

Tony Evers
Governor



State of Wisconsin
Department of Health Services

DIVISION OF PUBLIC HEALTH

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Kirsten L. Johnson
Secretary

Telephone: 608-266-1251
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September 19, 2023

(Via E-Mail and Certified US Mail)

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

Re: Letter of Warning to [REDACTED]

Dear Mr. [REDACTED],

The Department of Health Services (Department), Emergency Medical Services (EMS) Section, hereby issues a letter of warning to you, [REDACTED], License [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 2023, you were the service director on record with the [REDACTED]. In your role as a service director for [REDACTED], you completed the 2023-2026 EMS Service Provider Renewal Application on June 8, 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."*

Facts related to Practitioner practicing without a valid EMS License

[REDACTED] is a paramedic credentialed with [REDACTED]. [REDACTED]'s paramedic license expired on June 30, 2023.

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On August 4, 2023, the Department received a notification that [REDACTED] was functioning as a paramedic practitioner with [REDACTED] from July 1, 2023, to August 4, 2023, without a valid license.

On August 11, 2023, the Department requested you provide the number of times [REDACTED] had responded with [REDACTED] after her license expired.

On August 22, 2023, you provided the Department with documentation listing at least 11 emergency medical responses [REDACTED] completed with [REDACTED] during the period her license was expired.

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:

- (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.

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

Sincerely,

A handwritten signature in black ink that reads "Mark Mandler". The signature is written in a cursive style with a long, sweeping underline.

Mark Mandler

EMS Section Manager

Office of Preparedness and Emergency Health Care

Wisconsin Department of Health Services