

Cause #: 98-54M
Name: Ryan A. Lamprecht
Administrative Law Judge: William K. Teegarden
Date: July 29, 1999
Commission Action: Affirmed

FINDINGS OF FACT

1. The Indiana Emergency Medical Services Commission is an agency within the meaning of IC 4-21.5.
2. IC 4-21.5, IC 16-31, and 836 IAC 1 apply to this proceeding.
3. The Commission is the state agency responsible for the regulation of emergency medical services in Indiana.
4. At all times relevant to this proceeding, the EMT held Basic Emergency Medical Technician Certificate No. 6442382 issued by the Agency.
5. On September 9, 1998, the EMT was charged in Porter Superior Court, Cause Number 64DO-2-9809-DF-459, with two counts of Prescription Fraud, IC 35-48-4-14(c), a Class D felony.
6. The factual basis for the charges involved stealing prescription slips from a doctor's office and using them to obtain Hydrocodone, a controlled substance.
7. Upon questioning by Detective John Ross of the Valparaiso Police Department, the EMT admitted taking prescription slips and admitted being addicted to Hydrocodone.
8. On April 6, 1999, the EMT entered a plea of guilty to Count I under a plea agreement where Count II would be discussed.
9. On June 11, 1999, the EMT received a suspended sentence of 18 months, and formal probation. One condition of probation includes the completion of an outpatient drug dependency program. Upon successful completion of the drug program and his probationary period, the court will consider reducing the conviction to a Class A misdemeanor.
10. IC 16-31-3-14 provides that the Agency may suspend or revoke the certificate of an EMT after a hearing for a maximum of 7 years.

11. 836 IAC 1-5-1f (5) provides the suspension or revocation of an EMT certificate upon conviction of an offense if the underlying acts have a direct bearing on a person's ability to service as an EMT.
12. The evidence in this case shows that the EMT had access to the prescriptions directly as a result of his service in an emergency services provider unit.
13. Further, it appears that some of the forged prescriptions were filled while in EMT uniform.
14. The criminal conviction has a direct bearing the EMT's ability to serve as an emergency medical services provider.
15. The only mitigating pieces of evidence available to the administrative law judge are the facts that the EMT has no prior criminal history and that no patient was injured or neglected as a result of his conduct.
16. For these reasons and only these reasons, the trier of fact concludes that the maximum 7 year suspension should not be imposed.
17. The EMT's certification should be suspended for six years.

NONFINAL ORDER

Indiana Emergency Medical Services Basic Emergency Medical Technician Certificate Number 6442382 issued to Ryan A. Lamprecht is hereby suspended for a period of six years.