

DISCIPLINE AND ENFORCEMENT REFERENCE

Last revised: 05/21/2025

Last reviewed: 02/11/2025



Mailing Address: 450 E. Alessandro Blvd • ATTN: REMSA • Riverside, CA 92508
Phone: (951) 358-5029 • Fax: (951) 306-3784 • www. <https://rivcoready.org/remsa>

Table of Contents

Purpose and Key Terms	Page 5
Types of Discipline <ul style="list-style-type: none"> • Denial Due to Discipline or Conviction • Denial Due to Qualifications • Suspension <ul style="list-style-type: none"> ○ Suspension Timeframes for Invalid Credentials ○ Temporary Suspension Order (TSO) 	Page 8
<ul style="list-style-type: none"> • Probation <ul style="list-style-type: none"> ○ Conditions of Probation ○ Probation Periods ○ Probation Quarterly Reports (PQRs) 	Page 9
<ul style="list-style-type: none"> ○ How to Submit a PQR ○ Troubleshooting PQR Submissions • Revocation 	Page 10
Disciplinary Cause and Investigations <ul style="list-style-type: none"> • Disciplinary Cause • Investigative Authority <ul style="list-style-type: none"> ○ Investigative Responsibility • Specific Causes for Investigation <ul style="list-style-type: none"> ○ Criminal Activity 	Page 11
<ul style="list-style-type: none"> ○ Self-disclosures <ul style="list-style-type: none"> ▪ Expungements ▪ Applicants New to Riverside County Who Are Already Certified Through Another Entity Who Have (a) Previous Conviction(s) ▪ Applicants New to Riverside County Who Are Already Certified Through Another Entity, or Who Have Never Held an EMT Certificate Before, Who Have (An) Unsettled <u>Criminal</u> Court Case(s) 	Page 12
<ul style="list-style-type: none"> ○ Complaints and Unusual Occurrence Reports • The Investigation Process <ul style="list-style-type: none"> ○ Overview ○ Discovery and Preliminary Review ○ Step 1 – Notification to the Relevant Employer ○ Step 2 – Notification to the Respondent 	Page 13
<ul style="list-style-type: none"> ▪ Respondent’s Rights ○ Step 3 – Document Collection 	Page 14
<ul style="list-style-type: none"> ○ Step 3.5 – Interview (if applicable) 	Page 15
<ul style="list-style-type: none"> ○ Step 4 – Drafting and Delivery of a Charging Document to the Respondent 	Page 16

Emergency Medical Technicians (EMTs)	Page 17
<ul style="list-style-type: none"> • Investigation and Disciplinary Procedures Specific to EMTs <ul style="list-style-type: none"> ○ Step 5 – Notice of Defense ○ Step 5.5 – Failure to Respond / Decision by Default ○ Step 6 – The Appeal Process, ALJ Hearing ○ Step 6.5 – Decision by Hearing ○ Step 7 – Final Determination 	
▪ Notification of Disciplinary Action to The Respondent	Page 18
▪ Notification of Disciplinary Action to the Relevant Employer(s)	Page 19
Paramedics	Page 20
<ul style="list-style-type: none"> • Investigation and Disciplinary Procedures Specific to Paramedics <ul style="list-style-type: none"> ○ Actions Against Paramedic State Licenses ○ Accreditation Denial for Initial Applicants ○ Accreditation Suspension or Revocation for Active Credential Holders 	
○ The Appeal Process, Investigative Review Panel	Page 21
Mobile Intensive Care Nurses (MICNs)	Page 22
<ul style="list-style-type: none"> • Investigation and Disciplinary Procedures Specific to MICNs <ul style="list-style-type: none"> ○ Authorization Denial for Initial Applicants ○ Authorization Suspension or Revocation for Active Credential Holders ○ The Appeal Process, Investigative Review Panel 	

Appendices

Appendix A

INVESTIGATIVE REVIEW PANEL (IRP)	
<ul style="list-style-type: none"> • Purpose of the IRP • Goal of the IRP • The Appeal Process, Convening of an IRP • Step 5 – Notification to REMSA by the Respondent, Requesting an IRP • IRP Members 	Page 23
<ul style="list-style-type: none"> ○ Non-Communication with IRP Members ○ Disqualification and Recusal of an IRP Member ○ Rescheduling of an IRP Due to Lack of Members 	Page 24
• Step 6 – Notification to the Respondent and Relevant Employer of an IRP Hearing	
○ Recording and Open vs. Closed Hearings	Page 25
• Step 7 – IRP Member Hearing Preparation	
<ul style="list-style-type: none"> • Step 8 – IRP Hearing Procedures • Step 9 – Evaluation of Information by the IRP • Step 10 – Notification of the Medical Director’s Decision • Step 10.5 – Judicial Review, if applicable 	Page 26
Appendix B	
SPECIFIC CAUSES OF INVESTIGATION AND MODEL DISCIPLINARY ORDERS	Page 27

Appendix C	
DECISION MATRIX FOR CERTIFICATE HOLDERS OR APPLICANTS WITH DRUG / ALCOHOL RELATED INVESTIGATIONS, ARRESTS, AND/OR CONVICTIONS PURSUANT TO H&S 1798.200(c)(9)	Page 34
Appendix D	
Application Denial, and Certification Revocation, Criteria	Page 37



PURPOSE AND KEY TERMS

PURPOSE

To define the steps and processes used by the Riverside County EMS Agency (REMSA) when initiating, notifying, investigating, and adjudicating legal issues involving prehospital personnel as well as the statutory authority delegated to REMSA to execute these actions.

KEY TERMS

Certificate / Certification

The term used to describe the specific document issued to an individual denoting competence in the named area of prehospital service. For the purposes of this guide, “certificate” and “certificate holder” will refer to Emergency Medical Technicians (EMTs).

License / Licensure

The term used to describe the specific document issued to an individual denoting competence in the named area of prehospital service. For the purposes of this guide, “license” and “license holder” will refer to paramedics.

Authorization

The term used to describe the specific document issued to an individual denoting competence in the named area of prehospital service. For the purposes of this guide, “authorization” and “authorization holder” will refer to Mobile Intensive Care Nurses (MICNs).

Credentialed / Credential Holder

For the purposes of this guide, “credentialed” and “credential holder” will be used as catch-all terms to refer to more than one group of individuals in Riverside County who hold an EMT certificate, paramedic licensure, or MICN authorization.

Respondent

The certificate, license, or authorization applicant or holder identified in an Accusation or Statement of Issues.

“Shall Deny” and “Shall Revoke” Criteria

Specific actions codified in the California Code of Regulations (CCR) Title 22 § 100108.06(c)(1)-(9) which, if applicable to the applicant or credential holder, require the LEMSA Medical Director to “deny or revoke an EMT... certificate.” Some of those actions include but are not limited to the commission of any sexually related offense specified under Penal Code (PC) § 290 and convictions related to murder, manslaughter, narcotics use, violence and theft. See Appendix B (page 27) for more information.

Accusation

A written statement of charges (i.e., what the certificate / license / authorization holder is being accused of), in ordinary and concise language, that explains their acts or omissions of the respondent. May also be referred to as a “charging document.”

Statement of Issues

A written statement of charges (i.e., what the applicant for certificate / license / authorization is being accused of), in ordinary and concise language, that explains the acts or omissions of the respondent. May also be referred to as a “charging document.”

Administrative Law Judge (ALJ)

A judge who presides over administrative law trials and adjudicates claims or disputes involving administrative law. ALJs can administer oaths, take testimony, rule on questions of evidence, and make factual and legal determinations.

Notice of Defense / Notice of Participation

A document that, when returned to REMSA, identifies that the respondent elects to have their case heard in front of an ALJ.

Notice of Discovery / Request for Discovery

A document that identifies the witnesses and evidence that will be presented at trial, should the respondent elect to have their case heard in front of an ALJ.

Statement to Respondent

A written statement that details all documents that were sent to the respondent regarding their case. Should they elect to have their case heard in front of an ALJ, the statement also provides instructions that include how to file a Notice of Defense and where to mail response documents. It also provides a basic outline of how the Discovery process operates and what to expect during the hearing.

Model Disciplinary Orders (MDO)

An accepted guideline that provides consistent and equitable delivery of discipline in cases dealing with violations of the California Health and Safety Code (HSC), Division 2.5 § 1798.200. See Appendix B (page 27) for details.

Stipulated Settlement Agreement (Agreement)

A legal document that typically contains admissions of guilt by the respondent to one or more causes for discipline, which automatically triggers the issuance of standardized discipline, based on the MDO's published by the California EMS Authority (EMSA). Discipline comes in many forms and, depending on the admission(s) of misconduct, may include probation with terms and conditions, suspension of certification, surrender of certification, or even revocation of certification. When settled, minor violations usually result in remediation through re-education only. Agreements are presented to respondents in their final form and are non-negotiable. Respondents who choose Agreements over formal hearings waive their rights to further due process procedures and appeals and are legally bound by the terms of the Agreement, but in choosing to settle, save time and money and often end up with the same penalty order that would result after a full administrative hearing. May also be referred to as a "probation agreement."

Administrative Procedures Act (APA)

Codified in 5 U.S.C. § 551–559A, the APA is a federal act that governs the procedures of administrative law, establishing its rules and how litigation is adjudicated.

Decision and Order (D&O)

A document, issued by either the REMSA Medical Director or an ALJ, after the facts contained within an Accusation or Statement of Issue(s) are thoroughly investigated and an outcome is determined. D&O documents contain procedural findings, factual findings, a determination of issues, and the order itself. These documents, when signed by the REMSA Medical Director, are legal and binding.

