

BEFORE THE
CONTRA COSTA COUNTY
EMERGENCY MEDICAL SERVICES AGENCY
STATE OF CALIFORNIA

In the Matter of the Emergency Medical
Technician Certification held by:

WILLIAM EDWARD RAYMUNDO,

Respondent.

OAH No. 2015020150

PROPOSED DECISION

Administrative Law Judge Steven C. Owyang, State of California, Office of Administrative Hearings, heard this matter on March 19, 2015, in Oakland, California.

Aaron Doyle, Pre-Hospital Care Coordinator, represented complainant Patricia Frost, Director, Contra Costa County Emergency Medical Services Agency, State of California.

Respondent William Edward Raymundo was present. He was not represented by legal counsel.

The matter was submitted for decision on March 19, 2015.

FACTUAL FINDINGS

1. Complainant Patricia Frost, Director, Contra Costa County Emergency Medical Services Agency, State of California., filed the statement of issues in her official capacity.
2. Respondent William Edward Raymundo holds Emergency Medical Technician (EMT) certification number E079164, first issued by the Emergency Medical Services Agency on February 1, 2011. The agency reissued respondent's certification on November 1, 2012. Respondent's certification was valid through October 31, 2014.
3. On October 30, 2014, respondent submitted an application for EMT recertification to the agency. A condition precedent to recertification was the completion of 24 hours of approved emergency medical services (EMS) continuing education.

4. Respondent included with his recertification application a Statement of Continuing Education that represented he had completed the required 24 hours of approved EMS continuing education. Respondent certified under penalty of perjury that all information on the application was true and correct and that he understood that any falsification or omission of material facts might cause the forfeiture of all rights to EMT recertification. As is discussed in greater detail below, respondent had not completed the required hours of approved EMS continuing education at the time he submitted his application.

5. By letter dated November 5, 2014, the agency notified respondent that he had been selected for audit of his continuing education hours. As part of the audit, the agency asked respondent to provide copies of certificates for each of the continuing education courses he had listed in his application. On November 7, 2014, respondent provided to the agency copies of his continuing education certificates.

6. Respondent's Statement of Continuing Education reported that he completed a Pediatric Advanced Life Support course on October 28, 2014, and an Advanced Cardiac Life Support course on October 29, 2014. Respondent provided certificates showing he had completed both courses on October 29, 2014. The course provider was the National ACLS Testing Center, which is not eligible to provide the continuing education credits needed for respondent's recertification. Thus these courses did not help respondent meet his continuing education obligation. Respondent was apparently unaware of this when he took the courses.

7. Respondent misrepresented on his Statement of Continuing Education that he had completed three approved continuing education courses on October 30, 2014: Soft Tissue and Musculoskeletal Care; Trauma and Shock; and, Pediatrics. The course certificates he provided to the agency, however, showed that respondent did not complete those courses until November 7, 2014. This was more than one week after he submitted his application for recertification. Respondent, moreover, did not complete these courses until after the agency notified him his continuing education hours would be audited.

8. Respondent did complete an online course in EMT Preparatory on October 30, 2014, as stated in his application. The course, however, provided only 2.25 hours of continuing education credit.

9. On November 12, 2014, the agency notified respondent that it had initiated an investigation against him that might result in administrative or disciplinary action against his EMT certification. Included in the notice was the following allegation:

It is alleged that on or about October 30, 2014, you fraudulently and dishonestly submitted an application for EMT recertification to the Agency by declaring, under penalty of perjury, that you completed the following continuing education courses on October 30, 2014: (1) Soft-Tissue [*sic*] and Musculoskeletal Care; (2) Trauma and Shock; (3) Pediatrics.

After an audit of your continuing education records, it was discovered you did not complete the above listed courses until November 7, 2014, seven (7) days after your EMT certification expired. Additionally, you listed continuing education hours for Advanced Cardiac Life Support and Pediatric Life Support, however, the certificates you provided in response to the audit do not qualify for EMS continuing education.

