

STATE OF RHODE ISLAND :
AND PROVIDENCE PLANTATIONS :
:
DEPARTMENT OF HEALTH :
DIVISION OF EMERGENCY MEDICAL : EMS File 01-006B
SERVICES :

vs. :

EARL K. NEWMAN III :

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 Earl K. Newman III, EMT-P (hereinafter “Respondent”), with a violation of the Rules and Regulations Relating 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-Paramedic licensed to practice emergency medical services in the State of Rhode Island.
- 2) That at all pertinent times Respondent was employed by the New England Ambulance Service, Inc., Cranston, Rhode Island.
- 3) That on or about January 19, 2001, Respondent operated an ambulance vehicle with excessive speed that constituted a danger to public health and safety.
- 4) That the conduct described in paragraph three (3) herein constitutes unprofessional conduct as defined in Section 16.1 (e) of the Rules and Regulations Relating to Emergency Medical Services (R23-4.1-EMS).

The parties agree as follows:

1. Respondent is an Emergency Medical Technician-Paramedic and able to conduct business under and by virtue of the laws of the State of Rhode Island. Respondent's mailing address is 59 Keach Dam Road, Chepachet, R.I. 02814.
2. Respondent admits to the jurisdiction of the Department and hereby agrees to remain under the jurisdiction of the Department.
3. 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.
4. Respondent hereby acknowledges and waives:
 - a) The right to appear personally or by counsel or both before the Department;
 - b) The right to produce witnesses and evidence in his behalf at a hearing;
 - c) The right to cross-examine witnesses;
 - d) The right to have subpoenas issued by the Department;
 - e) The right to further procedural steps except for those specifically contained herein;
 - f) Any and all rights of appeal of this Consent Order;
 - g) Any objection to the fact that this Consent Order will be presented to the Department for consideration and review;
 - h) 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;

- i) 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.
5. This Consent Order shall become a part of the public record of this proceeding once it is accepted by all parties.
6. Acceptance by the "Respondent" and approval by the "Department" of this Consent Order constitutes an admission of the facts contained herein..
7. That Respondent voluntarily agrees to accept the Department's sanction of a Reprimand.

Signed this 9TH day of FEBRUARY 2002.

Donald Del Mastro
Witness

Earl K. Newman III
Earl K. Newman III

Ratified as an order of the Department on this _____ day of _____.

Dated: FEB. 19, 2002

Peter Leary
Peter Leary, Chief
Division of Emergency Medical Services

Dated: FEB 22, 2002

Nikki Samaras Deary
Nikki Samaras Deary, Chief
Health Professions Regulation