EMS Certifying Entity

A public safety agency or the Office of the State Fire Marshal, if the agency has a training program for EMT personnel that is approved pursuant to the standards developed pursuant to HSC § 1797.109, or the medical director of a LEMSA. For the purposes of this guide, the certifying entity for EMTs is REMSA and the certifying entity for paramedics is the California (CA) EMS Authority.

Investigative Review Panel (IRP)

An impartial advisory body whose members are knowledgeable in the provision of prehospital EMS and EMS system policies and procedures. IRP hearings review the suspension, revocation, or denial of a license. An IRP is responsible for assisting in establishing facts, and providing recommendations, to the REMSA Medical Director.

Mitigating Evidence

Evidence furnished by the respondent to prove the existence of extenuating circumstances surrounding the charges alleged in the Accusation or Statement of Issues. Examples include explanations, justifications, proof of innocence, etc. that might help persuade the certifying entity to decrease the potential discipline that may be issued.

Aggravating Evidence

Evidence that increases or elevates the severity of the charges alleged in the Accusation or Statement of Issues. Typically, the presence of aggravating evidence, or circumstances, will lead to a harsher penalty for the respondent; generally recognized factors include but are not limited to the heinousness of the crime, the respondent's lack of remorse, and prior conviction(s).

Preponderance of the Evidence

Preponderance of the evidence is the evidentiary standard necessary for a victory in administrative law cases. Simply put, a preponderance of the evidence means that the evidence provided by either party is more likely to be true than not true.

Unusual Occurrence

An incident or event in which any Federal, State, or local law, or any REMSA policy or protocol was violated, either intentionally or unintentionally. These occurrences are identified by level of severity and, for the purposes of this guide, only refer to Level C occurrences, which are considered so egregious that they require formal disciplinary action.



TYPES OF DISCIPLINE

Notes on formal disciplinary action(s) imposed on a credential holder are recorded and retained in their ImageTrend License Management System (LMS) profile, as well as in the California Emergency Medical Services Personnel Registry portal (formerly known as the “Central Registry”). Formal disciplinary documentation is retained for periods of time determined by County of Riverside and REMSA policies. All formal actions taken by REMSA are reported to EMSA, or the National Practitioner Database (NPDB), or both. Types of formal discipline include:

Denial Due to Discipline or Conviction

Initial applicants to REMSA may have their application denied due to previous disciplinary actions imposed on their credential by another certifying entity or due to “shall deny” criteria, pursuant to CCR 22 § 100108.06, or both. Certification denial by any EMS certifying entity will be honored by all other certifying entities for at least one (1) year from the date of the signed D&O.

Denial Due to Qualifications

Initial and recertifying applicants may have their applications “denied without prejudice” for failing to meet the minimum requirements to become certified or maintain certification. “Denial without prejudice” is not based on previous disciplinary action, is not recorded or reported to any other entity, and does not have a one (1) year waiting period to reapply. As soon as the applicant meets all required qualifications to become (re)certified, they may reapply.

Suspension

Credential suspensions do not affect credential renewal dates, but they may require certain conditions to be met in order to return a credential to an ACTIVE (unrestricted) status. Suspension periods may be effective for as little as seven calendar days to as long as 60 calendar days. When a credential holder’s credential is suspended, they are not permitted to work or volunteer in any capacity in which they would need their credential to be in an ACTIVE (unrestricted) status to practice in the prehospital setting. Credential holders who are able to satisfy the conditions of their suspension period may be subject to a period of probation upon its completion.

Suspension Timeframes for Invalid Credentials

Riverside County EMTs and paramedics who, after an investigation, have been found to have responded to (a) medical aide(s) AND who have been found to have provided patient care of any kind without a valid credential, will have their credential suspended upon its return to an ACTIVE status. Riverside County MICNs who, after an investigation, have been found to have answered a base station phone AND who have been found to have provided medical direction of any kind without a valid authorization, will have their authorization suspended upon its return to an ACTIVE status. The suspension period is dependent on the number of calendar days in which the individual worked without a valid credential or authorization:

Calendar Days Worked with Invalid Credentials	Calendar Days of suspension
1 to 30 days	7 days
31 to 60 days	14 days
61 days to 90 days	21 days
91 days to 120 days	28 days
120 days or more	Revocation

Temporary Suspension Order (TSO)

A TSO is an immediate suspension of a credential holder’s credential due to the following:

1. They have engaged in acts or omissions that constitute grounds for credential revocation, pursuant to CCR 22’s “shall revoke” criteria **AND**

2. The opinion of the REMSA Medical Director is that permitting them to continue to engage in the provision of patient care poses an imminent threat to the health and safety of the public.

If challenged, a TSO must be reviewed within thirty (30) calendar days by an ALJ. REMSA may issue a TSO against a state paramedic license; however, the reason(s) for the TSO must be immediately forwarded to EMSA, who will either review and accept, or reject, the TSO within three business (3) days. If accepted, the thirty (30) calendar day window for a hearing applies.

Probation

Credential holders whose credentials are placed on probation are permitted to work at their designated certification level, usually with no restrictions on their scope of practice; however, certain conditions must be satisfied during the probationary period, or the probationer will be considered in violation of their Agreement.

Conditions will always include:

- Compliance with all terms of the Agreement, which include but are not limited to:
 - Reporting for personal appearances (i.e., interviews, meetings, and / or evaluations), as directed by REMSA
 - Submission of Probation Quarterly Reports
 - Notification of new employment or termination / resignation from previous employment
 - Maintaining active certification with REMSA
 - Obeying all Federal, State, and local laws

Conditions may include:

- Clinical remediation, which includes but is not limited to:
 - Skill competency verification course(s), supervised field training time, case / tape reviews, mandatory participation in applicable certification courses (e.g., CPR, ACLS, PALS, etc.), or any combination thereof
 - If education alone is offered as a form of remediation, a performance improvement plan (PIP, which may also be referred to as a clinical education plan, or CEP) will be developed to track progress and completion. REMSA may work in cooperation with the credential holder's employer or other appropriate system resources in the development and execution of the PIP / CEP. **Remediation in the absence of concurrent or subsequent discipline is considered a quality assurance action; however, failure to complete all required steps outlined in a PIP / CEP, including compliance with a clinical remediation plan, may trigger disciplinary action.**
- Participation in an Ethical Practices of EMS course
- Random alcohol, drug, and / or biological fluid testing
- Participation in (an) on-going support group(s), which includes but is not limited to:
 - Narcotics Anonymous, Alcoholics Anonymous, or any other Twelve Step or similar support group
- Participation in individual counseling

Probation Periods

Initial applicants: two (2) years, typically

Credential holders: three (3) years, typically

The maximum probationary period allowed by law is five (5) years.

Probation Quarterly Reports (PQRs)

All credential holders placed on probation are required to submit quarterly PQRs to REMSA within a specific, prescribed reporting window using the ImageTrend LMS portal. The report is a one (1) page form, which is an attestation of compliance or non-compliance, with the stipulations of their probation agreement. Probationers must complete and return these forms during the quarterly reporting period; failure to submit PQRs on time, or at all, is violation of an Agreement which may result in REMSA taking action against a probationer's credential (i.e. revocation).

How to submit a PQR:

1. Login to ImageTrend here: <https://ca.emsbridge.com/remsa/public/portal#/login>. On the left menu bar, click on “Applications”
2. Under the “Applications” banner that appears, find “Probation Quarterly Report.” Click “Apply Now”
3. On the next screen, review the “Introduction” page and confirm that the submission is being reported for the appropriate quarter. Once reviewed, click “Save and Continue” at the bottom of the screen
4. On the next screen, titled “Probation Quarterly Report”:
 - a. Review and confirm that all of the information is correct.
 - b. Attest to compliance, or non-compliance, with the stipulations of probation.
 - c. Upload documents as appropriate.
 - d. Digitally sign and submit.

When successfully submitted, the LMS will send a confirmation email to the email address on file. REMSA recommends saving this email as proof of successful reporting.

Troubleshooting PQR Submissions

1. If the LMS proves dysfunctional for any reason, the REMSA Help Desk should be contacted as soon as possible at (951) 840-0675.
2. If submission through the LMS proves to be a nonviable option, a scanned copy of the PQR form should be emailed to emsdiscipline@rivco.org. In the body of the email, a narrative explaining what issues occurred within the LMS and the assistance that the Help Desk provided, must be included.
3. If submission through the LMS proves to be a nonviable option **AND** no response has been received after submitting scanned copies to emsdiscipline@rivco.org, the Discipline and Enforcement Investigator assigned to your case should be contacted in order to schedule an in-person appointment to submit a hard copy of your PQR.
4. If all other methods fail, a hard copy of all required documentation should be mailed to REMSA via USPS Certified mail. REMSA also recommends using the Return Receipt service to prove delivery occurred.

Should the probationer fail to submit their PQR in a timely manner, or at all, the following disciplinary action(s) will take place:

1. First missed PQR – A First and Final Warning of probationary non-compliance will be sent via email and USPS Certified mail, to the respective addresses on file.
2. Second missed PQR – A petition to terminate probation and initiate credential revocation proceedings will be submitted to the REMSA Medical Director.

As a courtesy, REMSA may remind probationers of the need to submit their PQRs; however, it is the responsibility of the probationer to initiate and submit their reports at the appropriate time and to ensure successful submissions.

Revocation

Revocation is the invalidation, or canceling, of a credential. Once revoked, the credential holder can no longer hold himself or herself as an EMT, paramedic, or MICN. Credential revocation by any EMS certifying entity will be honored by all other certifying entities for at least one (1) year from the date of the signed D&O. To regain a credential after the one (1) year revocation period, the applicant must meet the same standards that a new applicant must meet. Additionally, the revocation applies to the applicant’s previous credential number; therefore, when a new credential is granted, it will be an entirely new / different credential number.