10. As an additional prerequisite to EMT recertification, respondent was required to complete a skills competency verification by demonstrating 10 delineated skills on a live or simulated patient. In his recertification application respondent submitted a skills competency verification form indicating that his skills had been verified by "NREMT" Orvis Slack on October 27, 2014. Slack is not a California certified paramedic or EMT and was not authorized to sign off on respondent's skills competency verification form. During the agency's investigation, moreover, respondent also acknowledged that he had not demonstrated each skill on a live or simulated patient. Thus respondent did not meet the skills competency verification requirement.

11. At the hearing in this matter respondent acknowledged that he had filed an inadequate and incomplete application for recertification. He acknowledged that he had made a lot of mistakes. He acted out of haste and confusion as his recertification date approached. He acknowledged that he had not completed the Trauma and Shock, Soft Tissue and Musculoskeletal Care, and Pediatrics courses until November 7, 2014. He did not know Orvis Slack was not qualified to certify his skills. He acknowledged that he did not demonstrate his skills competencies on a live or simulated patient. Respondent maintains, however, that he did not mean to defraud the agency.

LEGAL CONCLUSIONS

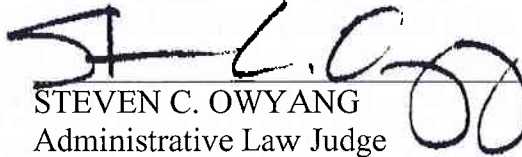
Complainant established cause to discipline respondent's EMT certification pursuant to Health and Safety Code section 1798.200, subdivisions (c)(1) (fraud in procurement of certificate or license), (c)(5) (fraudulent, dishonest, or corrupt act substantially related to qualifications, functions, or duties of pre-hospital personnel), and (c)(7) (violation of provisions pertaining to pre-hospital personnel). He did not complete the requisite 24 hours of continuing education on a timely basis, but misrepresented to the agency that he had met that requirement. Respondent, moreover, did not validly demonstrate his skills competency. (Factual Findings 3 – 8, and 10.)

Respondent maintains that he did not intend to defraud the agency. Nevertheless he knew when he certified his completion of the requisite continuing education hours on October 30, 2014, he not in fact done so. This was a dishonest and knowing attempt to mislead the agency.

ORDER

Respondent William Edward Raymundo's EMT certification number E079164 is revoked.

DATED: April 16, 2015

A handwritten signature in black ink, appearing to read "S. C. Owyang", is written over a horizontal line.

STEVEN C. OWYANG
Administrative Law Judge
Office of Administrative Hearings

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BEFORE THE
CONTRA COSTA COUNTY
EMERGENCY MEDICAL SERVICES AGENCY

In the Matter of the Emergency Medical
Technician Certification held by:

OAH Case No.: 2015020150
Enforcement Case No.: 14-1019

WILLIAM EDWARD RAYMUNDO
EMT Certification No.: E079164

**COMPLAINANT CONTRA COSTA
COUNTY'S HEARING EXHIBITS**

Respondent.

Date: March 19, 2015
Time: 1:00 p.m.
Location: 1515 Clay Street, Suite 206
Oakland, CA 94612

Complainant, Contra Costa County, hereby submits the following Exhibits to be
introduced at the hearing in the above-captioned matter on March 19, 2015:

1. William Raymundo EMT Recertification Application – Oct. 30, 2014.
2. Notice of EMT Recertification Application Audit – Nov. 5, 2014.
3. Audit Trail: Soft Tissue & Musculoskeletal Care, November 7, 2014
4. Trauma & Shock – Nov. 7, 2014
5. Audit Trail: Trauma & Shock – Nov. 7, 2014
6. EMT Preparatory – Oct. 30, 2014
7. Audit Trail: EMT Preparatory – Oct. 30, 2014
8. Pediatrics – Nov. 7, 2014
9. Audit Trail: Pediatrics – Nov. 7, 2014