

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

EMS Case #07-035

vs. :

KENNETH L. DEFRANCO, EMT-BASIC

CONSENT ORDER

VOLUNTARY SURRENDER OF LICENSE

The Department of Health, Division of Emergency Medical Services suspended the License of the Respondent on August 27, 2007 for acts which would have been grounds for discipline under R.I.G.L. 23-4.1 and the regulations pertaining to emergency medical services R23-4.1-EMS. Respondent was entitled to administrative hearing in accordance with the Administrative Procedures Act. In lieu of this hearing, the Respondent agrees to voluntarily surrender his license to practice emergency medical services.

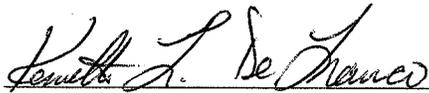
The parties agree as follows:

- 1) Respondent is an emergency medical technician licensed and doing business under and by virtue of the Laws of the State of Rhode Island, EMT license number 13011.
- 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 is 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. The signing of this Consent Order is for settlement purposes only.
- 5) This Voluntary Surrender of license shall become a part of the public record of this proceeding once it is accepted by all parties and by the Department.

- 6) Failure to comply with this Voluntary Surrender, when signed and accepted, shall subject the Respondent to further disciplinary action.
- 7) Respondent agrees to a voluntary surrender of his EMT license to practice emergency medical services in Rhode Island indefinitely. Any reconsideration of a reapplication for licensure will require a comprehensive medical/ psychological evaluation by a physician approved in advance by the Department.

Signed this 6TH day of SEPTEMBER 2007.



KENNETH L. DEFRANCO

Ratified as an order of the Department on this 19th day of September 2007



Charles Alexandre, Chief
Health Professions Regulation
Health Services Regulation