EMERGENCY MEDICAL TECHNICIANS (EMTs)

Disciplinary Cause

HSC and CCR 22 specify the actions for which discipline can, or may, be taken against an applicant or credential holder. When filing an Accusation, Statement of Issues, or other charging document, REMSA may cite different but applicable statutes, codes, regulations, ordinances, policies, and / or protocols. Disciplinary cause applies to all provider levels throughout REMSA's jurisdiction in which there was a violation of HSC, CCR 22, REMSA policy / procedure, etc.

Investigative Authority

REMSA has the delegated authority to conduct investigations according to statutes and regulations, which include but are not limited to violations of:

- HSC § 1798.200 et seq.
- CCR 22, Division 9, Chapters 3.1, 3.2, 3.3, 4.1, and 4.2

Investigative Responsibility

In most incidents, the certifying entity that issued the credential(s) to the involved individual(s) will be responsible for investigating and issuing discipline.

- Example: REMSA is the certifying entity of a credential belonging to an individual who was arrested for violation of the law. The incident occurred in Riverside County; therefore, REMSA will initiate the investigation and, also, impose any related discipline.

In some cases, however, the certifying entity that holds jurisdictional authority will perform the investigation and issue discipline.

- Example: REMSA is the certifying entity of a credential belonging to an individual who was arrested for violation of the law. The incident occurred in San Bernardino County; therefore, ICEMA may initiate the investigation and, also, impose any related discipline.

Regardless, both affected certifying entities will jointly discuss how the case will proceed before any action(s) are taken.

For EMTs whose employer is also their certifying entity, investigative and disciplinary authority rests with the Medical Director of the LEMSA where the entity is headquartered.

Specific Causes for Investigation

Criminal Activity

See Appendix B (page 27) for more information.

Pursuant to HSC § 1797.117 and 1797.118, LiveScan fingerprints submitted to the California Department of Justice (DOJ) and Federal Bureau of Investigation (FBI) will be used for the purposes of obtaining in-state (i.e., California), out-of-state (i.e., outside of California), and federal:

- Arrest records
- Conviction records and
- Trial, appeal, and bail records.

REMSA Discipline and Enforcement staff are DOJ-authorized Custodians of Records who have access to Criminal Offender Record Information (CORI). The CORI system contains records and data compiled by criminal justice agencies (i.e., the DOJ and FBI) for the purposes of identifying criminal offenders and maintaining, as to each such offender, a summary of arrests, pretrial proceedings, the nature and disposition of criminal charges, sentencing, incarceration, rehabilitation, and release. As such, REMSA Discipline and Enforcement staff are notified daily of certificate holder arrests, convictions, etc. as well as previous arrest and conviction data belonging to EMT certification applicants.

Self-disclosures

It is REMSA's statutory duty to protect the health and safety of the public when an applicant for an EMS credential, or a current EMS credential holder, has been convicted of a criminal act, has committed a criminal act, has had a recognized performance deficiency, or has had a disciplinary action taken against their credential.

REMSA receives notifications about these actions from multiple sources; failure to disclose them during the application process may be interpreted as attempting to fraudulently procure a certificate or license, which is grounds for denial of that application (pursuant to HSC § 1798.200(c)(1)).

Expungements

PC § 1203.4 examines the process of petitioning the court for relief from a conviction. When granted relief according to PC § 1203.4(b), the petitioner (*i.e. YOU*) is "...released from all penalties and disabilities resulting from the offense of which they have been convicted." It also states that "...the order does not relieve them (*also you, the petitioner*) of the obligation to disclose the conviction in response to any direct question contained in any questionnaire or application for... licensure by any state or local agency...".

Applying for an EMS credential through REMSA is the application for licensure by a local agency; therefore, all convictions – including expungements granted pursuant to PC § 1203.4(b) – must be disclosed.

The only expungement that REMSA recognizes is pursuant to PC § 1203.4(b), which states, in pertinent part, "If a defendant successfully participated in the California Conservation Camp program as an incarcerated individual hand crew member... or successfully participated as a member of a county incarcerated individual hand crew... or participated at an institutional firehouse... and has been released from custody, the defendant is eligible for relief pursuant to this section...". For more information, refer to the **NOTE:** on page 18.

Applicants New to Riverside County Who Are Already Certified Through Another Entity Who Have (a) Previous Conviction(s)

Applicants who are already certified as an EMT through another entity who have (a) previous conviction(s) who apply for certification through REMSA will not need to provide certified copies of their arresting officer's reports (AORs) and Case Prints if all of the following criteria are met:

1. Their credential is in an active, unrestricted status (*i.e.*, not currently on probation) **AND**
2. They have not had a disciplinary action taken against their credential during the applicable time frame pursuant to CCR 22 § 100108.06 **AND**
3. Their supplemental background form disclosure(s) match(es) the information provided to REMSA by the DOJ and FBI.

Applicants New to Riverside County Who Are Already Certified Through Another Entity, or Who Have Never Held an EMT Certificate Before, Who Have (An) Unsettled CRIMINAL Court Case(s)*

In an increased effort to protect the health and safety of the public, REMSA will not process applications for certification if the applicant has an active, unsettled CRIMINAL court case. If an individual applies for certification and they are found to be party to a CRIMINAL court case with a status other than "Closed" (or an equivalent term, depending on the local court's terminology), correspondence will be sent to the email on file advising that their application will not be processed unless / until the case has been adjudicated. Applicants may elect to withdraw their application voluntarily by responding to the correspondence and advising REMSA of their withdrawal request. Otherwise, their application will remain in an "Under Review" status for a period of no more than one (1) year, or until it can be definitively determined that they are not precluded from certification for any of the reasons listed in HSC § 1798.200, whichever comes first. If the applicant's case is not adjudicated by one (1) year + one (1) day from the date that the application was received, it will be denied.

* Pursuant to HSC § 1797.210 and 1798.200

Complaints and Unusual Occurrence Reports

Incidents (“unusual occurrences”), concerns, or complaints that rise above the severity of those described in [REMSA Policy #7102](#) must be reported to REMSA through the [Discipline and Enforcement Complaint and Investigation Form](#). If, however, the nature or severity of the unusual occurrence is particularly egregious or heinous, the REMSA Discipline and Enforcement Unit should be contacted directly, by phone, at 951-358-5029 x2. REMSA takes all reported concerns seriously, whether or not the official reporting form is used.

When a Complaint and Investigation Form is received, REMSA will contact the reporting party to validate and clarify the report, then evaluate the preliminary information to determine if any immediate action against the accused’s credential is warranted.

For unusual occurrences that do NOT rise to the level of requiring disciplinary action against a holder’s credential, please submit your concern or complaint here: [REMSA Unusual Occurrence Reporting Form - Clinical](#).

The Investigation Process

NOTE: because each relevant employer is entitled to utilize their own methods to investigate and impose discipline, this guide will inform how REMSA, specifically, performs investigations and imposes discipline.

Overview

REMSA recognizes that participating in, or being the subject of, an investigation can be a difficult and distressing experience. With that, elements memorialized within the Firefighter’s Bill of Rights, aka FiBoR (CA AB 220, 2007), are used during all investigations, regardless of the provider’s credential, to create a systematic approach that is transparent, reasonable, fair, and respectful.

Discovery and Preliminary Review

When a cause for investigation has been triggered, REMSA will begin to review the circumstances related to the issue(s) and / or complaint(s) under the supervision of the REMSA Medical Director, the REMSA Administrator, or both.

Step 1 – Notification to the Relevant Employer

Once initially made aware of the cause for investigation, REMSA will notify the relevant employer within three (3) business days from the date that the allegation was found valid. This element of the notification process is not applicable when notification would require the disclosure of CORI.

HSC affords the relevant employer the “right of first refusal,” meaning that they have the right to investigate and / or discipline their employee before REMSA does, should they elect to exercise that right.

At any point during an investigation, the relevant employer must notify REMSA within three (3) business days of any of the following occurrences:

- The respondent’s employment was involuntarily terminated or they were suspended for a disciplinary cause **OR**
- The respondent voluntarily separated their employment following notification of an impending investigation based upon evidence that would indicate the existence of a need for disciplinary action **OR**
- The respondent was prohibited from performing any patient care duties for a disciplinary cause after the completion of the employer’s investigation

Step 2 – Notification to the Respondent

In most cases, REMSA will notify a respondent that an investigation has been opened by sending a formal request for information through the ImageTrend LMS. Respondents may also receive formal notification via email or USPS Certified mail, or both, that includes the REMSA designated case number, the cause for investigation, and what can be expected throughout the investigation.

Respondent's Rights

The respondent is entitled to representation of their choice throughout the investigation and during any subsequent prosecution; however, they will be responsible for all associated attorney costs and fees. They may also request "Discovery" up to thirty (30) calendar days after receiving the charging document and they are encouraged to familiarize themselves with administrative law processes and ask questions to REMSA personnel that pertain to their procedural rights.

DISCLAIMER: The information provided by REMSA personnel to respondents does not, and is not intended to, constitute legal advice; instead, all information provided is for general informational purposes only. Respondents are not required to, but REMSA highly encourages, contacting an attorney to obtain advice with respect to legal matters. Only the respondent's individual attorney can provide assurances and interpretations of the law based on their particular situation.

Step 3 – Document Collection

The collection of information begins, which includes but is not limited to gathering ePCR and CAD data, audiotapes / voiceprints, incident reports, personal narratives and witness statements, AORs*, certified court documents*, etc.

