

**STATE OF RHODE ISLAND AND  
PROVIDENCE PLANTATIONS**

**DEPARTMENT OF HEALTH**

**DIVISION OF PREPAREDNESS, RESPONSE,  
INFECTIOUS DISEASE & EMERGENCY MEDICAL SERVICES**

**CENTER FOR EMERGENCY MEDICAL SERVICES**

**IN THE MATTER OF  
BRIAN JOSEPH WHITE, PARAMEDIC #EMT14811  
COMPLAINT ID #171326**

**CONSENT ORDER FOR VOLUNTARY SURRENDER OF LICENSE**

Pursuant to Section 14.1 of the Rules and Regulations Pertaining to the Practices and Procedures Before the Rhode Island Department of Health, the Rhode Island Department of Health ("Department") and Brian Joseph White ("Respondent"), an emergency medical technician-paramedic ("EMT-Paramedic") licensed by the Department, agree to dispose of the above-captioned matter by entering into this Consent Order. Respondent and the Department further agree that this Consent Order is enforceable as a final Order of the Department.

Respondent admits that the Department has jurisdiction over this matter and agrees to waive further procedural steps and any right to appeal this Consent Order. Respondent further agrees that the Department may make the Findings of Fact and Conclusions of Law set forth below. Respondent further admits and acknowledges that the Findings of Fact and the Conclusions of Law set forth below are accurate and correct.

**FINDINGS OF FACT:**

1. Brian Joseph White (hereinafter "Respondent") holds a license (#EMT14811) to function as as an emergency medical technician-paramedic ("EMT-Paramedic") in Rhode Island, pursuant to Rhode Island Gen. Laws § 23-4-1 *et seq.* and the *Rules and Regulations Relating to Emergency Medical Services* [R23-4.1-EMS] (henceforth, the "Rules").

2. On August 22, 2017, the Department was informed by the Massachusetts Department of Public Health ("DPH") that Respondent's National Registry of Emergency Medical Technicians ("NREMT") certification is no longer valid. The NREMT web site indicates that Respondent is "not currently registered with the NREMT."
3. Section 4.1.10 of the Rules requires an EMT-Paramedic to maintain "current registration as a paramedic by the National Registry."
4. The Department was also informed by the Massachusetts DPH that Respondent's NREMT certification had been revoked as a result of his Massachusetts EMT Certification being temporarily revoked by the Massachusetts DPH.
5. On August 7, 2017, the Massachusetts DPH had ordered Respondent's Massachusetts EMT Certification #P0901584 to be "revoked . . . for a minimum of two (2) years, commencing from June 29, 2017." The DPH had revoked Respondent's Massachusetts EMT Certification based on its findings that Respondent had violated the standard of care and Massachusetts treatment protocols ("Statewide Treatment Protocols") on the following occasions:
  - (1) during an emergency call in the fall of 2016 in which Respondent failed to appropriately treat a patient in respiratory distress and further failed to recognize when said patient subsequently went into cardiac arrest;
  - (2) during two simulated exercises on April 20, 2017 at the National Medical Education & Training Center ("NMETC") in which Respondent failed to demonstrate clinical competency, as required by a Deficiency/Order to Correct, issued to Respondent by DPH on or around February 2, 2017.
6. The *Rhode Island Statewide Emergency Medical Services Protocols* are substantially equivalent to the Massachusetts Statewide Treatment Protocols. Treatment for a patient in respiratory distress and cardiac arrest, as well as for the simulated patients evaluated at the NMETC, would be equivalent pursuant to Rhode Island and Massachusetts protocols.
7. The Department has determined that Respondent's continued licensure in Rhode Island constitutes an imminent danger to the health, safety and welfare of the public

#### CONCLUSIONS OF LAW:

8. The conduct described in paragraphs 2-5 above constitutes violations of Section 4 of the Rules in that Respondent has failed to maintain a current registration with the NREMT and has failed to maintain standards of EMT practice.
9. The imminent danger to the health, safety and welfare of the public presented by Respondent's continued licensure in Rhode Island is grounds for the summary suspension of his license, pursuant to Rhode Island Gen. Laws § 42-35-15(c).

