

**Cause No. 04-05M**

**Name: Rodney Dinwiddie**

**Administrative Law Judge: William K. Teegarden**

**Date: August 26, 2004**

**Commission Action: Affirmed**

**FINDINGS OF FACT**

1. The Emergency Medical Services Commission (“EMSC”) is an agency within the meaning of IC 4-21.5.
2. IC 4-21.5 and 836 IAC apply to this proceeding.
3. The EMSC is the ultimate authority with respect to EMT Certifications.
4. Dinwiddie became an EMT in July of 1999 and renewed his certification in 2001.
5. The renewed certification expired on July 1, 2003.
6. On August 18, 2003, then SEMA Director Patrick Ralston sent Dinwiddie a letter notifying Dinwiddie that because he had not renewed his certification, Dinwiddie could . . . “no longer exercise the rights and privileges of a Certified Emergency Medical Technician. . . .”
7. Dinwiddie finally submitted his Continuing Education Booklet on December 22, 2003.
8. 836 IAC 4-4-2( c) requires a certificate holder to submit proof of compliance with continuing education requirements prior to expiration of the current certificate.
9. The needed materials were not submitted for more than 5 months after expiration and 4 months after the SEMA Director notified Dinwiddie that he was no longer certified.
10. The Agency was not under any requirement to grant recertification under these facts and its failure to do so is hardly an abuse of discretion or an arbitrary or capricious act.
11. The Certificate should not be renewed.

**NONFINAL ORDER**

The decision of the Agency to not renew EMT Certificate 41369 issued to Rodney Dinwiddie is affirmed.