*In most cases, respondents will be required to pay a nominal fee to the applicable court or law enforcement agency to procure official, certified court documents (i.e., Case Prints and Minute Orders) and AORs. To ensure their authenticity and accuracy, and to determine if convictions fall within actionable timeframes, REMSA requires that respondents provide these documents during the initial phase of the investigation. Once verified, scans of the documents will be placed into the respondent's investigation e-file and the hard copies will be placed into a locked and secured file, onsite, in REMSA's office. Should a respondent wish to have their documents returned to them, REMSA will accommodate their request in one of two ways:

1. Respondents who hand-deliver their documents to REMSA's office where REMSA staff can inspect them onsite then scan them, will have them returned immediately after they have been scanned **OR**
2. Respondents who mail their documents to REMSA's office via USPS Certified mail will need to include a prepaid envelope to facilitate return shipping.
 - a. REMSA recommends the use of USPS Priority Mail Flat Rate envelopes that are at least 12.5" x 9.5" so that all documents may be returned at one time. Failure to utilize an appropriate return shipping method may result in documents being returned to REMSA due to lack of paid postage. REMSA will not reimburse respondents for any costs incurred if / when documents are returned due to a lack of prepaid postage.
 - i. REMSA also recommends the use of the USPS' Certified Mail service to ensure that any returned documents can be tracked and signed for on delivery.

After a thorough review of the facts and mitigating and / or aggravating circumstances, REMSA will find the issue and / or complaint to be one (1) of the following:

1. Unsubstantiated – the issue and / or complaint was unsubstantiated, and no disciplinary action will be taken by REMSA. The credential holder will be made aware of the complaint or request for investigation and, if applicable, their relevant employer will also be informed; all future actions will be addressed internally, by the relevant employer.
2. Substantiated but unactionable – the issue / and or complaint was substantiated, and it rises to the level of requiring remediation, but it does not meet the threshold for disciplinary action. The credential holder will be made aware of the complaint or request for investigation and, if applicable, their relevant employer will also be informed; all future actions will be addressed internally, by the relevant employer.
3. Substantiated and actionable – the issue and / or complaint was substantiated and rises to the level of requiring disciplinary action. The discipline imposed will be made part of the public record, and the provider will be reported to EMSA or the National Registry of EMTs or the National Practitioner's Databank, or all three, where applicable and required by law.

Should REMSA's investigation result in the issue and / or complaint being found unsubstantiated, or substantiated but unactionable, the relevant employer and the respondent (and their representative, if applicable) will receive a closure letter that identifies REMSA's findings and the official outcome of the case.

If the issue and / or complaint is found to be substantiated, but more information is needed from the respondent to clarify the circumstances in order to reach a conclusive decision, REMSA may request that they participate in an interview by email, telephone, or USPS Certified mail, or any combination thereof.

Step 3.5 – Interview (if applicable)

NOTE: bullet points that appear before information that look like this - ❖ - apply to fire department employees only; they are rights afforded by FiBoR.

The respondent may be asked to participate in more than one interview; their participation is expected.

If, prior to or during an interview, the respondent believes that they may be charged with a criminal offense, they will be immediately informed of their constitutional rights.

Prior to an interview, the following will occur:

- The respondent will be informed of the following:
 - The nature of the investigation.
 - The name, title, and command of the person in charge of the investigation.
 - The name, title, and command of the person(s) interviewing.
 - The name, title, and command of any other person(s) that will be present during the interview.
- ❖ The respondent's relevant employer shall provide to them, and obtain from them, a formal grant of immunity from criminal prosecution, in writing, before they may be compelled to respond to incriminating questions. Subject to that grant of immunity, should they refuse to respond to questions or submit to an interview, they will be informed that the failure to answer questions directly related to the investigation or interview may result in punitive action.

During an interview, the following will occur:

- REMSA will use an electronic recording device of their choosing to record the conversation in its entirety; conversely, the respondent has the right to utilize their own personal recording device to record all parts of the interview, should they elect to do so.
- All interviews will be conducted at a reasonable hour.
 - ❖ All interviews will be conducted at a reasonable hour, at a time when the respondent is on duty, unless an imminent threat to the safety of the public requires otherwise. If it is necessary to hold the interview during a time when the respondent is off duty, the relevant employer is required to compensate them for their time in accordance with regular department procedures. The respondent's compensation will not be reduced as a result of any work missed while being interviewed.
- The interview itself will last for a reasonable period of time, taking into consideration the gravity and complexity of the issue being investigated. Respondents will be allowed reasonable breaks to step outside, "stretch their legs," use the restroom, etc.
- Respondents will not be compelled to answer any type of question, be coerced to incriminate themselves, or be involuntarily subjected to a polygraph / lie-detector test with the promise of "a reward" in exchange for their participation.
 - ❖ Statements that respondents make during an interview when they are under duress, coerced, or threatened with punitive action will not be admissible in any subsequent judicial proceeding, subject to the following qualifications:

- ❖ This specific clause will not limit the use of statements otherwise made when a relevant employer is seeking civil service sanctions against any respondent, including disciplinary action brought under Government Code (GC) § 19572.
 - ❖ This specific clause will not prevent the admissibility of a respondent's statements when interviewed as part of any civil action, including administrative actions, brought forward by the respondent, or the respondent's exclusive representative, arising out of a disciplinary action.
- If formal charges are written, or when an interview focuses on matters that may result in punitive action against a respondent, they have the right to request representation by an individual of their choice, who is permitted to be present at all times during the interview.
 - The representative cannot be a party to the same investigation.
 - The representative is not required to disclose, or be subject to, any punitive action(s) for refusing to disclose any information received from the respondent while they are under investigation for noncriminal matters.
 - This clause does not apply to counseling, instruction, or informal verbal admonishment by, or other routine or unplanned contact with, a supervisor or any other employee.
 - Respondents will not be subjected to offensive language, physical violence, or threatened with punitive action(s) as a result of the investigation or for participating in an interview.
 - Unless explicitly permitted by the respondent in duress-free conditions, the relevant employer will not allow press or news media to bear witness to the interview.

After an interview, the following will occur:

- If any subsequent interviews or proceedings take place, the respondent may request, in writing, to receive copies of all audio recordings and verbal transcriptions prior to those interviews or proceedings. Additionally, they are entitled to copies of any notes taken during the interview, as well as any reports or complaints made by investigators or other persons, except those portions that are otherwise required by law to be kept confidential.
 - ❖ Notes or reports that are deemed to be confidential will not be entered into the respondent's personnel file.

Step 4 – Drafting and Delivery of a Charging Document to Respondent

Once all pertinent information has been gathered and reviewed, and an interview has taken place (if applicable), REMSA will draft a charging document that addresses the actions, inactions, convictions, or any combination thereof, that the respondent is being accused of. Initial applicants will receive a Statement of Issues and current credential holders will receive an Accusation; both documents contain the same information, however, they address reasons why disciplinary action(s) should be taken against an individual so that they do not receive a credential and an individual whose credential should be placed on probation, suspended or revoked, respectively.

Steps 1 through 4, as outlined above, apply to all respondents who are the subject of an investigation. Please refer to the subsequent pages in this reference to understand the investigation process for each individual credential level:

- Page 17 – EMTs
- Page 20 – Paramedics
- Page 22 – MICNs

Investigation and Disciplinary Procedures Specific to EMTs

REMSA has the delegated authority to initiate and carry out investigations, as well as impose disciplinary action, against EMTs who are certified through REMSA, and in some cases, EMTs who are certified by another LEMSA but who have been arrested, or convicted of a crime, or both, within REMSA's jurisdiction.

Step 5 – Notice of Defense

On receipt of their charging document, respondents have fifteen (15) calendar days to provide to REMSA their Notice of Defense, which preserves their right to have their case heard in front of an ALJ if they believe that the proposed disciplinary action should not be imposed or lessened.

Step 5.5 – Failure to Respond / Decision by Default

If REMSA does not receive the Notice of Defense by the end of that fifteen (15) calendar day period, it will be assumed that the respondent accepts the charges made against them and the default action referenced in their charging document will be imposed. This final action will be legal and binding.

For initial applicants, their application will be denied and, for a period of no less than one (1) year, they will be prohibited from reapplying for a credential with any LEMSA in California. For credential holders, discipline will align with the maximum penalty allowed by the MDOs.

Step 6 – The Appeal Process, ALJ Hearing

If REMSA receives the respondent's Notice of Defense within the fifteen (15) calendar day period, an administrative hearing will be scheduled and conducted pursuant to the APA. The REMSA Medical Director may choose to participate in the hearing; he also has the authority to delegate the responsibility of hearing testimony, examining evidence, and making a conclusionary decision to an ALJ. The initial appeal is always heard by an ALJ regarding EMT credentials.

If the REMSA Medical Director chooses to delegate the hearing to an ALJ, the ALJ will issue a proposed decision to REMSA within thirty (30) calendar days of the conclusion of the hearing. Thirty (30) calendar days after REMSA receives the proposed decision, a copy will be placed in the respondent's investigation file; it will remain public record. A copy will be served by REMSA via USPS Certified mail on each party and their attorney, if applicable.

Step 6.5 – Decision by Hearing

The REMSA Medical Director has one hundred (100) calendar days from receipt of the proposed decision to make a final decision. He may:

1. Adopt the decision in its entirety;
2. Reduce, or otherwise mitigate, the proposed discipline and adopt the balance of the proposed decision;
3. Make technical, or other minor changes, and adopt the decision;
4. Reject the proposed decision and refer the matter back to the ALJ to take additional evidence **OR**
5. Reject the proposed decision in its entirety and decide the case upon the record.

