

Tony Evers
Governor



State of Wisconsin
Department of Health Services

Kirsten L. Johnson
Secretary

DIVISION OF PUBLIC HEALTH

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May 9, 2023

(Via E-Mail and Certified US Mail)

[REDACTED]

[REDACTED]

[REDACTED]

Re: Letter of Warning to [REDACTED]

Dear Ms. [REDACTED],

The Department of Health Services (Department), Emergency Medical Services (EMS) Section, hereby issues a letter of warning to you, [REDACTED], [REDACTED], as service director for [REDACTED], related to 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

During 2020, you were the service director on record with the [REDACTED]. In your role as a service director for [REDACTED], you completed the 2020-2023 EMS Service Provider Renewal Application on September 15, 2020. On the 2020-2023 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."*

Facts related to Practitioner practicing without a valid EMS License

[REDACTED] is an emergency medical practitioner credentialed with [REDACTED]. [REDACTED]'s Emergency Medical Technician (EMT)-Basic license expired on September 30, 2020.

On February 23, 2023, the Department received a notification that ██████████ was functioning as an emergency medical services practitioner with ██████████ from October 1, 2020, to February 22, 2023, without a valid license.

On March 9, 2023, the Department requested you provide the number of times ██████████ and responded with ██████████ after her license expired.

On April 17, 2023, you provided the Department with documentation listing at least 38 emergency medical responses ██████████ completed with ██████████ after her license expired on September 30, 2020.

Facts related to Practitioner who was not credentialed with ██████████

██████████ is a licensed EMT-Basic with current license that expires on June 30, 2023. ██████████ was not credentialed with ██████████ until February 27, 2023.

On February 23, 2023, the Department was notified that ██████████ was functioning as an emergency medical services practitioner with ██████████ without being credentialed with the service.

On March 9, 2023, the Department requested you provide the number of times ██████████ responded with ██████████ while not being credentialed.

On April 17, 2023, you provided the Department with documentation listing at least 65 emergency medical responses ██████████ completed with ██████████ while not being credentialed with your service. ██████████ was credentialed with your service on February 27, 2023.

Legal Authority for Department Action

Under Wis. Admin Code DHS §110.55,

The department may issue a warning letter to a licensee, permit holder, or certificate holder if the department finds that the person has committed a minor, first-time violation of a requirement of this chapter or ch. 256, Stats., or a minor, first-time violation identified in s. DHS 110.54. The department shall retain a copy of the warning letter in the person's file and may consider it when determining what enforcement action is appropriate if the person commits subsequent violations...

Wis. Admin. Code DHS §110.48 states,

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

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- (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 assure EMS personnel were properly licensed and credentialed in accordance with Wis. Admin. Code 110 and Wis. Stat. ch 256.

In accordance with Wis. Admin. Code DHS §110.55, the Department will post a copy of summary of the letter of warning, which does not identify the recipient of the letter, on the Department's EMS website, will retain a copy of this letter of warning in your file, and may consider it in determining what further enforcement action may be appropriate if subsequent violations occur.

Pursuant to Wis. Admin. Code DHS § 110.55, the Department's issuance of this letter of warning is a final decision of the Department and is not subject to an administrative hearing.

If you need additional assistance, please contact me by phone at 608-267-7178 or via email at natalie.easterday@dhs.wisconsin.gov.

Sincerely,



Natalie Easterday
Director
Office of Preparedness and Emergency Health Care
Wisconsin Department of Health Services