

**TITLE: CAUSES FOR THE DENIAL OR REVOCATION
OF A PREHOSPITAL EMERGENCY MEDICAL CARE CERTIFICATE**

EMS Policy No. 2702

PURPOSE: The purpose of this policy is to specify causes for the denial or revocation of a prehospital emergency medical care certificate.

AUTHORITY: Health and Safety Code, Division 2.5, Section 1797.220, 1798.200; California Code of Regulations, Title 22, Division 9, Chapters 2, 3, 4, and 6.

DEFINITIONS:

- A. "Advanced Emergency Medical Technician (Advanced EMT or A/EMT)" means a person who has successfully completed an advanced A/EMT course which meets the requirements of the California Code of Regulations, Title 22, Division 9, Chapter 3, and has passed all required tests and who has been certified by the Advanced EMT Certifying Authority.
- B. "Emergency Medical Technician (EMT)" means a person who has successfully completed a basic EMT course which meets the requirements of the California Code of Regulations, Title 22, Division 9, Chapter 2, and has passed all required tests and who has been certified by an EMT Certifying Authority.
- C. "Medical Director" means the San Joaquin County EMS Agency Medical Director.
- D. "Prehospital Emergency Medical Care Certificate" or "Certificate" means any valid certificate to provide prehospital emergency medical care issued pursuant to Division 2.5 of the State of California Health and Safety.

I. Denial or Revocation of a Certificate:

- A. The Medical Director may deny or revoke any prehospital certificate for disciplinary cause that has been investigated and verified pursuant to the requirements of Health and Safety Code, Division 2.5.
- B. The Medical Director shall deny to issue or shall revoke any prehospital certificate if any of the following apply to the applicant or certificate holder:
 - 1. Has committed any sexually related offense specified under Section 290 of the Penal Code.
 - 2. Has been convicted of murder, or attempted murder, or murder for hire.
 - 3. Has been convicted of two (2) or more felonies.
 - 4. Is on parole or probation for any felony.
 - 5. Has been convicted and released from incarceration for said offense during the preceding fifteen (15) years for the crime of manslaughter or involuntary manslaughter.
 - 6. Has been convicted and released from incarceration for said offense during the preceding ten (10) years for any offense punishable as a felony.

Effective: **DRAFT July 9, 2010**

Page 1 of 2

Supersedes:

Approved:

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7. Has been convicted of two (2) or more misdemeanors within the preceding five (5) years for any offense relating to the use, sale, possession, or transportation of narcotics or addictive or dangerous drugs.
 8. Has been convicted of two (2) or more misdemeanors within the preceding five (5) years for any offense relating to force, or threat, or violence, or intimidation.
 9. Has been convicted within the preceding five (5) years of any theft related misdemeanor.
- C. The Medical Director may deny or revoke any prehospital certificate if any of the following apply to the applicant:
1. Has committed any act involving fraud or intentional dishonesty for personal gain within the preceding seven (7) years.
 2. Is required to register pursuant to Section 11590 of the Health and Safety Code.
- D. This policy shall not apply to convictions that have been pardoned by the Governor, and shall only apply to convictions where the applicant/certificate holder was prosecuted as an adult. Equivalent convictions from other states shall apply to the type of offenses listed in B or C. As used in this policy, "felony" or "offense punishable as a felony" refers to an offense for which the law prescribes imprisonment in the state prison as either an alternative or the sole penalty, regardless of the sentence the particular defendant received.
- E. This policy shall not apply to an Advanced EMT or EMT who obtained a certificate prior to July 1, 2010; unless:
1. The certificate holder is convicted of any misdemeanor or felony after July 1, 2010.
 2. The certificate holder committed any sexually related offense specified under Section 290 of the Penal Code.
 3. The certificate holder failed to disclose any prior convictions when completing his/her application for initial EMT certification or recertification.
- F. Nothing in this policy shall negate an individual's right to appeal a denial or revocation of a prehospital certificate.
- G. Negative certification action by the Medical Director shall be valid statewide and honored by all certifying entities for a period of at least twelve (12) months from the effective date of the certification action. An Advanced EMT or EMT whose application was denied or an Advanced EMT or EMT whose certification was revoked by the Medical Director shall not be eligible for certification by any other certifying entity for a period of at least twelve (12) months from the effective date of the certification action.

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Page 2 of 2

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Medical Director

EMS Administrator