If the REMSA Medical Director fails to make a decision within the one hundred (100) calendar day period, the proposed decision will be adopted by REMSA as written by the ALJ. The adopted final decision is filed as public record and is served on the respondent and their attorney, if applicable. Generally, the final decision becomes effective thirty (30) calendar days after the final decision is delivered or mailed to the respondent.

Step 7 – Final Determination

Upon completion of the investigation, and post ALJ hearing, if applicable, a Case Summary will be presented to the REMSA Medical Director, which will include all information pertinent and respective to the case. The summary will also include a recommended disciplinary action plan that, in most instances, will align with EMSA's MDOs. Discipline imposed may include probation, suspension, or revocation of the respondent's certification.

When determining the severity of discipline, or when reviewing a petition for credential reinstatement or reduction of a penalty, REMSA will evaluate the case in its totality before presenting a Case Summary to the REMSA Medical Director. The following factors will be considered:

- The nature and severity of the act(s), offense(s), or crime(s);
- The actual, or potential harm, to the public and to any patient(s);
- Any prior warning(s), remediation, or discipline on record with REMSA or the relevant employer;
- The number and variety of current violations;
- Any and all aggravating or mitigating evidence; AND
- Any and all evidence of rehabilitation.

In determining appropriate certification disciplinary action, REMSA may give credit for prior disciplinary action imposed by the respondent's employer.

- In the case of (a) criminal conviction(s), the following will all be taken into consideration:
 - The total elapsed time since the act(s) or offense(s) occurred;
 - Any previous convictions;
 - Compliance with terms of the previous sentence, or court ordered probation, or both, if applicable;
 - If applicable, evidence of expungement proceedings pursuant to PC § 1203.4(b)

NOTE: Pursuant to AB 2147, REMSA recognizes relief granted pursuant to PC § 1203.4(b) as the only expungement type in which an applicant does not, and a credential holder will not, need to disclose their felony conviction(s) as part of their initial, or recertification, application. These individuals will have successfully participated in a California Conservation Camp as an incarcerated individual hand crew member as determined by the Secretary of the Department of Corrections and Rehabilitation, or successfully participated as member of a county incarcerated individual hand crew as determined by the appropriate county authority. Proof of expungement may be provided via certified court documents (i.e., Minute Orders or Case Print) or on a CR-432 form.

Some cases, however, in which the respondent's actions are so heinous that they must be adjudicated with a harsher penalty may not align with the MDOs. The final determination of disciplinary action rests with the REMSA Medical Director.

If a decision issued by REMSA is found to be unfavorable by the respondent, they may file a Writ of Mandate with the California Superior Court, requesting judicial review of the decision, pursuant to GC § 11460.80.

Notification of Disciplinary Action to the Respondent

A final D&O document will be generated, which will include the decision that was made, the date the decision was made, the date it will take effect, and the duration of the action. In addition, the statement will contain findings of fact and the determination of issues which led to the decision. This document will be signed by the REMSA Medical Director, making it legal and binding. If the decision is made that no disciplinary action will be taken, a notification letter stating such will be sent to the certification holder.

Most disciplinary actions will become effective thirty (30) calendar days from the date the REMSA Medical Director signs the D&O; however, pursuant to Article 13, Chapter 4.5 (commencing with § 11460.10) of the APA, REMSA may take immediate action against a credential holder's credential if protecting the public interest is necessary.

Notification of Disciplinary Action to the Relevant Employer(s)

REMSA will report the disciplinary action to all known employers (paid and volunteer) by USPS Certified mail, email, or phone call, or any combination thereof.



PARAMEDICS

Investigation and Disciplinary Procedures Specific to Paramedics

EMSA is the licensing-entity for paramedics in the state of California, which gives them the authority to initiate and carry out investigations, as well as impose disciplinary action against a paramedic's *license*. As the local accrediting entity for paramedics in Riverside County, REMSA is delegated the authority to initiate and carry out investigations, as well as impose disciplinary action-against a paramedic's *local accreditation*.

In most instances, paramedic discipline is carried out by EMSA against an individual's license first, and subsequent discipline imposed by REMSA against their local accreditation will align with the discipline imposed against their license.

Actions Against Paramedic State Licenses

When REMSA is notified that a paramedic has committed any act that appears to constitute grounds for disciplinary action against their state license, the information will be evaluated to determine if disciplinary action is warranted. In most instances, the act(s) performed by the paramedic will need to rise above those that could, or would, be resolved through the normal disciplinary process. Examples include but are not limited to the commission of PC 290 offenses, the commission of violent crimes with or without injury, the commission of murder / manslaughter, etc.

REMSA will notify EMSA of all allegations, at which point, EMSA's Enforcement Division may:

1. Determine that they should take over the investigation **OR**
2. Suggest that REMSA continue with the preliminary investigation **OR**
3. Determine that the allegation does not meet the threshold for investigation and dismiss it entirely

Accreditation Denial for Initial Applicants

Local accreditation will not be denied based on a paramedic's accreditation history with another LEMSA unless the cause for action was due to discipline against their previous accreditation pursuant to HSC § 1798.200 or CCR 22 § 100108.06, or both. Additionally, employer affiliation (i.e., bias against one and not another) will not be a deciding factor in local accreditation approval.

Accreditation Suspension or Revocation for Active Credential Holders

If suspension of local accreditation is deemed necessary and appropriate, it will be suspended until such time that all identified deficiencies are determined to be cured by REMSA.

Suspension of local accreditation will deny the credential holder the right to work in either the basic or optional scope of practice for paramedics in Riverside County. The individual may, however, operate as an EMT during the accreditation suspension period with prior approval from their employer.

Local accreditation may be suspended, or revoked, by the REMSA Medical Director if a paramedic does not maintain state licensure or meet continuous local accreditation requirements.

The REMSA Medical Director may suspend or revoke local accreditation of a paramedic as part of the quality improvement process only when the following conditions have all been met:

1. It is determined by the paramedic's employer, or the REMSA Medical Director, that the paramedic needs additional training or observation or testing, or any combination thereof **AND**
2. The employer and the REMSA Medical Director create a targeted remediation program based upon the specific needs of the paramedic **AND**
3. The paramedic fails to meet the targeted goals of the remediation program.

The Appeal Process, Investigative Review Panel

When REMSA denies, suspends, or revokes a local paramedic accreditation, the applicant or credential holder may appeal the disciplinary action based on the rights afforded to them by the APA. They must submit a written appeal to REMSA (at emsdiscipline@rivco.org) requesting the convening of an investigative review panel (IRP); this request will be met with a charging document along with other documents explaining the appeal process. Respondents will be given sufficient notification of any deadlines and requirements; they will also be granted due process.

For more information regarding an IRP, refer to Appendix A (page 23).



MOBILE INTENSIVE CARE NURSES (MICNs)

Investigation and Disciplinary Procedures Specific to MICNs

The California Board of Registered Nursing (BRN) is the licensing entity for registered nurses (RNs) in the state of California, which gives them the authority to initiate and carry out investigations, as well as impose disciplinary action against an RN's *license*. As the local authorizing entity for MICNs in Riverside County, REMSA is delegated the authority to initiate and carry out investigations, as well as impose disciplinary action plans against an MICN's *local authorization*.

In most instances, RN discipline is carried out by the BRN against an individual's license first, and subsequent discipline imposed by REMSA against their local authorization will align with the discipline imposed against their license.

Authorization Denial for Initial Applicants

Local authorization will not be denied based on an RN's authorization history with another LEMSA unless the cause for action was due to discipline against their previous authorization pursuant to HSC § 1798.200 or CCR 22 § 100108.06, or both. Additionally, employer affiliation (i.e., bias against one and not another) will not be a deciding factor in local authorization approval.

Authorization Suspension or Revocation for Active Credential Holders

If suspension of local authorization is deemed necessary and appropriate, it will be suspended until such time that all identified deficiencies are determined by REMSA to be cured.

Suspension of local authorization will deny the credential holder the right to work as an MICN in Riverside County. The individual may, however, operate as an RN in any capacity other than as an MICN during the authorization suspension period, with prior approval from their employer.

Local authorization may be suspended, or revoked, by the REMSA Medical Director if an MICN does not maintain state licensure or meet continuous local authorization requirements.

The REMSA Medical Director may suspend or revoke local authorization of an MICN as part of the quality improvement process only when the following conditions have all been met:

1. It is determined by the MICN's employer, or the REMSA Medical Director, that the MICN needs additional training or observation or testing, or any combination thereof **AND**
2. The employer and the REMSA Medical Director create a targeted remediation program based upon the specific needs of the MICN **AND**
3. The MICN fails to meet the targeted goals of the remediation program.

The Appeal Process, Investigative Review Panel

When REMSA denies, suspends, or revokes a local MICN authorization, the applicant or credential holder may appeal the disciplinary action based on the rights afforded to them by the APA. They must submit a written appeal to REMSA (at emsdiscipline@rivco.org) requesting the convening of an investigative review panel (IRP); this request will be met with a charging document along with other documents explaining the appeal process. Respondents will be given sufficient notification of any deadlines and requirements; they will also be granted due process.

For more information regarding an IRP, refer to Appendix A, beginning on the next page.



APPENDIX A

INVESTIGATIVE REVIEW PANEL (IRP)

Purpose of the IRP

The IRP is an impartial advisory body consisting of no less than three (3) but no more than five (5) members who are knowledgeable in the provision of prehospital emergency medical care and local EMS system policies and procedures. It is convened ad hoc to review allegations against an applicant for, or the holder of, local paramedic accreditation or MICN authorization.

