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BEFORE THE
EMERGENCY MEDICAL SERVICES AUTHORITY
STATE OF CALIFORNIA

In the Matter of the Statement of Issues)
Against:)

COREY A. VRMEER)

Respondent.)

Enforcement Matter No.: 16-0089
OAH No.: 2016080781

DECISION AND ORDER

The attached Proposed Decision is hereby adopted by the Emergency Medical Services Authority as its Decision in this matter.

This decision shall become effective 30 days after the date below. It is so ordered.

DATED:

November 21, 2016



Howard Backer MD, MPH

Director

Emergency Medical Services Authority

BEFORE THE
EMERGENCY MEDICAL SERVICES AUTHORITY
STATE OF CALIFORNIA

In the Matter of the Statement of Issues
Against:

COREY A. VRMEER,

Respondent.

Case No. 16-0089

OAH No. 2016080781

PROPOSED DECISION

Administrative Law Judge Karen Reichmann, State of California, Office of Administrative Hearings, heard this matter on October 27, 2016, in Oakland, California.

Craig L. Stevenson, Senior Staff Counsel, represented complainant Sean Trask, Chief, Emergency Medical Services Authority, EMS Personnel Division.

No appearance was made by or on behalf of respondent Corey A. Vrmeer. Upon proof of compliance with Government Code sections 11505 and 11509, the hearing proceeded as a default pursuant to Government Code section 11520.

The matter was submitted for decision on October 27, 2016.

FACTUAL FINDINGS

1. On March 18, 2016, respondent Corey A. Vrmeer submitted an application with the Emergency Medical Services Authority (EMSA) for licensure as an Emergency Medical Technician-Paramedic (EMT-P). EMSA denied the application on April 21, 2016, and respondent appealed.

2. On February 26, 2016, respondent was convicted in the Superior Court of California, County of Sonoma, pursuant to his no contest plea, of violating Penal Code section 487, subdivision (a) (grand theft), a misdemeanor. Imposition of sentence was suspended and respondent was placed on probation for two years, on terms and conditions that include completing 80 hours of volunteer work and paying fines and \$13,500 in restitution. The sentencing minutes note that the district attorney "agrees to dismiss case nunc pro tunc to today's date after successful completion of probation and restitution paid in full."

The underlying offense occurred on June 14, 2015 in Santa Rosa. According to respondent's statement to the arresting police officer, he met some people at a bar and went with them by taxi to a house. His new acquaintances went into another room to engage in activities without respondent. Respondent felt excluded and decided to leave. He could not find his cell phone. He took items belonging to the other people with him. He explained to the police officer that he intended to return the items in exchange for his phone. Respondent's phone was found at the house of the victims.

3. Because respondent did not appear at the hearing, no evidence in mitigation was presented.

LEGAL CONCLUSIONS

1. Health and Safety Code section 1798.200, subdivision (c)(5), provides that EMSA may deny the application of an applicant who has committed any fraudulent, dishonest, or corrupt act which is substantially related to the qualifications, functions, and duties of an EMT-P. Health and Safety Code section 1798.200, subdivision (c)(6), provides that EMSA may deny the application of an applicant who has been convicted of a crime which is substantially related to the qualifications, functions, and duties of an EMT-P. Respondent's conviction for grand theft is substantially related to the duties of an EMT-P and constituted a fraudulent and dishonest act.

Therefore, by reason of the matters set forth in Factual Finding 2, cause is established to deny respondent's application pursuant to Health and Safety Code section 1798.200, subdivisions (c)(5) and (6).

2. Pursuant to California Code of Regulations, title 22, section 100174, subdivision (b)(5), EMSA shall deny an application for an EMT-P license if the applicant has been convicted of any theft-related misdemeanor within the preceding five years. Therefore cause exists to deny the application by reason of the matters set forth in Factual Finding 2.

3. The burden of proof is on respondent to prove by a preponderance of the evidence that his application should be granted. Respondent did not appear at the hearing. Respondent has failed to meet his burden of establishing that he is entitled to an EMT-P license. The application shall be denied.

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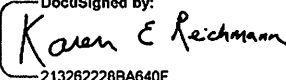
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ORDER

The application of respondent Corey A. Vrmeer for licensure as an Emergency Medical Technician-Paramedic is denied.

DATED: November 16, 2016

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KAREN REICHMANN
Administrative Law Judge
Office of Administrative Hearings