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June 26, 2008

Christy O'Neill

Dear Ms. O'Neill:

Enclosed is a copy of the fully executed Agreement for Corrective Action approved by the Emergency Medical Services Regulatory Board (EMSRB) on June 18, 2008.

The Board's Stipulation and Order states in part:

1. Your EMT-P certification is suspended. The suspension is stayed as long as you participate in the Health Professionals Services Program (HPSP);
2. You must abstain from mood-altering chemicals;
3. You must notify each present and future EMS supervisor of this stipulation and ;
4. You may petition the Board for removal of the stayed suspension after one year.

You are encouraged to take this matter seriously and abide by the stipulation and order requirements. Failure to do so may result in further action against your certification as an EMT-P.

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

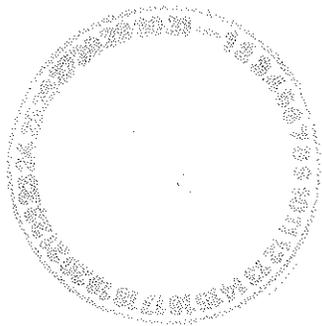
Sincerely,

Debra K. Teske
Interim Executive Director

Cc: Karen Andrews, Assistant Attorney General

Enclosure: Stipulation and Order

"To provide leadership which optimizes the quality of emergency medical care for the people of Minnesota -- in collaboration with our communities -- through policy development, regulation, system design, education, and medical direction"



BEFORE THE MINNESOTA
EMERGENCY MEDICAL SERVICES REGULATORY BOARD

In the Matter of the Certificate of
Christy O'Neill, EMT-P
Certificate No. 910754

STIPULATION AND
CONSENT ORDER

STIPULATION

Christy O'Neill, EMT-P ("Respondent"), and the Minnesota Emergency Medical Services Regulatory Board Complaint Review Panel ("Review Panel") agree the above-referenced matter may be resolved 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 (2006) to certify and regulate emergency medical services personnel and to take disciplinary action as appropriate.

2. During all times material herein, Respondent has been and now is subject to the jurisdiction of the Board by which she was issued a certificate as an emergency medical technician - paramedic ("EMT-P").

II.

CONFERENCE

3. On March 20, 2008, Respondent appeared before the Review Panel to discuss allegations contained in a Notice of Conference dated March 3, 2008. Karen B. Andrews, Assistant Attorney General, represented the Review Panel at the conference.

4. Respondent was advised by the Board's representatives that she may choose to be

represented by legal counsel in this matter. Respondent knowingly waived legal representation.

III.

FACTS

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

a. On November 17, 2006, Respondent admitted stealing an IV set up and a 1 ml dosette vial of Benadryl from her employer to self-medicate an insomnia problem.

b. Between May 2, 2007 and August 7, 2007, Respondent's employer documented missing over 20 vials of Morphine and 16 vials of Fentanyl from the inventory. On August 7, 2007, police collected garbage from outside Respondent's residence containing medical supplies and empty vials of Morphine, Fentanyl, Zofran, and Dilaudid. Respondent admitted to police and her employer that she stole medical supplies and narcotics, including Morphine and Fentanyl, for personal use.

c. On September 7, 2007, Respondent signed a participation agreement and monitoring plan with the Health Professionals Services Program ("HPSP"). Respondent completed an in-patient chemical dependency treatment program on September 24, 2007, and began seeing a mental health treatment provider to address symptoms of depression, anxiety, and difficulty sleeping.

d. On October 22, 2007, Respondent was charged in Ramsey County District Court with felony theft of controlled substances. Respondent received a stay of adjudication and was referred to Project Remand, Inc.

e. On March 20, 2008, Respondent met with the Review Panel. Respondent admitted to mental health and addiction problems, namely, addiction to Vicodin, Percocet,

Morphine and Fentanyl. She stated her date of sobriety is September 21, 2007. Respondent stated she has submitted to random toxicology screens through HPSP and Project Remand, without any positive screens. She is also participating in aftercare. Respondent stated she will return to court on December 18, 2008, and the criminal charges will be dismissed if she remains compliant with the terms of her stay. Respondent informed the Panel her goal is to maintain her sobriety and begin facilitating discussions about addiction with emergency medical services (“EMS”) personnel. She hopes to return to work as a paramedic in the future.

IV.

LAWS

6. Respondent acknowledges the conduct described in section III. above constitutes a violation of Minnesota Statutes section 144E.28, subd. 5(4), (5) (2006) and justifies the disciplinary action describe din 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. Stayed Suspension

7. The Board hereby **SUSPENDS** Respondent’s EMT-P certification. The suspension is **STAYED** upon the condition that Respondent participates in the Health Professionals Services Program (“HPSP”) as follows:

a. Continued Participation With the HPSP. Respondent entered into a Participation Agreement with the HPSP for monitoring of her chemical dependency and mental health on September 7, 2007. Respondent must continue to comply with all terms of the

Participation Agreement.

b. Abstinence From Mood-Altering Chemicals. Respondent shall completely abstain from all mood-altering chemicals, including alcohol, unless expressly prescribed in writing by a physician, dentist, or other authorized health care professional who is providing care and treatment to Respondent. Within ten days of when a physician, dentist, or other authorized health care professional prescribes controlled substances for Respondent, Respondent must inform the HPSP in writing of the prescription and the condition being treated.

