



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

In the Matter of
Anthony William Bronk, EMT
Certification No. 511405

**STIPULATION AND
CONSENT ORDER**

STIPULATION

Anthony William Bronk, Emergency Medical Technician (“EMT”) (“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 sections 144E.001 to 144E.52 to certify and regulate emergency medical services providers and to take disciplinary action as appropriate.
2. Respondent holds a certificate from the Board to practice as an EMT 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.
3. Respondent is advised that he may choose to be represented by legal counsel in this matter. Gregory J. Schaefer, Assistant Attorney General, represents the Review Panel in this matter.

II.

BACKGROUND

4. On January 4, 2016, the Review Panel, composed of three Board members, reviewed information related to Respondent's case. The Review Panel determined the matter could be resolved by mail with a Stipulation and Consent Order suspending Respondent's EMT certification.

III.

FACTS

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

a. Respondent was registered in Minnesota as a first responder on April 14, 2000, and as an EMT on August 17, 2004. Respondent was employed by a licensed Minnesota ambulance service.

b. On November 18, 2015, Respondent was convicted in Washington County District Court of five (5) counts of felony Theft by Swindle, in violation of Minnesota Statutes section 609.52, subdivision 2(a)(4), after he swindled funds from the Minnesota State Fire Department Association ("Association"). Respondent was also convicted of one (1) count of felony Check Forgery – Offer/Possess With Intent to Defraud, in violation of Minnesota Statutes section 609.631, subdivision 3. Respondent was ordered to serve 23 months in prison and pay restitution in the amount of \$136,959.57.

c. Respondent was the Association's treasurer, a city volunteer firefighter, and a city council member at the time he swindled the Association's funds.

IV.

LAWS

6. Respondent acknowledges the conduct described in section III. above constitutes a violation of Minnesota Statutes section 144E.28, subdivision 5(a)(3) (is convicted or pleads guilty or nolo contendere to any felony; any gross misdemeanor relating to assault, sexual misconduct, theft, or the illegal use of drugs or alcohol; or any misdemeanor relating to assault, sexual misconduct, theft, or the illegal use of drugs or alcohol); (5) (engaged in unethical conduct, including but not limited to conduct likely to deceive, defraud, or harm the public or demonstrating a willful or careless disregard for the health, welfare, or safety of the public); and (8) (engaged in unprofessional conduct or any other conduct which has the potential for causing harm to the public, including any departure from or failure to conform to the minimum standards of acceptable and prevailing practice without actual injury having to be established); 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. Suspension

7. The Board **SUSPENDS** Respondent's certification to practice as an EMT. Respondent shall not engage in any act which constitutes the practice of emergency medical services in Minnesota and shall not imply by words or conduct that Respondent is authorized to practice emergency medical services.

B. Reinstatement of Certification

8. Respondent may request reinstatement of his certification following a minimum of 48 months from the date of this Order and after he has satisfied all restitution payments. The burden of proof shall be upon Respondent to demonstrate by a preponderance of the evidence that he is capable of practicing emergency medical services in a fit and competent manner. At the time of Respondent's request, Respondent shall meet with a Review Panel and comply with, at a minimum, the following:

a. ***Self-Report.*** Respondent shall submit to the Board a report from himself. The report shall be submitted at the time Respondent petitions for reinstatement of his certification. The report shall provide and address:

- 1) Respondent's completion of all court-ordered conditions, including any probation and restitution;
- 2) Respondent's future plans as an emergency medical services provider and the steps he has taken to prepare himself to return to practice; and
- 3) Any other information Respondent believes would assist the Board in its ultimate review of this matter.

b. ***Report From Probation Officer.*** Respondent shall cause to be submitted to the Board a report from his probation officer. The report shall be submitted at the time Respondent petitions for reinstatement of his certification. The report shall provide information regarding Respondent's compliance with all terms of his probation, including confirmation that he has satisfied all restitution payments.

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

d. ***Certification Requirements.*** Respondent shall meet all certification requirements in effect at the time of his petition for reinstatement, including but not limited to completing the appropriate application, paying requisite fees, and completing any necessary certification or continuing education requirements.

9. The Board may, at any regularly scheduled meeting following Respondent's petition for reinstatement pursuant to paragraph 8 above, take any of the following actions:

- a. Issue certification to Respondent;
- b. Issue certification to Respondent with limitations upon the scope of Respondent's practice and/or with conditions for Respondent's practice; or
- c. Continue the suspension of Respondent's certification upon his 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 are timely filed by those making the payment or preparing the report, evaluation, or documentation. Failure to make payments or file reports on or before their due date is a violation of this Stipulation and Consent Order. The information contained in the reports, evaluations, and documentation is confidential and shall be submitted to the Board by United States Mail, courier, or personal delivery only.

11. If Respondent fails to comply with or violates this Stipulation and Consent Order, the Review Panel may, in its discretion, seek additional discipline either by initiating a contested

case proceeding pursuant to Minnesota Statutes chapter 14 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 20 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. 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 before 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 shall 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 certification is in a suspended status.

e. Following the hearing, the Board will deliberate confidentially. If the allegations are not proved, the Board shall dismiss the allegations. If a violation is proved, the Board may impose additional discipline, including additional conditions or limitations on Respondent's practice, an additional period of suspension, additional conditions of reinstatement, or revocation of Respondent's certification.

VII.

ADDITIONAL INFORMATION

12. 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 certified to practice emergency medical services or has applied for certification as an emergency medical services provider.

13. 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.

14. Respondent waives any claims against the Board, the Minnesota Attorney General's Office, 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.

15. 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.

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

17. 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.

18. 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.

19. 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.

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DATA PRACTICES NOTICES

20. 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. Therefore, employers and other individuals will be able to see this entire Stipulation and Consent Order by searching Respondent's name on the Board's website or by requesting a copy of this Stipulation and Consent Order from the Board. Data regarding this action will be provided to data banks as required by federal law and 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.

21. 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:

EMERGENCY MEDICAL SERVICES
REGULATORY BOARD
COMPLAINT REVIEW PANEL



ANTHONY WILLIAM BRONK, EMT
Respondent

Dated: _____

4/29/16



MATTHEW SIMPSON
Board Member

Dated: _____

7. 21. 16

ORDER

Upon consideration of the Stipulation, the Board places Respondent's certification in a **SUSPENDED** status and adopts all of the terms described above on this 26th day of July, 2014.

MINNESOTA EMERGENCY MEDICAL
SERVICES REGULATORY BOARD



ANTHONY SPECTOR
Executive Director