STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS

DEPARTMENT OF HEALTH
DIVISION OF EMERGENCY MEDICAL
SERVICES

EMS Case # 07-036A

vs.

Andrea Stukus, EMT-C #12281

CONSENT ORDER

Pursuant to Chapter 23-4.1 of the General Laws of the State of Rhode Island, 1956, as amended, and the rules and regulations promulgated thereunder, the Rhode Island Department of Health, Division of Emergency Medical Services (hereinafter "Department"), has investigated a complaint charging Andrea Stukus (hereinafter "Respondent"), with violations of the *Rules & Regulations Related to Emergency Medical Services [R23-4.1-EMS]*.

After careful consideration by the Department, the following constitutes the Findings of Fact with respect to the professional performance of the Respondent.

1. Respondent is an Emergency Medical Technician-Cardiac licensed to practice emergency medical services in the State of Rhode Island.
2. That at all pertinent times Respondent was employed by the Providence Fire Department, Providence, Rhode Island.
3. That on July 28, 2007, Respondent failed to provide emergency medical care in a manner consistent with the *Rhode Island Prehospital Care Protocols and Standing Orders*, the *Rules & Regulations Related to Emergency Medical Services [R23-4.1-EMS]* and generally accepted standards of practice, to include the following findings:

a. On or about July 28, 2007, Respondent was dispatched to respond to a patient, a forty-four year old male with chest pain.

b. Upon Respondent's arrival at the patient's apartment, the Respondent encountered the patient who was experiencing a myocardial infarction and was intoxicated. The symptoms and signs of the myocardial infarction were present and could have been discovered upon adequate assessment by the Respondent. The scene was not unsafe and the Respondent failed to assess and treat the patient in his apartment.

c. In the absence of any assessment or treatment of the patient in his apartment, Respondent permitted the patient to ambulate downstairs to the rescue vehicle. Allowing or encouraging a patient with suspected cardiac chest pain to ambulate is below the standards of EMS practice.

d. Respondent had the training, knowledge and equipment to adequately treat the patient. In this case, Respondent failed to protect the patient from further harm by allowing him to ambulate from his apartment and failed to adequately and properly treat the patient prior to his ambulation from his apartment.

e. The Department of Health Division of Emergency Medical Services charges the Respondent with unprofessional conduct by engaging in the activities described in paragraphs (b) through (d) above.

4. The Department of Health, Division of Emergency Medical Services finds cause has been shown that Respondent is guilty of unprofessional conduct in violation of *the Rules and Regulations Relating to Emergency Medical Services (R23-4.1-EMS)* Section 6.1 (e).
5. The Parties agree as follows:
    a. Respondent is an Emergency Medical Technician-Cardiac and able to conduct business under and by virtue of the laws of the State of Rhode Island.
    b. Respondent's mailing address is 45 Queen Awashunk Trail, Little Compton, RI, 02837.
    c. Respondent's physical address is 45 Queen Awashunk Trail, Little Compton, RI, 02837.
    d. Respondent admits to the jurisdiction of the Department and hereby agrees to remain under the jurisdiction of the Department.
    e. Respondent has read this Consent Order and understands that it is a proposal of the Department and is subject to final ratification by the Department. This Consent Order and the contents thereof are not binding on Respondent until final ratification by the Department.
    f. Respondent hereby acknowledges and waives:
        1. The right to appear personally or by counsel or both before the Department;
        2. The right to produce witnesses and evidence in his behalf at a hearing;
        3. The right to cross-examine witnesses;
        4. The right to have subpoenas issued by the Department;
        5. The right to further procedural steps except for those specifically contained herein;

6. Any and all rights of appeal of this Consent Order;
7. Any objection to the fact that this Consent Order will be presented to the Department for consideration and review;
8. Any objection to the fact that it will be necessary for the Department to become acquainted with all evidence pertaining to this matter in order to adequately review this Consent Order;
9. Any objection to the fact that potential bias against the Respondent may occur as a result of the presentation of this Consent Order to the Department.

g. This Consent Order shall become a part of the public record of this proceeding once it is accepted by all parties.

h. Acceptance by the Respondent and approval by the Department of this Consent Order constitutes an admission of the facts contained herein.

i. Failure to comply with the Consent Order, once signed and accepted, shall subject the Respondent to further disciplinary action.

j. Respondent voluntarily accepts the sanction of Probation and shall serve an eighteen (18) month period of probation subject to the terms and conditions set forth in this Consent Order.

k. That said probationary period shall be retroactive to eighteen months prior to the execution of this Consent Order.

l. To complete the period of probation, Respondent's employers, including the Chief of the licensed Ambulance Service for which she is employed and/or serves as a volunteer, shall submit to the Department a performance review relating to the Respondent's conduct and performance, e.g. Respondent's adherence to *Rhode Island*

Prehospital Care Protocols and Standing Orders, and the *Rules and Regulations Relating to Emergency Medical Services*, particularly Section 8.0, "Functions and Responsibilities of Emergency Medical Technicians."

m. That a copy of this Consent Order shall be forwarded by the Department to Respondent's current employer(s) and/or volunteer service.

Signed this 25 day of Feb 2013.

Andrea Stukus

Andrea Stukus, EMT-C #12281

Ratified as an order of the Department on this 26th day of February 2013.

Edward D'Arezzo

~~Edward D'Arezzo~~, Interim Associate Director
Division of Environmental & Health Services Regulation