their CPR certification expired. The Department reviewed records and conducted interviews to confirm these facts. Additionally, during an interview with you, you confirmed these facts as accurate.

CPR is a critical skill that can save lives in emergencies such as cardiac arrest. As the service director of record for Beaver Dam Fire Department, you are tasked with ensuring that all the EMS practitioners affiliated with your service maintain CPR certification which allows them to provide immediate assistance to patients who experience sudden cardiac arrest, significantly increasing the chances of their survival. Failing to ensure that EMS practitioners are certified in this critical skill is contrary to the responsibilities of an EMS service director.

In accordance with Wis. Admin. Code DHS §110.56, the Department will post the reprimand on the Department's website, will retain a copy of this letter of reprimand in your file, and may consider it in determining what further enforcement action may be appropriate if violations continue.

Pursuant to Wis. Admin. Code DHS § 110.56, the Department's issuance of this reprimand is a final decision of the Department and is not subject to an administrative hearing.

If you have any questions regarding this decision, please contact me at 608-266-8853 or mark.mandler@dhs.wisconsin.gov.

Sincerely,



Mark Mandler
EMS Section Manager
Office of Preparedness and Emergency Health Care
Wisconsin Department of Health Services