8. Respondent shall notify each present and future EMS supervisor of this Stipulation and Consent Order within ten days of the date of the order or commencing employment. Respondent shall provide the supervisor with a copy of the entire signed Stipulation and Consent Order.

B. Removal of Stayed Suspension

9. Respondent may petition for removal of the stayed suspension at any regularly scheduled Board meeting following one year of successful participation in the HPSP program. Respondent's stayed suspension may be removed, if at all, as the evidence dictates and based upon the need to protect the public. The burden of proof shall be upon Respondent to demonstrate by a preponderance of the evidence that Respondent is capable of conducting herself in a fit and competent manner in the practice of emergency medical services, is successfully participating in a program of chemical dependency rehabilitation, and has been sober and free from mood-altering chemicals, including alcohol. Before petitioning for removal of the stayed suspension, Respondent shall meet with a Review Panel to review her petition and any evidence in support of the petition. The Board may, at any regularly scheduled meeting following Respondent's petition for removal of the stayed suspension, remove the stayed

suspension, remove the stayed suspension with limitations placed upon the scope of Respondent's practice and/or conditional upon further reports to the Board, or continue the stayed suspension of Respondent's certificate based upon Respondent's failure to meet the burden of proof.

VI.

CONSEQUENCES FOR NONCOMPLIANCE OR ADDITIONAL VIOLATIONS

10. It is Respondent's responsibility to ensure all payments, reports, evaluations, and documentation required to be filed with the Board pursuant to this Stipulation and Consent Order or the HPSP pursuant to Respondent's Participation Agreement are timely filed by those preparing the report, evaluation, or documentation. Failure to file payments, reports, evaluations, and documentation on or before their due date is a violation of this Stipulation and Consent Order.

A. Noncompliance With Requirements for Stayed Suspension

11. If the Review Panel has probable cause to believe Respondent has failed to comply with or has violated any of the requirements for staying the suspension as outlined in paragraph 7 above or has failed to comply with the HPSP Participation Agreement, or is subject to a positive chemical screen, the Review Panel may remove the stayed suspension pursuant to the procedures outlined in paragraph 12 below, with the following additions and exceptions:

a. If the HPSP discharges Respondent from the program for any reason other than Respondent's successful completion of the terms of the Participation Agreement, there will be a presumption of a preponderance of the evidence that Respondent has failed to comply with the requirement(s) for staying the suspension.

b. The removal of the stayed suspension shall take effect upon service of an

Order of Removal of Stayed Suspension (“Order of Removal”). Respondent agrees that the Review Panel is authorized to issue an Order of Removal, which shall remain in effect and shall have the full force and effect of an order of the Board until the Board makes a final determination pursuant to the procedures outlined in paragraph 12 below or until the complaint is dismissed and the order is rescinded by the Review Panel. The Order of Removal shall confirm the Review Panel has probable cause to believe Respondent has failed to comply with or has violated one or more of the requirements for staying the suspension of Respondent’s certificate. Respondent further agrees an Order of Removal issued pursuant to this paragraph shall be deemed a public document under the Minnesota Government Data Practices Act. Respondent waives any right to a conference or hearing before removal of the stayed suspension.

c. The Review Panel shall schedule the hearing pursuant to paragraph 12 below to be held within 60 days of service of the Order of Removal.

B. Noncompliance With Stipulation and Consent Order

12. If Respondent fails to comply with or violates this Stipulation and Consent Order or it is determined Respondent has further violated Minnesota Statutes Chapter 144E (2006) or Minnesota Rules Chapter 4690 (2005), the Review Panel may, in its discretion, seek additional discipline either by initiating a contested case proceeding pursuant to Minnesota Statutes chapter 14 (2006) or by bringing the matter directly to the Board pursuant to the following procedure:

a. The Review Panel shall schedule a hearing before the Board. At least 30 days before the hearing, the Review Panel shall mail Respondent a notice of the violation(s) alleged by the Review Panel. In addition, the notice shall designate the time and place of the hearing. Within ten days after the notice is mailed, Respondent shall submit a written response

to the allegations. If Respondent does not submit a timely response to the Board, the allegations may be deemed admitted.

b. The Review Panel, in its discretion, may schedule a conference with Respondent prior to the hearing before the Board to discuss the allegations and to attempt to resolve the allegations through agreement.