Goal of the IRP

The goal of an IRP is to assist in establishing the facts of a case then provide its findings, as well as a disciplinary action plan recommendation, to the REMSA Medical Director. Similar to an ALJ hearing, recommendations made to the REMSA Medical Director by an IRP are non-binding and may be adopted in whole, in part, or dismissed entirely.

The Appeal Process, Convening of an IRP

If the REMSA Medical Director does not convene an IRP prior to making a final decision to deny, revoke, or suspend a paramedic's local accreditation or MICN's local authorization, the paramedic or MICN may submit a written appeal to the REMSA Discipline and Enforcement Unit (emsdiscipline@rivco.org) for one to be convened prior to the final decision taking effect.

Step 5 – Notification to REMSA by the Applicant or Credential Holder, Requesting an IRP

All requests for an IRP must be received by REMSA within fifteen (15) calendar days from the date that the applicant or credential holder received the REMSA Medical Director's decision. Additionally, within fifteen (15) calendar days of receipt of the negative disposition letter from REMSA, the paramedic or MICN has the right to file in writing, by USPS Certified mail, a response regarding the decision.

IRP Members

Should the applicant or credential holder request, one (1) member of the IRP will be mutually agreed upon by them and the REMSA Medical Director.

Panel members will include currently practicing Riverside County paramedics and MICNs who have been credentialed in REMSA's jurisdiction for a minimum of two (2) years, who are in good standing with their employer, and who have never had disciplinary action(s) taken against their local accreditation or authorization. In most instances, REMSA will attempt to compose the IRP so that its membership consists of at least one (1) ALS ground transport paramedic, at least one (1) ALS first response agency paramedic, and at least one (1) MICN; however, this configuration is wholly dependent on those provider types being available and willing to participate.

Members will not include the REMSA Medical Director, any current or previous (within the last 6 months) REMSA staff, anyone who submitted allegations against the applicant or credential holder, or anyone who is directly involved in the investigation. Additionally, current or recent (within 6 months) employers, employees, supervisors, or any first- or second-degree relatives of the certification holder are not permitted to serve as a member of the IRP.

Participation as an IRP member is voluntary and REMSA will not / does not compensate anyone monetarily for their time.

Non-Communication with IRP Members

Prior to an IRP hearing, the applicant or credential holder, or any representative, witness, or agent of the applicant or credential holder, is prohibited from contacting any person chosen to serve as a panel member regarding any part or portion of the matter under investigation.

IRP members are prohibited from contacting the applicant or credential holder, or any representative, witness, or agent of the applicant or credential holder, regarding any part or portion of the matter under investigation.

REMSA employees, its agents and/or witnesses are prohibited from contacting IRP members regarding the substance of the IRP hearing. REMSA's communication with IRP members or potential IRP members, or both, is only permitted for the purposes of explaining procedural aspects of the process, and only enough of the content as to permit panel members to determine if they should recuse themselves from the case. Discussion of arguments, evidence, and strategies is not permitted.

Disqualification and Recusal of an IRP Member

An IRP member will voluntarily recuse themselves from any case in which they cannot remain a fair and impartial reviewer of fact.

The applicant or credential holder may request, in writing, the disqualification of a panel member if they believe the member cannot provide a fair and impartial decision. The request must state the reason(s) upon which the claim is being made, and it must be received by REMSA at least seven (7) calendar days prior to the date that the IRP will take place. The REMSA Medical Director will determine within three (3) calendar days of receipt of the request whether the evidence warrants the disqualification of the panel member in question. Notification of the REMSA Medical Director's decision will be sent by USPS Certified mail to the applicant or credential holder prior to the date of the IRP hearing.

Rescheduling of an IRP Due to Lack of Members

Should the disqualification or recusal of a panel member result in a panel of less than three (3) members, an alternate panel member will be designated. If one cannot be designated prior to the scheduled hearing date, the hearing will be rescheduled with an alternate member no later than fifteen (15) calendar days after the original date.

Notification of a rescheduled hearing will be sent by USPS Certified mail and must be received by the applicant or credential holder no less than seven (7) calendar days prior to the rescheduled date.

Step 6 – Notification to the Applicant or Credential Holder and Relevant Employer of an IRP Hearing

Within thirty (30) calendar days of REMSA's receipt of a request to convene an IRP, one will be held to review the facts of the case and make its recommendation to the REMSA Medical Director.

If an IRP hearing is requested, notification of the hearing, along with this appendix and any other policies or procedures established by REMSA regarding IRPs, will be sent via USPS Certified mail to the applicant or credential holder and the relevant employer(s) at least fifteen (15) calendar days prior to the IRP hearing. The notice will include the following information:

- a. The purpose of the IRP hearing.
- b. Panel member names and applicable provisions for disqualification, if applicable.
- c. The date, time, and location of the hearing.
- d. A Request for Discovery form.
- e. The applicant or credential holder's right to be present during any testimony before the IRP.

- f. The applicant or credential holder's right to call witnesses and to cross examine witnesses called by REMSA during the hearing.
- g. The applicant or credential holder's right to be represented by legal counsel at the IRP, or to be accompanied by any other person of their choosing, to provide advice and/or support.
- h. The applicant or credential holder's right to present oral and/or written argument(s) and to present and rebut relevant evidence.
- i. The applicant or credential holder's right to request the hearing be open to the public. If that request is not specifically made, the hearing will be closed to the public.

Recording and Open vs. Closed Hearings

REMSA will record all IRP hearings using an electronic recording device of their choosing.

Should the applicant or credential holder determine that the use of a stenographer in place of, or in addition to, REMSA's electronic recording device is in their best interest, finding a stenographer from a reputable agency, retaining them, and reimbursing them, will be the responsibility of the applicant or credential holder.

The certification holder will notify REMSA that the services of a stenographer have been retained a minimum of three business (3) days prior to the hearing.

An IRP member, or REMSA, may order closure of all, or any part of the hearing proceedings, for any of the following reasons:

- 1. To satisfy the federal or state Constitution, statute, or other law, including but not limited to, laws protecting privileged, confidential, or other protected information.
- 2. To conduct the proceedings, including the manner of examining witnesses, in a way that is appropriate to protect a minor witness or a witness with a developmental disability, as defined in § 45132 of the Welfare and Institutions Code, from intimidation or other harm, taking into account the rights of all persons.

If the hearing is open, witnesses will be prohibited from observing until after they have been excused from providing further testimony.

Step 7 – IRP Member Hearing Preparation

On the day of the hearing, members of the IRP will meet prior to its start to accomplish the following tasks:

- Be advised that their recommendation(s) to the REMSA Medical Director will be based on a preponderance of the evidence presented in the hearing. Simply put, the evidence presented by either party must demonstrate that their case is more likely to be true than not true. Regardless, the burden of proof in an IRP hearing rests with the applicant for, or the holder of, a certificate to prove that the action taken by REMSA should be reversed or the penalty lessened.
- Be advised that IRP hearings do not need to be conducted according to technical rules relating to evidence and witnesses (i.e., like an actual court case or administrative law hearing). Any relevant evidence, including hearsay, may be admitted as long as the evidence is the type that a reasonable person would rely on in conducting serious affairs.
- Select a chairperson to preside over the hearing. This person will rule on the admission and exclusion of evidence and also make sure that the procedures (listed below, Step 8) are followed.

Step 8 – IRP Hearing Procedures

1. The hearing is called to order by the Chairperson.
 - a. The Chairperson will advise all participants of the following information:
 - i. Each party has the right to call and examine witnesses;
 - ii. Each party has the right to cross-examine witnesses;
 - iii. Each party has the right to question any witness, regardless of which party first called them to testify;
 - iv. Each party has the right to rebut evidence;
 - v. Each party has the right to introduce exhibits; and
 - vi. Each party has the right to representation at the IRP hearing.
2. An opening statement is made by the REMSA Medical Director or designee.
3. An opening statement is made by the certificate holder or applicant.
4. Evidence is presented by the certificate holder or applicant.
5. Evidence is presented by the REMSA Medical Director or designee.
6. Final comments are made by the REMSA Medical Director or designee.
7. Final comments are made by the certificate holder or applicant.
8. The certificate holder or applicant, any / all of the certificate holder or applicant's representatives, and all witnesses, are dismissed.
9. The IRP members enter a closed session to evaluate information.

Step 9 – Evaluation of Information by the IRP

The IRP will consider all relevant evidence on the matter to establish the facts of the case. All findings and recommendations reported to the REMSA Medical Director must have the concurrence of a majority of the panel members. If a majority of panel members cannot reach an agreement on a recommendation, then they must issue a report to the REMSA Medical Director stating that they are unable to reach a recommendation in the matter. Regardless, a written report of findings and / or recommendations will be submitted to the REMSA Medical Director within fifteen (15) calendar days of the conclusion of the hearing.

The REMSA Medical Director will evaluate information received that is generated as a result of the IRP, which may include but not be limited to ePCR audits, public complaints, or employer concerns that allege or indicate a breach or violation that is egregious, flagrant, demonstrates repeated violations of policy, procedure, or law, or rises to the level of a threat to public health and safety.

Step 10 – Notification of the Medical Director's Decision

The REMSA Medical Director will provide his determination of the action(s) to be taken to the applicant or credential holder and the relevant employer within fourteen (14) calendar days after the conclusion of the IRP. The following information will be included in the determination:

1. The specific allegations that triggered the investigation
2. A summary of the investigation and IRP findings, as well as the IRP's recommended discipline plan
3. The action(s) that will be taken, the date that it becomes effective (if applicable) and the duration of the action(s)(if applicable).

