



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

OFFICE OF EMERGENCY MEDICAL SERVICES

CONSENT ORDER

IN THE MATTER OF: **David C. Ellner, EMT-P, Cert. #94-57**
 Office of Emergency Medical Services Investigation
 Case #96-010

WHEREAS, David C. Ellner of 14 Edward Street, East Haven, Connecticut 06512 has been trained as a Emergency Medical Technician-Paramedic (EMT-P) in accordance with the training curriculum for Emergency Medical Services personnel which has been approved by the Department of Public Health's Office of Emergency Medical Services; and

WHEREAS, David C. Ellner has been certified by the Office of Emergency Medical Services (OEMS) to perform as an EMT-P, Certification #94-57; and,

WHEREAS, an OEMS investigation determined, and David C. Ellner, for the purposes of this Consent Order does not dispute, that during the period between January 20, 1996 and February 23, 1996 while on duty with American Medical Response of Connecticut, Inc. (AMR), he stole ten-fifteen (10-15) bags of Lactated Ringers Solution from AMR, Yale New Haven Hospital and the Hospital of St. Raphael; and

WHEREAS, an OEMS investigation determined, and David C. Ellner, for the purposes of this Consent Order does not dispute, that during the period of time between January 20, 1996 and February 23, 1996 while on duty with AMR, he stole one (1) burrette from Yale New Haven Hospital and one (1) burrette from the Hospital of St. Raphael; and

WHEREAS, an OEMS investigation determined, and David C. Ellner, for the purposes of this Consent Order does not dispute, that during the period of time between January 20, 1996 and February 23, 1996 while on duty with AMR, he stole two (2) pre-loaded syringes of Toridal from Yale New Haven Hospital and one (1) pre-loaded syringe of Toridal from the Hospital of St. Raphael; and



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Telephone Device for the Deaf (860) 509-7191

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WHEREAS, on February 23, 1996 AMR management officials confiscated Albuterol, Nirtoglycerine, Benadryl, miscellaneous non-narcotic field medications and miscellaneous non-medical supplies that were in David C. Ellner's possession; and

WHEREAS, such thefts are a violation of Section 19a-179-9 (f) of the Regulations of Connecticut State Agencies; and

WHEREAS, David C. Ellner, in consideration of this Consent Order, has chosen not to contest this matter;

NOW THEREFORE, pursuant to the Connecticut General Statutes, Section 19a-180, David C. Ellner hereby stipulates and agrees to the following:

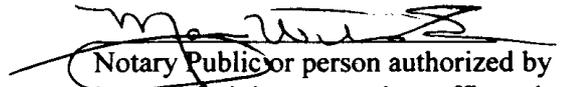
1. David C. Ellner knowingly and voluntarily agrees to surrender his EMT-P certification for a period of one (1) year. Such surrender shall be effective as of February 23, 1996 and shall remain in effect until February 23, 1997.
2. David C. Ellner stipulates and swears that he has not been employed as a paramedic or employed at any other level of EMS provider certification since February 23, 1996.
3. David C. Ellner knowingly and voluntarily waives any right to any administrative hearing or appeal he may have with regard to the foregoing violations.
4. For the purposes of this or any future proceeding before the Department of Public Health, this Consent Order shall have the same effect as if proven and ordered after a full hearing held pursuant to Connecticut General Statutes, Section 19a-180.
5. David C. Ellner understands that this Consent Order shall be retained in his certification file and may be considered as evidence of previous violations of EMS practice standards in any future proceeding before the Department of Public Health in which his failure to comply with applicable statutes or regulations is alleged.
6. This Consent Order shall be effective the first day of the next month after it is accepted and ordered by the Office of Emergency Medical Services.
7. This Consent Order shall not be subject to reconsideration, collateral attack or judicial review under any form or in any forum. This Consent Order shall not be subject to appeal or review under the provisions of Chapters 54, 368a or 368d of the Connecticut General Statutes, provided that this Consent Order shall not deprive David C. Ellner of any other rights that he may have under the laws of the State of Connecticut or of the United States.
8. David C. Ellner understands that this Consent Order shall be a matter of public record.

9. David C. Ellner understands that he has the right to consult with an attorney prior to signing this Consent Order.

I, David C. Ellner, have read this Consent Order, and I stipulate and agree to its provisions. I further declare the execution of this Consent Order to be my free act and deed.


David C. Ellner

Subscribed and sworn to before me this 29 day of October, 1996


Notary Public or person authorized by
law to administer an oath or affirmation.
My Commission Expires December 31, 1996

This Consent Order having been presented to the duly appointed agent of the Commissioner of Public Health on the 13 day of NOV, 1996, is hereby ordered and accepted.


Michael Kleiner, Director
Office of Emergency Medical Services