c. Prior to the hearing before the Board, the Review Panel and Respondent may submit affidavits and written argument in support of their positions. At the hearing, the Review Panel and Respondent may present oral argument. Argument shall not refer to matters outside the record. The evidentiary record shall be limited to the affidavits submitted prior to the hearing and this Stipulation and Consent Order. Unless stated otherwise in this Stipulation and Consent Order, the Review Panel shall have the burden of proving by a preponderance of the evidence that a violation has occurred. If Respondent has failed to submit a timely response to the allegations, Respondent may not contest the allegations, but may present argument concerning the appropriateness of additional discipline. Respondent waives a hearing before an administrative law judge, discovery, cross-examination of adverse witnesses, and other procedures governing hearings pursuant to Minnesota Statutes chapter 14.

d. Respondent's correction of a violation prior to the conference, hearing, or meeting of the Board may be taken into account by the Board but shall not limit the Board's authority to impose discipline for the violation. A decision by the Review Panel not to seek discipline when it first learns of a violation will not waive the Review Panel's right to later seek discipline for that violation, either alone or in combination with other violations, at any time while Respondent's certificate is suspended or the suspension is stayed.

e. Following the hearing, the Board will deliberate confidentially. If the

allegations are not proved, the Board will dismiss the allegations. If a violation is proved, the Board may impose additional discipline, including additional requirements for the stayed suspension, removal of the stayed suspension, an additional period of suspension, or revocation of Respondent's certificate.

f. Nothing herein shall limit the Review Panel's or the Board's right to temporarily suspend Respondent's certificate pursuant to Minnesota Statutes section 144E.19, subdivision 3 (2006), based on a violation of this Stipulation and Consent Order or based on conduct of Respondent not specifically referred to herein.

VII.

ADDITIONAL INFORMATION

13. In the event Respondent should leave Minnesota to reside or to practice outside of the state, Respondent shall give the Board written notification of the new location, as well as dates of departure and return. Periods of residency and practice outside of Minnesota will not apply to the reduction of any period of Respondent's suspension or stayed suspension in Minnesota unless Respondent demonstrates that the practice in another state conforms completely with this Stipulation and Consent Order. If Respondent leaves the state, the terms of this order continue to apply unless waived in writing.

14. Within ten days of execution of this Stipulation and Consent Order, Respondent shall provide the Board with the addresses and telephone numbers of Respondent's residence and all agencies or facilities and locations at which Respondent has become employed or performs volunteer emergency medical services. Respondent shall inform the Board within ten days if she becomes employed at any additional agencies or facilities or moves and shall provide the new or additional address and telephone number.

15. Within ten days of execution of this Stipulation and Consent Order, Respondent shall provide the Board with the names of all states in which Respondent is EMS certified or has applied for certification.

16. Respondent waives the contested case hearing and all other procedures before the Board to which Respondent may be entitled under the Minnesota and United States constitutions, statutes, or rules.

17. Respondent waives any claims against the Board, the Minnesota Attorney General, the State of Minnesota, and their agents, employees, and representatives related to the investigation of the conduct herein, or the negotiation or execution of this Stipulation and Consent Order, which may otherwise be available to Respondent.

18. This Stipulation and Consent Order, the files, records, and proceedings associated with this matter shall constitute the entire record and may be reviewed by the Board in its consideration of this matter.

19. Either party may seek enforcement of this Stipulation and Consent Order in any appropriate civil court.

20. Respondent has read, understands, and agrees to this Stipulation and Consent Order and has voluntarily signed the Stipulation and Consent Order. Respondent is aware this Stipulation and Consent Order must be approved by the Board before it goes into effect. The Board may either approve the Stipulation and Consent Order as proposed, approve it subject to specified change, or reject it. If the changes are acceptable to Respondent, the Stipulation and Consent Order will take effect and the order as modified will be issued. If the changes are unacceptable to Respondent or the Board rejects the Stipulation and Consent Order, it will be of no effect except as specified in the following paragraph.

21. Respondent agrees that if the Board rejects this Stipulation and Consent Order or a lesser remedy than indicated in this settlement, and this case comes again before the Board, Respondent will assert no claim that the Board was prejudiced by its review and discussion of this Stipulation and Consent Order or of any records relating to it.

22. 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.

VIII.

DATA PRACTICES NOTICES

23. 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 (2006). 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 (2006).

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

CONSENT:

MINNESOTA EMERGENCY MEDICAL
SERVICES REGULATORY BOARD
REVIEW PANEL.


Christy O'Neill, EMT-P
Respondent


Board Member

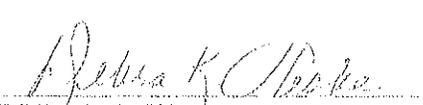
Dated: 5-29, 2008

Dated: 06-09, 2008

ORDER

Upon consideration of the Stipulation, the Board **SUSPENDS** Respondent's EMT-P certification. The Board **STAYS** the suspension upon Respondent's compliance with the requirements outlined in the Stipulation and the condition that Respondent successfully participates in the Health Professionals Services Program and adopts all other terms of the Stipulation on this 21st day of June, 2008.

MINNESOTA EMERGENCY MEDICAL
SERVICES REGULATORY BOARD

By: 
DEBRA TESKE
Administration Supervisor