Whereas Respondent wishes to avoid both a summary suspension of his license and an

administrative hearing on the summary suspension of his license, and whereas Respondent agrees to voluntarily enter into a Consent Order to surrender his license, and whereas the Department finds the within disposition adequately protective of the public health, safety, and welfare, and for good cause shown,

**IT IS THEREFORE AGREED AND ORDERED:**

1. Respondent voluntarily surrenders his Rhode Island license as EMT-Paramedic for an indefinite period.
2. Respondent shall immediately cease and desist from practicing and/or holding himself out as a licensed EMT in the State of Rhode Island.
3. This Consent Order shall be effective upon its execution by both Respondent and the Department.
4. This Consent Order shall constitute a final disposition of the above-referenced complaint and shall obviate the necessity for the summary suspension of Respondent's license or an administrative hearing.
5. If Respondent fails to comply with any of the stipulations of this Consent Order, the Director of the Department of Health shall have discretion to summarily suspend the Respondent's license and/or impose further disciplinary action for such non-compliance. If the Director does so, Respondent shall be given notice and shall have the right to request an administrative hearing within twenty (20) days of the suspension and/or further discipline.
6. The voluntary surrender of Respondent's license shall be reported to the National Practitioner Data Bank (a national data bank of disciplinary action against healthcare practitioners) as a final disciplinary action. This document and the fact of Respondent's voluntary surrender of license shall be distributed to all relevant licensing authorities and professional societies in the same manner as a final decision making specific findings of professional misconduct.
7. This document will be maintained by the Department as a public document and shall be subject to public inspection and dissemination.
8. In the event that Respondent should seek reinstatement of his Rhode Island EMT license in the future, he must submit a written request to the Center for Emergency Medical Services ("CEMS") within the Department. Respondent's written request must include:

**(1) Certified information from the licensing or certification board of each jurisdiction in which Respondent has ever been licensed or certified as an**


**EMT, sent directly to CEMS, identifying his license or certification status and disciplinary history and verifying that his license or certification to function as an EMT is in good standing.**

9. This Consent Order is not effective unless it is accepted and signed by both parties.

10. Respondent hereby forever waives (that is, gives up his rights to) a formal adjudicatory hearing before the Department on the matters referenced herein. By waiving his right to a formal adjudicatory hearing under Rhode Island Gen. Laws § 42-35-15(c), §23-4.1-9 and the Rules and Regulations Pertaining to Practices and Procedures Before the Department of Health, Respondent waives (gives up):

- (1) The right to appear personally or by counsel or both before the Department;
- (2) The right to produce witnesses and evidence in his behalf at a hearing;
- (3) The right to cross-examine witnesses;
- (4) The right to have subpoenas issued by the Board;
- (5) The right to further procedural steps except for those specifically contained herein;
- (6) Any objection to the fact that this Agreement may be presented to the Board for its consideration and review.

I have read and understand this Consent Order, and I agree to abide by its terms. I understand that this Consent Order is not binding on me until it is accepted and signed by the Director of the Department of Health. I hereby give my consent to the Department to enter this Consent Order. I acknowledge that I have had an opportunity to consult an attorney in connection with this Consent Order.



**BRIAN J. WHITE, EMT14811**

Respondent

Signed this 31<sup>st</sup> day of August, 2017.



**WITNESS**

Signed this 31 day of August, 2017.



**NICOLE ALEXANDER-SCOTT, M.D., M.P.H.**

Director of Health

Rhode Island Department of Health

Cannon Building, Room 401

Three Capitol Hill

Providence, RI 02903

Signed this 30<sup>th</sup> day of August, 2017.