BEFORE THE MINNESOTA

EMERGENCY MEDICAL SERVICES REGULATORY BOARD

In the Matter of
Wanda R. Smith, EMT-Basic
Certificate No. 945823

ORDER FOR TEMPORARY SUSPENSION

The Minnesota Emergency Medical Services Regulatory Board ("Board") is authorized pursuant to Minnesota Statutes sections 144E.001 to 144E.52 to register, certify, regulate, and discipline persons who apply for, petition, or hold registrations or certificates to practice emergency medical services in the State of Minnesota and to take disciplinary action where appropriate. The Board, by its Complaint Review Panel, is further authorized pursuant to Minnesota Statutes section 144E.28, subdivision 6, to temporarily suspend an emergency medical technician ("EMT") when it believes, after conducting a preliminary inquiry, that the EMT has violated a statute or rule the Board is empowered to enforce and continued practice by the EMT would create an imminent risk to public health or harm to others.

1. The Complaint Review Panel has received credible information that Wanda R. Smith, EMT ("Respondent"), has violated one or more statutes or rules that the Board has authority to enforce.

2. On or about October 14, 2014, while working as a certified medical assistant, Respondent participated in an employer's toxicology drug screen, which revealed positive test results for methamphetamine and amphetamine.

3. Based upon the positive toxicology test results, the Complaint Review Panel has probable cause to believe that Respondent's continued practice presents an imminent risk to public health or harm to others.

4. After a preliminary inquiry, the Board finds that Respondent has violated Minnesota Statutes section 144E.28, subdivision 5(a)(4)(5) and (8), and that Respondent's continued practice would create an imminent risk to public health or harm to others.

5. Based on the aforementioned facts, the Board finds that a temporary suspension of Respondent's certificate is warranted pursuant to Minnesota Statutes section 144E.28, subdivision 6.

Accordingly, the Board issues the following:

ORDER

1. Respondent's certificate to practice as an EMT in the State of Minnesota is **TEMPORARILY SUSPENDED** pursuant to Minnesota Statutes section 144E.28, subdivision 6. During the period of suspension, Respondent shall not in any manner practice emergency medical services as an EMT in the State of Minnesota.

2. The temporary suspension of Respondent's certificate shall take effect immediately and shall remain in effect until the Board issues a final order in this matter.

3. Respondent may request that a preliminary hearing be scheduled with the Complaint Review Panel in this matter pursuant to Minnesota Statutes section 144E.28, subdivision 6(d). At the time the Board issues a temporary suspension order, the Board shall schedule a hearing, to be held before a group of its members designated by the Board, that shall begin within 60 days after issuance of the temporary suspension order or within 15 working days of the date of the Board's receipt of a request for a hearing from Respondent, whichever is sooner. The hearing shall be on the sole issue of whether there is a reasonable basis to continue, modify, or lift the temporary suspension. A hearing under this paragraph is not subject to chapter 14. *See* Minn. Stat. § 144E.28, subd. 6(d) (2014).

4. At the hearing described in paragraph 3 of this Order, evidence presented by the Board or Respondent may be in the form of an affidavit, and Respondent or Respondent's designee may appear for oral argument. *See* Minn. Stat. § 144E.28, subd. 6(e) (2014).

5. Within five working days of the hearing described in paragraph 3 of this Order, the Board shall issue its order and, if the suspension is continued, notify Respondent of the right to a contested case hearing under chapter 14. *See* Minn. Stat. § 144E.28, subd. 6(f) (2014).

6. If Respondent requests a contested case hearing within 30 days after receiving notice under paragraph 5 of this Order, the Board shall initiate a contested case hearing according to chapter 14. *See* Minn. Stat. § 144E.28, subd. 6(g) (2014).

Dated: April 24, 2015

MINNESOTA EMERGENCY MEDICAL
SERVICES REGULATORY BOARD

Robert M. Norlen

ROBERT M. NORLEN
Interim Executive Director