

November 20, 2008

Robert Jostad  
4956 164<sup>th</sup> Ave. S.E.  
Kindred, Minnesota 58051

Dear Mr. Jostad:

Enclosed is a copy of the fully executed Stipulation & Consent Order approved by the Emergency Medical Services Regulatory Board (EMSRB) on November 20, 2008.

The Board's Stipulation and Order states in part:

1. You voluntarily surrender your EMT-P certification;
2. Should you seek recertification in the future, you will need to demonstrate you are capable of performing emergency medical services in a fit and competent manner.
3. If your certification has lapsed you will need to meet reregistration requirements.
4. After demonstrating you meet the requirements under number 2 and 3, you will need to meet with the Complaint Review Panel.

If you have further questions, please contact Rose Olson (651.201.2804) at your convenience.

Sincerely,



Katherine Burke Moore  
Executive Director

Cc: Karen Andrews, Assistant Attorney General

Enclosure: Stipulation and Consent Order

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

In the Matter of the Certificate of  
Robert Jostad, EMT-P  
Certificate No. 512633

**STIPUL  
CONS**



**STIPULATION**

Robert Jostad, EMT-P (“Respondent”), and the Complaint Review Panel (“Review Panel”) agree the above-referenced matter may be resolved by mail, without trial of any issue or fact, as follows:

**I.**

**JURISDICTION**

1. The Minnesota Emergency Medical Services Regulatory Board (“Board”) is authorized pursuant to Minnesota Statutes chapter 144E (2008) to certify and regulate emergency medical services personnel and to take disciplinary action as appropriate.

2. Respondent holds a certificate from the Board to perform emergency medical services as a paramedic in the State of Minnesota and is subject to the jurisdiction of the Board with respect to the matters referred to in this Stipulation and Consent Order.

**II.**

**BACKGROUND**

3. On September 23, 2008, Respondent was served with a Notice of Conference (“Notice”), alleging Respondent had resigned from his paramedic position due to ongoing performance deficiencies. The Notice scheduled a conference with the Review Panel for October 20, 2008. On September 26, 2008, Respondent contacted the Board. Respondent stated

he is no longer working in EMS and did not want to meet with the Review Panel. Respondent indicated he wished to voluntarily surrender his EMT-P certificate.

4. Respondent was advised by the Board's representatives that he may choose to be represented by legal counsel in this matter. Respondent knowingly waived legal representation. Karen Andrews, Assistant Attorney General, represents the Review Panel.

### III.

#### FACTS

5. The parties agree this Stipulation and Consent Order is based upon the following facts:

a. In May 2007, Respondent was asked to go through a remediation process to address ongoing patient care issues. Despite remediation, Respondent continued to fail to demonstrate the critical thinking skills expected of a paramedic.

b. In March 2008, Respondent's employer conducted an investigation due to a patient complaint about Respondent's care. The patient indicated Respondent tried "the entire way to the hospital to get an IV started" but had "trouble" with the needle. Respondent's documentation did not reflect that any IV attempt was made.

c. On April 4, 2008, Respondent responded to a call for a patient in bariatric cardiac arrest. Respondent made two medication administration errors during this call, including administering vasopressin as two doses of 20 units each, rather than one dose of 40 unit, and administering lidocaine to the patient, who was in asystole. Respondent also had trouble with the intubation of this patient. Additionally, Respondent's documentation contained errors.

d. On April 9, 2008, Respondent resigned his employment in lieu of termination.

IV.

LAWS

6. Respondent acknowledges the conduct described in section III. above constitutes a violation of Minnesota Statutes section 144E.28, subdivision 5(a)(5) and 144E.30, subdivision 3 (2008), and justifies the disciplinary action described in section V. below.

V.

**DISCIPLINARY ACTION**

The parties agree the Board may take the following disciplinary action and require compliance with the following terms:

A. Voluntary Surrender

7. The Board accepts Respondent's **VOLUNTARY SURRENDER** of his EMT-P certificate. Respondent shall not engage in any act which constitutes the practice of emergency medical services and shall not imply by words or conduct that Respondent is authorized to do so.

8. Respondent shall surrender to the Board his EMT-P certificate. Respondent shall personally deliver or mail the certificate to the Minnesota Emergency Medical Services Regulatory Board, c/o Rose K. Olson, 2829 University Avenue S.E., Suite 310, Minneapolis, Minnesota 55414, within ten days of the date of this Order.

