

STATE OF LOUISIANA
EMS CERTIFICATION COMMISSION

Disciplinary Settlement Committee
Settlement Conference Minutes
January 21, 2011

Welcome and call to order Friday, January 21, 2011 12:45 p.m.

I. Disciplinary Settlement Committee

MEMBERS	STATUS
Lauri Scivicque Designee of the Chair	Present
Medical Director	
David McCay, DHH Attorney Bureau of Legal Services	Present @3pm
Stephen Phillipe, Sr., Program Manager Director, Bureau of EMS	
Alan Lambert, Program Manager Deputy Director, Bureau of EMS	Present
Rebecca Harris, Program Monitor Bureau of EMS	Present

Under the Authority of LAC Title 46, Part XXXVIII § 511. Formal Disciplinary Action:

The Disciplinary Settlement Committee consists of the chair, or a designee of the chair, and another member of the commission or a bureau staff member, and is delegated the authority to hear and render a final decision regarding settlement of a contested administrative matter by offering a settlement order in lieu of an administrative hearing. Settlement Orders shall be deemed an order of the commission, effective immediately upon signature of all parties to the agreement. Should the Committee be unable to resolve the case, or should the Committee believe that the public would be better protected by a decision rendered by an entire commission, the matter will be forwarded to the commission for a formal hearing.

II. Formal Disciplinary Proceeding

<i>Time Fixed</i>	<i>Individual Information and Allegation</i>	<i>Violation of Rule or Order</i>	<i>Disciplinary Action</i>
1:00pm	Elvis Babin (Right to practice as a FR student)	LAC Title 46, Part XXXVIII § 503(D)2. is guilty of a felony or is convicted of a crime or offense which reflects the inability to practice EMS with due regard for the health and safety of clients or patients or enters a plea of guilty or nolo contendere to a criminal charge regardless of the final disposition of	The matter does not rise to the level requiring formal disposition at this time and the matter is dropped with no disciplinary action.

STATE OF LOUISIANA
EMS CERTIFICATION COMMISSION

		the criminal proceeding, including, but not limited to, expungement, nonadjudication or pardon.	
2:00pm	James Kennedy (Right to practice as a FR student)	<p>LAC Title 46, Part XXXVIII § 503(D)2. is guilty of a felony or is convicted of a crime or offense which reflects the inability to practice EMS with due regard for the health and safety of clients or patients or enters a plea of guilty or nolo contendere to a criminal charge regardless of the final disposition of the criminal proceeding, including, but not limited to, expungement, nonadjudication or pardon.</p> <p>LAC Title 46, Part XXXVIII § 503(D)4. Is habitually intemperate in the use of or abuses alcohol or habit-forming drugs.</p> <p>LAC Title 46, Part XXXVIII § 503(D)5. Has demonstrated actual or potential inability to practice EMS with reasonable skill and safety to individuals because of use of alcohol or drugs.</p>	<p>Certification is suspended with a stay of said sentence. Certification is probated during good behavior and placed under supervision of the bureau for a period of time. Certification will be marked "probated" and any additional specific requirements will be identified.</p>
3:00pm	Joseph Davenport (Formal Complaint):	<p>LAC Title 46, Part XXXVIII § 503(D)3.h. is unfit or incompetent by reason or negligence, habit or other cause; improper use of drugs, medical supplies, or equipment, patients records or other items.</p> <p>LAC Title 46, Part XXXVIII § 503(D)3.i. is unfit or incompetent by reason or negligence, habit or other cause; misappropriating items of an individual, agency or entity.</p> <p>LAC Title 46, Part XXXVIII § 503(D)10. is guilty of aiding or abetting another person in the violation of LAC Title 46, Part XXXVIII § 503(D)3.j. falsifying records.</p>	<p>No violation of the Emergency Medical Services Practice Act, or rules, or order of the commission or bureau occurred and the matter is dropped.</p>
4:00pm	George Grice (EMT B recertification/self-reported violation)	<p>LAC Title 46, Part XXXVIII § 503(D)3.j. is unfit or incompetent by reason or negligence, habit or other cause; falsifying records.</p>	<p>Certification is suspended with a stay of said sentence. Certification is probated during good behavior and placed under supervision</p>

STATE OF LOUISIANA
EMS CERTIFICATION COMMISSION

		<p>LAC Title 46, Part XXXVIII § 503(D)3.p. is unfit or incompetent by reason or negligence, habit or other cause; inappropriate, incomplete or improper documentation.</p> <p>LAC Title 46, Part XXXVIII § 503(D)2. is guilty of a felony or is convicted of a crime or offense which reflects the inability to practice EMS with due regard for the health and safety of clients or patients or enters a plea of guilty or nolo contendere to a criminal charge regardless of the final disposition of the criminal proceeding, including, but not limited to, expungement, nonadjudication or pardon.</p>	<p>of the bureau for a period of time, two cycles. Certification will be marked "probated" and any additional specific requirements will be identified.</p> <p>Fine payable to the Bureau of EMS in the amount of \$500.00.</p>
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III. Adjournment

Settlement Conference adjourned at 5:15pm.