Step 10.5 – Judicial Review, if applicable

Should the applicant or certificate holder disagree with the D&O of the REMSA Medical Director after the conclusion of the IRP, they may request judicial review by filing a petition for a writ of mandate in accordance with the provisions of the Code of Civil Procedure, subject, however, to the statutes relating to the particular agency. Except as otherwise provided in GC § 11523, the petition shall be filed within thirty (30) calendar days after the last day on which reconsideration can be ordered (GC § 11523 (2023)).

APPENDIX B

SPECIFIC CAUSES OF INVESTIGATION

HSC § 1798.200(c) states that any of the following actions shall be considered evidence of a threat to the public health and safety and may result in the denial, suspension, or revocation of a certificate or license. Absent any aggravating or mitigating evidence, REMSA typically imposes the recommended discipline.

MODEL DISCIPLINARY ORDERS

The information contained in the table below can be found in EMSA's MDO document, [HERE](#).

NOTE: the phrase "Revocation stayed" refers to the act of pausing or postponing a revocation action, affording an applicant or credential holder the opportunity to complete the suspension and / or probation terms listed below, in lieu. Failure to successfully complete the suspension and / or probation terms as ordered would result in a petition to the REMSA Medical Director to terminate a stipulated settlement agreement and proceed with the stayed revocation action.

<u>Violation of 1798.200(c)(1):</u> Fraud in the procurement of any certificate or license ₁	Definition		Examples / Explanations
			Submitting fake / altered CE hours, certifications (e.g., ACLS, CPR, PALS, etc.) or SCVs, etc.
Minimum Discipline: <u>Applicant</u> : Sixty (60) calendar day denial <u>EMT</u> : Revocation stayed, Sixty (60) calendar day suspension	Recommended Discipline: <u>Applicant</u> : Denial <u>EMT</u> : Revocation	Maximum Discipline: <u>Applicant</u> : Denial <u>EMT</u> : Revocation	Optional Conditions of Probation: None.

₁ For this to be true, there must be demonstrable and verifiable malintent associated with the act.

<u>Violation of 1798.200(c)(2):</u> Gross Negligence	Definition		Examples / Explanations
	An extreme departure from the standard of care which, under similar circumstances would have ordinarily been exercised by a reasonable and prudent person trained and acting in a similar capacity while engaged in the performance of his or her duties if confronted with a similar circumstance.		Failure to meet the standard of care (i.e., failing to assess a patient or failing to transport a patient), treating a patient or performing a skill when not properly trained to do so, etc.
Minimum Discipline: Revocation stayed, Three (3) years probation with terms and conditions	Recommended Discipline: Revocation stayed, Sixty (60) calendar day suspension AND three (3) years probation with terms and conditions	Maximum Discipline: Revocation	Optional Conditions of Probation: Educational Course Work, Practical Skills Examination, Oral Skills Examination and / or Performance Improvement Plan.
<u>Violation of 1798.200(c)(3):</u> Repeated Negligent Acts	Definition		Examples / Explanations
	A repeated failure to use such care as a reasonable and prudent person trained and acting in a similar capacity while engaged in the performance of his or her duties would use if confronted with a similar circumstance.		Repeatedly failing to meet the standard of care (i.e., errors of omission or commission), repeatedly providing treatments or performing skills when not properly trained to do so, etc.
Minimum Discipline: Revocation stayed, One (1) year probation with terms and conditions	Recommended Discipline: Revocation stayed, Thirty (30) calendar day suspension AND three (3) years probation with terms and conditions	Maximum Discipline: Revocation	Optional Conditions of Probation: Educational Course Work, Practical Skills Examination, Oral Skills Examination and / or Performance Improvement Plan.

<u>Violation of 1798.200(c)(4):</u> Incompetence	Definition		Examples / Explanations
	The lack of possession of that degree of knowledge, skill, and ability ordinarily possessed and exercised by a certified EMT-I or AEMT.		A provider who does not understand or know how to perform a skill or task AND they do not recognize that they do not possess the skill or training to perform that task.
Minimum Discipline: Revocation stayed, One (1) year probation with terms and conditions	Recommended Discipline: Revocation stayed, Thirty (30) calendar day suspension AND three (3) years probation with terms and conditions	Maximum Discipline: Revocation	Optional Conditions of Probation: Educational Course Work, Practical Skills Examination, Oral Skills Examination and / or Performance Improvement Plan.
<u>Violation of 1798.200(c)(5):</u> The commission of any fraudulent, dishonest, or corrupt act which is substantially related to the qualifications, functions, and duties of prehospital personnel.	Definition		Examples / Explanations
	To carry out or perform any act that is intentionally deceptive, untrustworthy, or immoral, for personal or financial gain, as it relates to a provider's role in an organized EMS system.		Examples include falsifying ePCR data, cheating on a certification exam or while in a training program, lying during an investigation, etc.
Minimum Discipline: Revocation stayed, Three (3) years probation with terms and conditions	Recommended Discipline: Revocation stayed, Sixty (60) calendar day suspension AND Three (3) years probation with terms and conditions	Maximum Discipline: Revocation	Optional Conditions of Probation: Ethical Practice of EMS course

<p><u>Violation of 1798.200(c)(6):</u> Conviction of any crime which is substantially related to the qualifications, functions, and duties of prehospital personnel.</p>	Definition		Examples / Explanations
	A conviction of any kind. The record of conviction, or certified copy of the record, shall be conclusive evidence of such conviction.		REMSA is made aware of any / all misdemeanor and / or felony convictions that occur / have occurred inside – and outside – of California and uses them to determine if and what type of discipline should be imposed. Additionally, REMSA only recognizes expungements pursuant to PC § 1203.4(b) (not regular PC § 1203.4(a) expungements). These violations do NOT include minor infractions or fee-only judgements.
<p>Minimum Discipline: Revocation stayed, One (1) year probation</p>	<p>Recommended Discipline: Variable, depending on the nature of the crime</p>	<p>Maximum Discipline: Revocation</p>	<p>Optional Conditions of Probation: None.</p>
<p><u>Violation of 1798.200(c)(7):</u> Violating or attempting to violate directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provision of this division or the regulations adopted by the authority pertaining to prehospital personnel</p>	Definition		Examples / Explanations
	Directly, or indirectly, planning or helping someone else plan, to violate any of the provisions of this regulation.		Applicability of this section does not require a conviction, only a preponderance of the evidence. This section is also used to charge individuals who violate REMSA policies.
<p>Minimum Discipline: Revocation stayed, Three (3) years probation with terms and conditions</p>	<p>Recommended Discipline: Revocation stayed, Sixty (60) calendar day suspension AND Three (3) years probation with terms and conditions</p>	<p>Maximum Discipline: Revocation</p>	<p>Optional Conditions of Probation: Ethical Practice of EMS course</p>

Violation of 1798.200(c)(8): Violating or attempting to violate any federal or state statute or regulation which regulates narcotics, dangerous drugs, or controlled substances	Definition		Examples / Explanations
Minimum Discipline: Revocation stayed, Three (3) years probation with terms and conditions	Recommended Discipline: Revocation stayed, Sixty (60) calendar day suspension AND Three (3) years probation with terms and conditions	Maximum Discipline: Revocation	Optional Conditions of Probation: Abstinence from Drug Possession and Use, Abstinence from the Use of Alcoholic Beverages, Biological Fluid Testing, Drug / Detoxification / Diversion Program and / or Psychiatric/Medical Evaluation.
Violation of 1798.200(c)(9): Addiction to the excessive use of, or the misuse of, alcoholic beverages, narcotics, dangerous drugs, or controlled substances			Examples / Explanations
Minimum Discipline: Revocation stayed, Three (3) years probation with terms and conditions	Recommended Discipline: Revocation stayed, suspension until successful completion of drug/alcohol detoxification diversion program ‡ and five (5) years probation with terms and conditions	Maximum Discipline: Revocation	Mandatory Condition Prior to Probation Offer: A medical and psychiatric evaluation by a physician certified in addiction medicine. Optional Conditions of Probation: Abstinence from Drug Possession and Use, Abstinence from the Use of Alcoholic Beverages, Biological Fluid Testing, Drug / Detoxification / Diversion Program and / or Psychiatric/Medical Evaluation.

‡ Suspension time is indefinite, pursuant to completion of a detoxification program.

<u>Violation of 1798.200(c)(10):</u> Functioning outside the supervision of medical control in the field care system operating at the local level, except as authorized by any other license or certification.	Definition		Examples / Explanations
	Providing a level of care that is outside of the scope of practice for the provider’s level of certification -OR- Providing care while <u>NOT</u> in possession of an active, unexpired certification, license, or authorization		
Minimum Discipline: Revocation stayed, One (1) year probation with terms and conditions	Recommended Discipline: Revocation stayed, Fifteen (15) calendar day suspension AND One (1) year probation with terms and conditions	Maximum Discipline: Revocation	Optional Conditions of Probation: Educational Course Work and / or Practical Skills Examination.
<u>Violation of 1798.200(c)(11):</u> Demonstration of irrational behavior or occurrence of a physical disability to the extent that a reasonable and prudent person would have reasonable cause to believe that the ability to perform the duties normally expected may be impaired.	Definition		Examples / Explanations
	Irrational behavior, as it relates to this type of violation, is frequently defined as a lack or absence of logical thought and is typically exhibited by delusional, emotionally driven, or unsound actions. Individuals who are charged with violating this section may, but not necessarily, have had prior encounters with law enforcement (i.e., arrests) regardless of the reason, have been involuntary placed on a WIC 5150 hold at anytime in the past, have a history of impulsive decision-making, engaging in objectively risky behavior, a psychomotor handicap, etc.		
Minimum Discipline: Revocation stayed, One (1) year probation with terms and conditions	Recommended Discipline: Revocation stayed, Suspension until resolution of the physical or mental disability ¶	Maximum Discipline: Revocation	Optional Conditions of Probation: Practical Skills Examination, Oral Skills Examination and / or Psychiatric/Medical Evaluation

‡ Suspension time is indefinite pursuant to resolution of the physical or mental disability.

