

STATE OF RHODE ISLAND :
AND PROVIDENCE PLANTATIONS :
:
DEPARTMENT OF HEALTH :
DIVISION OF EMERGENCY MEDICAL :
SERVICES :

EMS Case # 07-027

vs. :

Joseph Porcelli, EMT-C # 6455

CONSENT ORDER

This matter is before the Department of Health, Division of Emergency Medical Services (hereinafter "Department"), upon allegations that Joseph Porcelli (hereinafter "Respondent") did engage in conduct which would constitute grounds for disciplinary action against his EMT license while employed as an emergency medical technician for the Warwick Fire Department. This conduct is alleged to have occurred on May 10, 2007 while Respondent was rendering emergency medical services to a patient. Specifically, Respondent in transporting a patient to a hospital emergency facility for definitive care and treatment, initiated an interruption in said transport for the purpose of a shift-end crew change. This action is below the standard of care for EMS practice and operations. With respect to this matter, it is agreed by the parties as follows:

- 1) Respondent is a licensed EMT-Cardiac #6455 in the State of Rhode Island. Respondent's mailing address is 69 Long Street, East Greenwich, RI 02818.
- 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.

- 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) Respondent voluntarily accepts the Sanction of a Reprimand. This Reprimand shall stay in full force and effect for one year from the date of ratification of this Order by the Department. At the end of one year, the Reprimand will be considered void for the purposes of future use by the Department against the Respondent. The existence of the past disciplinary action will remain as part of the Department of Health records, however.
- 9) This Consent Order shall obviate the necessity for a hearing on the matters forming the basis for this Consent Order.

Signed this Oct 10 day of 10th 2008.


JOSEPH PORCELLI

Ratified as an order of the Department on this 14th day of October 2008.



Charles Alexandre, Chief
Health Professions Regulation
Health Services Regulation