STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS	:	
DEPARTMENT OF HEALTH DIVISION OF EMERGENCY MEDICAL SERVICES	:	EMS File #02-038
vs.	:	
SHAWN P. PIGEON	:	

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 licensure as an Emergency Medical Technician filed by Shawn P. Pigeon (hereinafter "Respondent"). Specifically, information contained in conjunction with the application filed by Respondent indicated that on assorted dates from 1996 through 2001, Respondent plead nolo contendere to various crimes in violation of state law to include operating a motor vehicle under the influence of intoxicating liquor, possession of a controlled substance, disorderly conduct, assault and battery and resisting arrest by a police officer. As a result of these offenses, Respondent has received suspended sentences, been placed on probation, ordered to pay court costs and ordered to counseling. Accordingly, it is agreed by the parties as follows:

1. Respondent is an applicant for EMT-Basic licensure in Rhode Island. Respondent's mailing address is 423 Washington Street, Coventry, R.I. 02816.
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 licensure filed by Respondent, provided, however, Respondent shall serve at least a twelve (12) 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 Respondent shall submit to an evaluation by Joseph L. Rodgers, M.D., Rodgers Behavioral Health, Inc. and adhere to any treatment plan recommended by Joseph L. Rodgers, M.D. Respondent shall present evidence to the Department that he has been evaluated by Joseph L. Rodgers, M.D. prior to the issuance of his license as an Emergency Medical Technician and that he affirms no clinical findings of alcohol or substance abuse.

11. That Respondent waives confidentiality of his treatment and counseling and will direct Joseph L. Rodgers, M.D., Rogers Behavioral Health, Inc. and/or other health care professional rendering him treatment and/or counseling to submit to the Department of Health reports every six (6) months with respect to his progress in said program, treatment and/or counseling including, but not limited to, counseling reports, urine and drug screening reports. That it shall be the responsibility of Respondent to have his treatment agency submit such reports.

12. That during the period of probation Respondent shall notify the Department forthwith in the event that he is charged with any crime by any law enforcement agency in any jurisdiction. The Department reserves the right to take appropriate licensure action should Respondent be charged with a crime in any jurisdiction.

13. 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.

14. 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.

15. 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.

16. 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.

17. That this Consent Order shall obviate the necessity for a hearing on the matters forming the basis for this Consent Order.

18. That should Respondent comply with the laws and regulations governing the practice of emergency medical services during the twelve (12) 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 19 day of January, 2003.

Shawn P. Pigeon

Shawn P. Pigeon

Ratified as an order of the Department on this 21st day of January 03.

Donald Williams, Associate Director
Health Professions Regulation

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