<u>Violation of 1798.200(c)(12)(A):</u> Unprofessional Conduct	Definition		Examples / Explanations
	The mistreatment or physical abuse of any patient resulting from force in excess of what a reasonable and prudent person trained and acting in a similar capacity while engaged in the performance of his or her duties would use if confronted with a similar circumstance. Nothing in this section shall be deemed to prohibit an EMT-I, AEMT or EMT-P from assisting a peace officer, or a peace officer who is acting in the dual capacity of peace officer and EMT-I, EMT-II, or EMT-P from using that force that is reasonably necessary to effect a lawful arrest or detention.		The objective use of more force than is necessary to subdue or restrain a patient for their safety, your safety, or the safety of the public.
Minimum Discipline: Revocation stayed, Three (3) years probation with terms and conditions	Recommended Discipline: Revocation stayed, Sixty (60) calendar day suspension AND three (3) years probation with terms and conditions	Maximum Discipline: <u>Applicant</u> : Denial <u>EMT</u> : Revocation	Optional Conditions of Probation: Stress/Anger Management and / or Psychiatric/Medical Evaluation
<u>Violation of 1798.200(c)(12)(B):</u> Unprofessional Conduct	Definition		Examples / Explanations
	The failure to maintain confidentiality of patient medical information, except as disclosure is otherwise permitted or required by law in § 56 and § 56.6, inclusive of the Civil Code.		HIPPA violations, etc.
Minimum Discipline: Revocation stayed, One (1) year probation with terms and conditions	Recommended Discipline: Revocation stayed, Thirty (30) calendar day suspension AND one (1) year probation with terms and conditions	Maximum Discipline: <u>Applicant</u> : Denial <u>EMT</u> : Revocation	Optional Conditions of Probation: Ethical Practice of EMS and / or Oral Skills Examination
<u>Violation of 1798.200(c)(12)(C):</u> Unprofessional Conduct	Definition		Examples / Explanations
	The commission of any sexually related offense specified under PC § 290.		
Minimum Discipline: <u>Applicant</u> : Denial <u>EMT</u> : Revocation	Recommended Discipline: <u>Applicant</u> : Denial <u>EMT</u> : Revocation	Maximum Discipline: <u>Applicant</u> : Denial <u>EMT</u> : Revocation	Optional Conditions of Probation: None.

APPENDIX C

DECISION MATRIX FOR CERTIFICATE HOLDERS OR APPLICANTS WITH DRUG / ALCOHOL RELATED INVESTIGATIONS, ARRESTS, AND/OR CONVICTIONS PURSUANT TO H&S 1798.200(c)(9)

NOTE: For the purposes of this table, an “ASAM evaluation” will refer to a medical and psychiatric evaluation by a physician certified in addiction medicine by the American Board of Preventative Medicine (ABPM) or the American Board of Psychiatry and Neurology (ABPN).

Offense	Applicant	EMT
<p><u>Type:</u> Misdemeanor conviction</p> <p><u>Number of Convictions:</u> One (1)</p> <p><u>Related to:</u> Alcohol or Drugs</p> <p><u>Time frame:</u> Within five (5) years of the date that the application was submitted.</p>	<p>Must obtain an ASAM evaluation.</p> <ul style="list-style-type: none"> • If no signs of impairment are found and the applicant is deemed fit for duty, they will be offered certification with a two (2) year stipulated probation agreement, standard terms and conditions applied. No random testing required. • If the applicant is impaired or found to be dependent on alcohol or drugs, their application will be denied. 	<p>Must obtain an ASAM evaluation.</p> <ul style="list-style-type: none"> • If no signs of impairment are found and the EMT is deemed fit for duty, their credential will be revoked, stayed, and they will be offered a three (3) year stipulated probation agreement with standard terms and conditions applied. Random testing may be recommended by the ASAM physician. • If the EMT is impaired or found to be dependent on alcohol or drugs, their certification will be revoked. <ul style="list-style-type: none"> ○ Recertification will require proof of two (2) years of continuous sobriety. ○ An ASAM evaluation will be required within 30 days of re-applying. ○ Random testing will be required. Workplace monitoring may be required.

Offense	Applicant	EMT
<p><u>Type:</u> Misdemeanor conviction</p> <p><u>Number of Convictions:</u> Two (2) or more</p> <p><u>Related to:</u> Alcohol or Drugs</p> <p><u>Time frame:</u> Within five (5) years of the date that the application was submitted</p> <p>OR</p> <p>A misdemeanor alcohol-related arrest / conviction while on probation (i.e., a second drug or alcohol related arrest or conviction less than five (5) years after the first)</p>	<p>Certification will be denied until five (5) years have elapsed since the most recent conviction.</p>	<p>TSO then revocation of the credential.</p> <p>The revocation action will remain in force throughout California for a period of no less than 12 months.</p> <ul style="list-style-type: none"> • Recertification will require proof of two (2) years of continuous sobriety. • An ASAM evaluation will be required within 30 days of re-applying. • Random testing will be required. Workplace monitoring may be required.

Offense	Applicant	EMT
<p><u>Type:</u> Investigation, arrest, or conviction</p> <p><u>Number of Occurrences:</u> One (1)</p> <p><u>Related to:</u> Drinking or drug use on-duty, or theft or diversion of drugs intended for patient care</p> <p><u>Time frame:</u> Within five (5) years of the date that the application was submitted</p>	<p>Must obtain an ASAM evaluation.</p> <ul style="list-style-type: none"> • If no signs of impairment are found and the applicant is deemed fit for duty, they will be offered certification with a two (2) year stipulated probation agreement, standard terms and conditions applied. No random testing required. • If the applicant is impaired or found to be dependent on alcohol or drugs, their application will be denied. 	<p>TSO then revocation of the credential.</p> <p>The revocation action will remain in force throughout California for a period of no less than 12 months.</p> <ul style="list-style-type: none"> • Recertification will require proof of two (2) years of continuous sobriety. • An ASAM evaluation will be required within 30 days of re-applying. • Random testing will be required. Workplace monitoring may be required.

APPENDIX D

Application Denial, and Certification Revocation, Criteria

REMSA Discipline and Enforcement staff are not permitted to answer situation-specific questions that applicants may have regarding felony and / or misdemeanor convictions and how they affect certification eligibility, prior to receiving LiveScan fingerprint records (i.e., *"I was convicted of XXX back in YYYY... can you just tell me: if I apply, will my application be denied?"*). The information in the tables below can be found individually in HSC § 1798.200, CCR 22 § 100108.06, and EMSA's MDOs; the intent of the tables below is to provide applicants with an easy-to-read diagram that may give them insight into potential outcomes should they have prior convictions, and they submit an application for EMT certification, local paramedic accreditation, or MICN authorization. Decisions made by REMSA typically align with the information in the tables; however, mitigating and aggravating circumstances are always a factor in the REMSA Medical Director's decisions.

Conviction Type	Charge(s)	Max # of Convictions	Aggravating Factor(s)	Eligibility for Certification	Conditions of Certification
Felony ₁	Any sexually related offense specified under PC § 290	1 ₁		Permanently ineligible.	N/A
Felony	Murder, attempted murder, or murder for hire	1		Permanently ineligible.	N/A
Felony	ANY, regardless of the charge	2		Permanently ineligible.	N/A
Felony	ANY, regardless of the charge	1	On parole or probation at the time of application	Ineligible until parole or probation terms are completed.	May still be denied after investigation.
Felony	Manslaughter or involuntary manslaughter	1	Incarceration for any length of time when related to this offense	Ineligible until fifteen (15) years have elapsed since the most recent conviction.	May still be denied after investigation.
Felony	ANY, regardless of the charge	1	Incarceration for any length of time when related to this offense	Ineligible until ten (10) years have elapsed since the most recent conviction.	May still be denied after investigation.

₁ Does not require a conviction, only that the crime has been committed.

Conviction Type	Charge(s)	Max # of Convictions	Aggravating Factor(s)	Eligibility for Certification	Conditions of Certification
Misdemeanor	Any offense relating to the use, sale, possession, or transportation of narcotics or addictive or dangerous drugs ₂	1		Dependent on the recommendation made by an independent addiction medicine physician.	<u>Applicants</u> : two (2) years of probation <u>EMTs</u> : three (3) years of probation
Misdemeanor	Any offense relating to the use, sale, possession, or transportation of narcotics or addictive or dangerous drugs ₂	2		Ineligible until five (5) years have elapsed since the most recent conviction.	May still be denied after investigation.
Misdemeanor	Any offense relating to force, threat, violence, or intimidation	2		Ineligible until five (5) years have elapsed since the most recent conviction.	May still be denied after investigation.
Misdemeanor	Any theft related offense	1		Ineligible until five (5) years have elapsed since the most recent conviction.	May still be denied after an investigation pursuant to 1798.200(d)(1) ₃

² DUI convictions, as well as DUIs pled down to “wet / reck” convictions, fall into this category.

³ 1798.200(d)(1) states that the Medical Director may deny an application or revoke a certificate if the individual has “committed any act involving fraud or intentional dishonesty for personal gain within the preceding seven (7) years.”