B. Reinstatement

9. Respondent may not petition for reinstatement of his EMT-P certificate until Respondent is able to demonstrate by a preponderance of the evidence that he is capable of performing emergency medical services in a fit and competent manner. At the time of Respondent's petition, Respondent shall meet with a Board Review Panel. The meeting with the

Board Review Panel shall be scheduled after Respondent has complied with, at a minimum, the following:

a. Practical Skills Examination. Within 90 days of the date of Respondent's petition for reinstatement, Respondent shall submit to the Board evidence of successful completion of a Board approved EMT-P practical skills examination.

b. Reregistration Requirements. Respondent shall meet all reregistration requirements in effect at the time of his petition for reinstatement, including but not limited to completing the appropriate application, payment of the requisite fees, and completing any necessary continuing education requirements.

c. Additional Information. Respondent shall provide any additional information relevant to his petition reasonably requested by the Review Panel.

10. The Board may, at any regularly scheduled meeting following Respondent's petition for reinstatement pursuant to paragraph 10 above, take any of the following actions:

a. Issue an EMT-P certificate to Respondent;

b. Issue an EMT-P certificate to Respondent with limitations upon the scope of Respondent's practice and/or with conditions for Respondent's practice; or

c. Deny Respondent's request for issuance of an EMT-P certificate based upon his failure to meet the burden of proof.

11. Within seven days of any change, Respondent shall provide the Board with his current address and telephone information. The information shall be sent to Rose K. Olson at the Emergency Medical Services Regulatory Board, University Park Plaza, 2829 University Avenue S.E., Suite 310, Minneapolis, Minnesota 55414-3222.

12. This stipulation, related investigative reports, and other documents shall constitute the entire record of the proceeding upon which this order is based. The investigative reports, other documents, or summaries thereof, may be filed with the Board with the stipulation. Any reports or other material related to this matter which are received after the date the Board approves the stipulation and order shall become a part of the record and may be considered by the Board in future aspects of this proceeding.

13. In the event 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, introduced in any disciplinary action by either party hereto, except that Respondent agrees that if the Board rejects this stipulation and 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.

14. Respondent waives any further hearings on this matter before the Board to which Respondent may be entitled by Minnesota or United States Constitutions, statutes, or rules and agrees that the order to be entered pursuant to the stipulation shall be the final order herein.

15. This Stipulation and Consent Order shall not limit the Board's authority to proceed against Respondent by initiating a contested case hearing or by other appropriate means on the basis of any act, conduct, or admission of Respondent which constitutes grounds for disciplinary action and which is not directly related to the specific facts and circumstances set forth in this document.

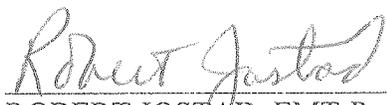
16. This Stipulation and Consent Order constitutes disciplinary action by the Board and is classified as public data pursuant to Minnesota Statutes section 13.41, subdivision 5 (2008). Data regarding this action will be provided to data banks as required by Federal law or

consistent with Board policy. While this Stipulation and Consent Order is in effect, information obtained by the Board pursuant to this Order is considered active investigative data on a licensed health professional, and as such, is classified as confidential data pursuant to Minnesota Statutes section 13.41, subdivision 4 (2008).

17. Respondent hereby acknowledges that he has read and understands this stipulation and has voluntarily entered into the stipulation without threat or promise by the Board or any of its members, employees, or agents. 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.

CONSENT:

MINNESOTA EMERGENCY MEDICAL  
SERVICES REGULATORY BOARD  
REVIEW PANEL

  
\_\_\_\_\_  
ROBERT JOSTAD, EMT-P  
Respondent

  
\_\_\_\_\_  
Board Member

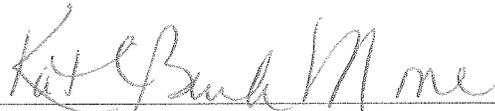
Dated: 10/15, 2008

Dated: 04-30, 2008

ORDER

Upon consideration of the Stipulation, the accepts the VOLUNTARY SURRENDER of Respondent's EMT-P certificate, and adopts all of the terms described above on this 30<sup>th</sup> day of November, 2008.

MINNESOTA EMERGENCY MEDICAL  
SERVICES REGULATORY BOARD



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KATHERINE BURKE MOORE  
Executive Director

AG: #2315681-v1