BEFORE THE MINNESOTA

EMERGENCY MEDICAL SERVICES REGULATORY BOARD

In the Matter of the Certificate of
Jon R. Jahnke, EMT-B
Certificate No. 504205

STIPULATION AND CONSENT ORDER

STIPULATION

Jon R. Jahnke, EMT-B ("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 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 an Emergency Medical Technician-Basic (EMT-B) 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.

FACTS

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

a. On February 1, 2003, February 6, 2005, February 2, 2007, February 7, 2009, and February 27, 2011 Mr. Jahnke answered "No" to Have you ever been convicted or

pled guilty or nolo contendere to a felony; gross misdemeanor related to assault, sexual misconduct, illegal use of drugs, illegal use of alcohol, or theft; misdemeanor related to sexual misconduct, illegal use of drugs, illegal use of alcohol or theft.

b. On December 13, 2012 the Board received a mandatory complaint report. The complaints states that on or about December 5, 2012 Mr. Jahnke was charged with three counts of electronic solicitation of a minor in Brown County, Minnesota. The complaint further stated that Mr. Jahnke had a felony conviction which was not reported to the Board.

c. During a telephone interview with Mr. Jahnke on February 6, 2013 he stated he had a felony conviction for assault which was sealed in approximately 1980.

d. A review of court records in Ramsey County found felony convictions for Indecent Liberties and Sodomy With a Child for which he was sentenced on January 19, 1972. Several motions to seal and expunge the cases were filed but apparently not granted.

IV.

LAWS

4. Respondent acknowledges the conduct described in section III. above constitutes a violation of Minnesota Statutes section 144E.28, subdivision 5(a)(2) (3) and (4), 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

5. The Board accepts Respondent's **VOLUNTARY SURRENDER** of his EMT-B 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.

6. Respondent shall surrender to the Board his EMT-B 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

7. Respondent may not petition for reinstatement of his EMT-B 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-B practical skills examination.

b. Re-registration 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, including a fit for duty evaluation to be conducted by a provider approved by the Board. Respondent shall also provide proof of completion of all sentencing requirements.

8. 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-B certificate to Respondent;

b. Issue an EMT-B 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-B certificate based upon his failure to meet the burden of proof.

9. 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.

10. 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.

11. 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.

12. 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.

13. 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.

14. 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).

15. 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

JON R. JAHNKE, EMT-B
Respondent

Dated: March 18, 2013

Board Member

Dated: 3-22, 2013

ORDER

Upon consideration of the Stipulation, the Board accepts the **VOLUNTARY SURRENDER** of Respondent's EMT-B certificate, and adopts all of the terms described above on this 31 day of May, 2013.

MINNESOTA EMERGENCY MEDICAL SERVICES REGULATORY BOARD

PAMELA BILADEAU
Executive Director