

## **PARAMEDIC DISCIPLINE STATUTE**

Pursuant to California Health & Safety Code Section 1798.200, the EMS Authority may deny, revoke, suspend, or place on probation a paramedic's license for the following acts or omissions:

**Fraud in the procurement of any certificate or license under this division.**

This would primarily concern the submission of fraudulent continuing education credits, and false or incomplete information on an EMT application at the local or state level.

**Gross negligence.** This is an extreme departure from the standard of care, which, under similar circumstances, would have ordinarily been exercised by a reasonable and prudent person trained and acting in a similar capacity while engaged in the performance of his or her duties if confronted with a similar circumstance.

**Repeated negligent acts.** A repeated failure to use such care as a reasonable and prudent person trained and acting in a similar capacity while engaged in the performance of his or her duties would use if confronted with a similar circumstance.

**Incompetence.** The lack of possession of that degree of knowledge, skill, and ability ordinarily possessed and exercised by a licensed and accredited paramedic.

**The commission of any fraudulent, dishonest, or corrupt act which is substantially related to the qualifications, functions, and duties of prehospital personnel.** This would include theft related offenses, violent acts, and sexual misconduct committed professionally or personally.

**Conviction of any crime which is substantially related to the qualifications, functions, and duties of prehospital personnel.** This would include theft related offenses, violent acts, and sexual misconduct committed professionally or personally.

**Violating or attempting to violate directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provision of this division or the regulations adopted by the authority pertaining to prehospital personnel.** This would include the failure to properly complete a patient care report.

**Violating or attempting to violate any federal or state statute or regulation which regulates narcotics, dangerous drugs, or controlled substances.** This section is used on paramedics who fail a random drug test.

**Addiction to the excessive use of, or the misuse of, alcoholic beverages, narcotics, dangerous drugs, or controlled substances.**

**Functioning outside the supervision of medical control in the field care system operating at the local level, except as authorized by any other license or certification.** Generally, this section is used when local protocols and procedures are not followed.

**Demonstration of irrational behavior or occurrence of a physical disability to the extent that a reasonable and prudent person would have reasonable cause to believe that the ability to perform the duties normally expected may be impaired.**

**Unprofessional conduct exhibited by any of the following:**

**The mistreatment or physical abuse of any patient resulting from force in excess of what a reasonable and prudent person trained and acting in a similar capacity while engaged in the performance of his or her duties would use if confronted with a similar circumstance. Nothing in this section shall be deemed to prohibit an EMT-I, EMT-II, or EMT-P from assisting a peace officer, or a peace officer who is acting in the dual capacity of peace officer and EMT-I, EMT-II, or EMT-P, from using that force that is reasonably necessary to effect a lawful arrest or detention.**

**The failure to maintain confidentiality of patient medical information, except as disclosure is otherwise permitted or required by law in Sections 56 to 56.6, inclusive, of the Civil Code.**

**The commission of any sexually related offense specified under Section 290 of the Penal Code.**