

**STATE OF FLORIDA
DEPARTMENT OF HEALTH
BUREAU OF EMERGENCY MEDICAL OVERSIGHT**

2021 FEB 28 PM 1:42

DEPARTMENT OF HEALTH,

Petitioner,

vs.

Case No. 2019-11689

**ESCAMBIA COUNTY PUBLIC
SAFETY DEPARTMENT,**

Respondent.

_____ /

ADMINISTRATIVE COMPLAINT

The Department of Health (“Petitioner”), by and through the undersigned attorney, files an Administrative Complaint against Escambia County Public Safety Department (“Respondent”) and states:



NATURE OF ACTION

1. Pursuant to § 401.411, Fla. Stat. (2017-2018), this is an action to reprimand Respondent’s EMS Service Provider Advanced Life Support license, and impose administrative fines up to \$1,000.00 per day per count as provided by law.

JURISDICTION AND VENUE

2. Petitioner has jurisdiction pursuant to Chapter 120, Fla. Stat. (2017-2018) and Chapter 28-106, Fla. Admin. Code.

3. Venue lies pursuant to Fla. Admin. Code R. 28-106.207.

PARTIES

4. Petitioner is a state agency established in § 20.43, Fla. Stat. (2017-2018), and is charged with regulating emergency medical services pursuant to Chapter 401, Fla. Stat. (2017-2018).

5. At all times material hereto, Respondent has been licensed as an EMS Service Provider Advanced Life Support in the state of Florida, with license number ALS1703.

6. Respondent's address of record and mailing address is Escambia County Public Safety Department c/o Sgt. Champion, 6575 North West Street, Pensacola, Florida 32505.

COUNT I

7. Petitioner re-alleges and incorporates paragraph 1 through 6 as if fully set forth herein.

 **COPY**

8. Pursuant to § 401.411(1)(g), Fla. Stat. (2017-2018), a licensee, certificate holder, or other person operating under this part is subject to discipline for unprofessional conduct, including, but not limited to, any departure from or failure to conform to the minimal prevailing standard of acceptable practice under this part, including undertaking activities that the emergency medical technician, paramedic, health care professional, or other professional is not qualified by training or experience to perform.

9. In or about 2018, Respondent issued several recertification cards to instructors who had not met the requirements for recertification. These certifications include but are not limited to Advanced Cardiac Life Support (ACLS), Basic Life Support (BLS), Pediatric Advanced Life Support (PALS), and Pediatric Emergency Assessment Recognition and Stabilization (PEARS).

10. Respondent allowed the instructors to teach courses without verifying the validity of the instructor certifications.

11. Pursuant to § 401.411(7), Fla. Stat. (2017-2018), Petitioner may impose an administrative fine, not to exceed \$1,000.00 per violation and each day constitutes a separate violation and is subject to a separate fine.

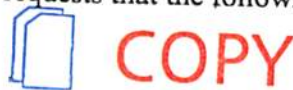
CONCLUSIONS OF LAW

12. Respondent violated § 401.411(1)(g), Fla. Stat. (2017-2018), by engaging in unprofessional conduct by issuing recertifications to instructors who had not met recertification requirements, and allowing instructors to teach courses without verifying the validity of the instructor certifications.

13. All classifications of EMS licensure held by Respondent are subject to any final order which issues in this case, as provided by § 401.411(2), Fla. Stat. (2017-2018).

CLAIM FOR RELIEF

WHEREFORE, Petitioner respectfully requests that the following sanctions be imposed against Respondent:



- a. Make factual and legal findings in favor of Petitioner on Count I.
- b. Pursuant to § 401.411(1), Fla. Stat. (2017-2018), reprimand Respondent's license.
- c. Pursuant to § 401.411(7), Fla. Stat. (2017-2018), administratively fine Respondent up to \$1,000.00 each day for violating § 401.411(1)(g) Fla. Stat. (2017-2018).
- d. Provide such other relief as may be proper.

Dated this 28th day of February 2020.

[Signatures on following page]

Respectfully submitted,

Virginia Edwards

Virginia Edwards
Assistant General Counsel
Fla. Bar No. 1003243
Florida Department of Health
Office of the General Counsel
4052 Bald Cypress Way, Bin #A02
Tallahassee, FL 32399-1703
Telephone: (850) 245-4005
Facsimile: (850) 413-8743
Email: Virginia.Edwards@flhealth.gov



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. certified mail to Escambia County Public Safety Department c/o Sgt. Champion, 6575 North West Street, Pensacola, Florida 32505, on this 28th day of February 2020.

Virginia Edwards
Virginia Edwards, Esq.