

STATE OF RHODE ISLAND	:	
AND PROVIDENCE PLANTATIONS	:	
	:	
DEPARTMENT OF HEALTH	:	EMS Case #05-027
DIVISION OF EMERGENCY MEDICAL	:	
SERVICES	:	
	:	
vs.	:	
	:	
WILLIAM R. MARSH	:	

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 William R. Marsh, EMT-B (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- Basic licensed to practice emergency medical services in the State of Rhode Island.
- 2) That on or about October 13, 2005, Respondent was referred to the Diversion Program of the Department of the Attorney General as a result of six (6) charges of breaking and entering a dwelling with felony intent which occurred on or about July 22, 2005.
- 3) Respondent neither admits or denies his guilt with respect to the activities described in paragraph two (2) herein.

- 4) That the conduct described in paragraph two (2) herein constitutes unprofessional conduct as defined in Section 16.1 (g) 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- Basic and able to conduct business under and by virtue of the laws of the State of Rhode Island. Respondent's mailing address is 180 Cedar Hill Drive, Jamestown, R.I. 02835.
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. Respondent shall serve at least a twelve (12) month period of probation subject to the terms and conditions set forth in this Consent Order. The period of probation shall be retroactive to December 28, 2005.
 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 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.
11. 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.
12. 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.
13. 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.

14. 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.
15. That this Consent Order shall obviate the necessity for a hearing on the matters forming the basis for this Consent Order.
16. 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 9th day of Feb. 2006.

William R Marsh
WILLIAM R. MARSH

Ratified as an order of the Department on this 10th day of February 2006

Dated: 2/12/06

Charles Alexandre
Charles Alexandre, Chief
Health Professions Regulation
Health Services Regulation