

Cause #: 00-06M
Name: Michael Shillings
Administrative Law Judge: William K. Teeguarden
Date: August 21, 2001
Commission Action: Affirmed

FINDINGS OF FACT

1. The EMSC is an agency within the meaning of IC 4-21.5.
2. IC 4-21.5, IC 16-31, and 836 IAC 4 apply to this proceeding.
3. The EMSC is the state agency charged with the responsibility of regulating Emergency Medical Technicians, Paramedics, and Instructors for emergency medical training courses.
4. At all times relevant to this proceeding, Shillings held Primary Instructor, Basic Emergency Medical Technician, and Paramedic Certificate Number 67-17845 issued by the EMSC.
5. On May 24, 2000, the Putnam County Circuit Court issued an arrest warrant for Shillings charging him with one count of sexual misconduct with a minor; to wit, a 14 year old boy.
6. The EMSC issued an emergency order suspending Shillings on June 9, 2000.
7. The emergency order of suspension was extended by agreement until the criminal charges were resolved.
8. On May 24, 2001, the Putnam County Circuit Court accepted a plea of guilty to Sexual Battery, a Class D felony and sentenced Shillings to 18 months in prison suspended after 20 days, and a term of probation which included sex abuse therapy.
9. IC 16-31-3-14 requires all certificate holders to abide by the rules of EMSC and allows the EMSC to revoke a certificate for up to 7 years.
10. 836 IAC 4-9-4-1 and 836 IAC 4-9-3 provide EMT and Paramedic Certificates may be revoked for a conviction of a crime when the acts involved have a direct bearing on whether the person should be entrusted to serve the public.

11. A felony conviction for Sexual Battery committed against a 14 year old boy is a conviction involving acts which have a direct bearing on whether the person should be entrusted to serve the public.
12. The Certificates should be revoked for 7 years.

NONFINAL ORDER

Indiana Emergency Medical Services Primary Instructors Basic Emergency Medical Technician, and Paramedic Certificate Number 67-17845 issued to Michael Shillings is hereby revoked for a period of seven years. The revocation shall be retroactive to the date of Shilling's emergency suspension order which is June 9, 2000.

Michael Shillings is further ordered to have no contact with patients and ride in an ambulance except as a patient.