

STATE OF RHODE ISLAND	:	
AND PROVIDENCE PLANTATIONS	:	
	:	
DEPARTMENT OF HEALTH	:	
DIVISION OF EMERGENCY MEDICAL	:	EMS FILE 04-046
SERVICES	:	
	:	
vs.	:	
	:	
JOHN S. SEPE, EMT 6126	:	

CONSENT ORDER

This matter is before the Department of Health, Division of Emergency Medical Services (hereinafter (“Department”)), upon the matters contained in the application for relicensure as an Emergency Medical Technician-Cardiac filed by John S. Sepe (hereinafter “Respondent”). Specifically, information obtained in conjunction with the application filed by respondent indicated that on June 7, 2004, Respondent plead nolo contendere to the crimes of Conspiracy to Violate the Controlled Substances Act and Possession of Marijuana. As a result of these offenses, Respondent was fined, ordered to TSAC/substance abuse counseling and to perform community service and received a five (5) year deferred sentence. Accordingly, it is agreed by the parties as follows:

1. Respondent is an applicant for EMT-Cardiac relicensure in Rhode Island. Respondent’s mailing address is 2052 Cranston Street, Cranston, RI 02920.
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.

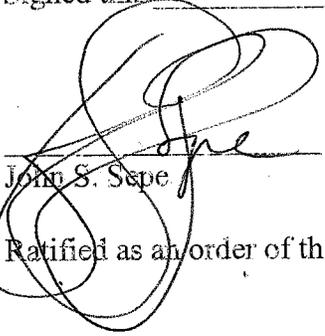
6. Acceptance by the Respondent and approval by the Department of this Consent Order constitutes an admission of the facts contained herein.

7. Failure to comply with the Consent Order, once signed and accepted, shall subject the Respondent to further disciplinary action.
8. That the Department shall grant the application for relicensure filed by Respondent, provided, however, Respondent shall serve at least a twenty-four (24) month period of probation subject to the terms and conditions set forth in this Consent Order.
9. That said probationary period shall commence upon execution of the Consent Order and will abate for the duration of any period in which Respondent ceases to be employed and/or performs volunteer services as an Emergency Medical Technician.
10. That during the period of probation, Respondent's employers, including the Chief of the licensed Ambulance Service for which he is employed and/or serves as a volunteer, shall submit to the Department reports every six (6) months relating to Respondent's conduct and performance. That it shall be the responsibility of Respondent to have his employers submit said reports.
11. That during the period of probation should Respondent change employment and/or volunteer service, he shall notify the Department forthwith of said change including the name and address of the new employers and/or licensed ambulance service and the reason for the change in employment.
12. That a copy of this Consent Order shall be forwarded by the Department to Respondent's current employer(s) and/or volunteer service and all future employer(s) and/or volunteer service during the period of probation.

13. Respondent hereby agrees to waive confidentiality, as to the Department, regarding any and all medical and psychological evaluations, reports and records of providers of care, treatment or evaluations.
14. Respondent shall enter into a two (2) year contract with Adcare, 400 Bald Hill Road, Warwick, Rhode Island 02886. This contract shall supercede any previous agreement with the Department.
15. Respondent shall execute a release for Adcare to send quarterly reports to the Department regarding the Respondent's compliance, or lack thereof, with the terms of this Consent Order or any recommendations that Adcare may make from time to time. That it shall be the responsibility of Respondent to have Adcare submit said reports.
16. Respondent shall be seen by any health care provider that the Department may require.
17. Respondent shall submit to random alcohol/drug screens as often as the Department or Adcare may require. Such required screening test results must be sent to the Department or other parties as the Department shall deem appropriate during the term of this Consent Order. It is required that each relapse, slip, or positive alcohol or drug screen be reported to the Department. The Department will inquire and investigate such reports and will determine if disciplinary action is warranted under the circumstances.
18. Respondent shall abstain totally from the use of alcohol and illegal drugs. Respondent may take prescription medications only when prescribed by a treating physician licensed to practice medicine.

19. That during the period of probation should Respondent fail to comply with the provisions of Chapter 23-4.1 and/or the "Rules and Regulations Relating to Emergency Medical Services", or any of the terms of this Consent Order, the Department shall initiate appropriate action with respect to Respondent's licensure status.
20. That this Consent Order shall obviate the necessity for a hearing on the matters forming the basis for this Consent Order.
21. That should Respondent comply with the laws and regulations governing the practice of emergency medical services during the twenty-four (24) month period of probation and comply with the requirements of this Consent Order, he may apply to the Department for relief from the probation.

Signed this 26<sup>th</sup> day of December, 2004.

  
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John S. Sape

Ratified as an order of the Department on this 4<sup>th</sup> day of January 2005.

  
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Charles Alexandre, Chief  
Health Professions Regulation  
Health Services Regulation