

**BEFORE THE MINNESOTA
EMERGENCY MEDICAL SERVICES REGULATORY BOARD**

In the Matter of the Registration of
Thomas W. Johnson, First Responder
Registration Number: 233903

**STIPULATION AND ORDER FOR
SUSPENSION OF REGISTRATION**

IT IS HEREBY STIPULATED AND AGREED, by and between Thomas W. Johnson, First Responder (“Respondent”), and the Complaint Review Panel (“Panel”) of the Minnesota Emergency Medical Services Regulatory Board (“Board”) as follows:

1. During all times material herein, Respondent has been and now is subject to the jurisdiction of the Board by which he was issued a registration as a First Responder (“FR”).

ALLEGATIONS OF FACT

2. Respondent neither admits nor denies the following allegations of fact but grants that for purposes of this Stipulation and Order only, the Board may consider each statement as if it were true. While Respondent was registered as a FR, the following allegedly occurred:

- a. Respondent was convicted of DWI in March 2005.
- b. In 2006, Respondent failed to disclose the March 2005 DWI conviction on his FR registration renewal.
- c. In 2008, Respondent failed to disclose the March 2005 DWI conviction on his FR registration renewal.
- d. In 2010, Respondent failed to disclose the March 2005 DWI conviction on his FR registration renewal.
- e. Respondent was convicted of gross misdemeanor DWI in January 2012.

STATUTES

3. Respondent agrees that the conduct cited in paragraph 2 above, if proven, would constitute grounds for the Board to revoke, suspend, or otherwise act against Respondent's registration. *See* Minn. Stat. § 144E.27, subd. 5.

REMEDY

4. Upon this Stipulation and all of the files, records, and proceedings herein, without further notice or hearing, Respondent consents that the Board may make and issue an order in this matter as follows:

A. Stayed Suspension

5. Respondent's registration as a FR in the State of Minnesota is **SUSPENDED**, effective immediately. The suspension is **STAYED** so long as Respondent complies with the following requirements:

a. **Contact With the HPSP.** Respondent shall contact the Health Professionals Services Program ("HPSP") at (651) 643-2120 to initiate enrollment in the program within 14 days of the date of this Order.

b. **Participation Agreement.** Respondent shall enter into a Participation Agreement with the HPSP for monitoring of his chemical dependency within 60 days of the date of this Order. Respondent must comply with all terms of the Participation Agreement. At a minimum, the Participation Agreement must include the following terms:

1) The Participation Agreement shall be effective for a minimum of 12 months.

2) Respondent shall completely abstain from any and all mood-altering chemicals, including alcohol, unless expressly prescribed in writing by a physician,

dentist, or other health care professional who is providing care and treatment to Respondent. Within three (3) days of when a physician, dentist, or other authorized health care professional prescribes controlled substances to Respondent, Respondent must inform the HPSP in writing of the prescription and the condition to be treated.

3) Respondent shall submit to urine or blood screenings to determine the presence or absence of alcohol or drugs upon the request of the HPSP. Respondent shall be responsible for the cost of the screenings.

B. Removal of Stayed Suspension

6. Before petitioning for removal of the stayed suspension, Respondent shall meet with the Complaint Review Panel to review his petition and any evidence in support of the petition. Respondent shall provide any information relevant to his petition reasonably requested by the Complaint Review Panel.

7. Any petition for re-registration shall include evidence that Respondent has satisfied all reinstatement requirements under Minnesota Statutes section 144E.27, subdivision 3, and paid any related fee.

8. In connection with any petition for re-registration, the burden of proof shall be upon Respondent to demonstrate to the Board that he is able to provide basic emergency care skills in a fit and competent manner without risk of harm to the public.

9. The Board reserves the right to grant a petition for re-registration only upon the imposition of conditions and limitations which the Board deems necessary to ensure public protection. Such conditions and limitations may include but need not be limited to restricted duties, practice supervision, Respondent's participation in therapy or other treatment, periodic reports to the Board, and summary procedures for registration revocation in the event of a future violation.

10. The stayed suspension of Respondent's registration may be administratively removed upon the HPSP's written notification to the Board of Respondent's successful completion of the terms of the Participation Agreement and upon written notification to Respondent by the Board of the removal of the stayed suspension.

ADDITIONAL TERMS

11. If the Board in its discretion does not approve this settlement, this Stipulation is withdrawn and shall be of no evidentiary value and shall not be relied upon nor introduced in any disciplinary action by either party hereto, except that Respondent agrees that should the Board reject this Stipulation and if this case proceeds to hearing, Respondent will assert no claim that the Board was prejudiced by its review and discussion of this Stipulation or of any records relating hereto.

12. This Stipulation shall not in any way limit or affect the authority of the Board to take disciplinary action against Respondent on the basis of any act, conduct or omission of Respondent occurring before or after the date of the Order which is not related to the facts, circumstances or requirements referenced herein.

13. Respondent waives any hearing on this matter to which he may be entitled by constitution, statute, or rule and agrees that the Order to be entered pursuant to this Stipulation shall be the final order herein.

14. Respondent has voluntarily entered into this Stipulation without threat or promise by the Board or any of its employees or representatives, and after consultation with and advice from Respondent's counsel.

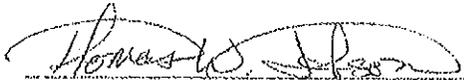
15. Under the Minnesota Government Data Practices Act, this Stipulation and Order is classified as public data. Minn. Stat. § 13.41, subd. 4. Pursuant to the Health Insurance

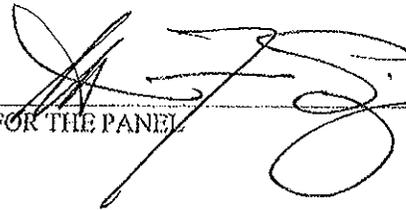
Portability and Accountability Act of 1996, the Board must report the disciplinary action contained in this Stipulation and Order to the Healthcare Integrity and Protection Data Bank.

16. This Stipulation contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Stipulation.

Dated: 12-31-12

Dated: FEBRUARY 5, 2013


THOMAS W. JOHNSON, FIRST RESPONDER
Respondent


FOR THE PANEL

ORDER

Upon consideration of this Stipulation and all the files, records, and proceedings herein, IT IS HEREBY ORDERED that the terms of this Stipulation are adopted and implemented by the Board this 31 day of January, 2013.

MINNESOTA EMERGENCY
MEDICAL SERVICES
REGULATORY BOARD

By: 
PAMELA BILADEAU
Executive Director

AG: #3135899-v1