

STATE OF RHODE ISLAND

**DEPARTMENT OF HEALTH
DIVISION OF HEALTHCARE QUALITY AND SAFETY
CENTER FOR EMERGENCY MEDICAL SERVICES**

**In the Matter of: MICHAEL J. MONTEIRO
LICENSE NUMBER EMT14792
COMPLAINT No. C23-0473**

CONSENT ORDER

Pursuant to R. I. Gen. Laws §§ 23-4.1-1 *et seq.*, Emergency Medical Transportation Services, and 216-RICR-20-10-2, Emergency Medical Services, the Rhode Island Department of Health, Division of Healthcare Quality and Safety, Center for Emergency Medical Services (“RIDOH”) has investigated Complaint No. C23-0473 charging Michael J. Monteiro, License Number EMT14792 (“Respondent”), with failure to comply with EMS Statutes and Regulations. After review and consideration by RIDOH the following are and shall constitute

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Respondent is an emergency medical technician licensed to practice in the State of Rhode Island under Emergency Medical Technician License Number EMT14792.
2. Pursuant to a Consent Order entered on July 8, 2021, C21-0319(B), Respondent’s Emergency Medical Technician License Number EMT14792, is on probationary status.
3. On or about January 2, 2023 through May 9, 2023, while employed as a Warwick Fire Department Firefighter/EMT-Cardiac:
 - a. Respondent failed to submit several electric patient care reports (ePCR) in a timely manner.
 - b. Respondent did not obtain signatures from designated representative of the receiving facility, thus failing to indicate transfer of care of patient(s).
 - c. Respondent failed to adhere to the *Rhode Island Regulation* 216-RICR-20-10-2.7(D)(3)(a) (c) and (d):
 - i. 216-RICR-20-10-2.7(D)(3)(a) states: “RIDOH-approved electronic patient care reports for all ambulances must be completed.”

- ii. 216-RICR-20-10-2.7(D)(3)(c) states: “Electronic patient care reports must be posted to RIEMISIS within two (2) hours of completion of the incident, i.e., transportation to the destination, by the responding EMS personnel.
 - iii. 216-RICR-20-10-2.7(D)(3)(d) states: “A digital and paper copy of the completed patient care report for each patient transported to a hospital emergency facility must be left with and promptly available to a designated representative of the receiving facility, who will sign the report upon receipt of the patient, indicating a transfer of care. A copy of the patient care report must be retained by the receiving hospital, the ambulance service and RIDOH”.
- d. Respondent failed to adhere to *Rhode Island Statewide Emergency Medical Services Protocols*, Protocol 1.02 Documentation.
- i. Protocol 1.02 states:
 - 1. “Documentation is the highest level of EMS professional accountability.”
 - 2. “The EMS patient care report (PCR) is part of the patient’s permanent medical record and is often examined by other medical providers for important and valuable information.”
 - 3. “The detail and accuracy of a patient’s PCR is reflective of the quality and credibility of the EMS practitioner(s) completing the documentation.”
 - 4. “EMS documentation establishes compliance with or deviation from the established standard of care.”
 - ii. Protocol 1.02 Documentation states: “Receiving facilities shall be provided a completed copy of the patient care report (PCR) proximate to patient arrival. In the event this is not possible, the PCR will be completed and provided to the receiving facility as soon as possible and no greater than 2 hours after patient handoff. An explanation in the narrative section of the PCR should explain any delay in the provision of a PCR to a

receiving facility and should indicate the means used to deliver the report and confirm that it was received”.

- iii. Protocol 1.02 Documentation states: “PCR data shall be transmitted or otherwise provided to the Center of Emergency Medical Services (CEMS) in the timeframe specified in the Rhode Island Code of Regulations, Emergency Medical Services [216-RICR-20-10-2]”.

RIDOH and Respondent hereby agree:

1. Respondent admits to and agrees to remain under the jurisdiction of RIDOH.
2. Respondent has read this Consent Order and understands this Consent Order shall become binding once signed by Respondent and RIDOH.
3. Respondent understands the purpose of this Consent Order is solely to resolve Complaint C23-0473.
4. Respondent acknowledges and waives:
 - a) The right to have an administrative hearing on this matter;
 - b) The right to represent herself or be represented by an attorney of his own choosing at said hearing;
 - c) The right to present testimony, evidence and witnesses on his behalf;
 - d) The right to cross-examine witnesses presented by RIDOH;
 - e) The right to further procedural steps except for those specifically contained herein;
 - f) The right to take an appeal from the terms of this Consent Order; and
 - g) Any objection that this Consent Order will (i) be reported to the National Practitioner Data Bank, (ii) become a permanent part of Respondent’s record maintained by RIDOH and a part of the public record of this proceeding or (iii) be posted on RIDOH’s public website.

ACCORDINGLY, AND BASED ON THE FOREGOING,

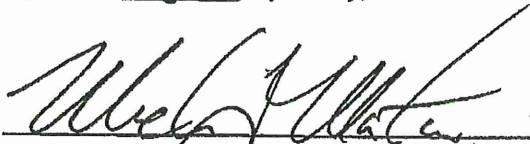
3. Respondent’s EMT License shall be SUSPENDED for seven (7) days as of the Effective Date of this Consent Order. The Effective Date is the date on which this Consent Order is approved by RIDOH. During the period of Suspension, Respondent shall not provide emergency medical services in his capacity as a licensed emergency medical technician. Following successful completion of the 7-day suspension, Respondent agrees to a period of Probation for twelve months, during which time Respondent shall:

- a. Submit all patient care reports to the ambulance service(s) EMS Coordinator and Medical Director for which he is employed or is a volunteer.
- b. Complete a minimum eight (8) hour refresher course on documentation and report writing, conducted by an Instructor/Coordinator selected/approved by RIDOH, within thirty (30) days of the start of this probationary period. The refresher education will be separate from the State required refresher course for provider's tri-annual license renewal.
- c. Complete a comprehensive review the Rhode Island Code of Regulations, Emergency Medical Services (216-RICR-20-10-2), in its entirety, conducted by an Instructor/Coordinator selected/approved by RIDOH, within thirty (30) days of the start of this probationary period. The refresher education will be separate from the State required refresher course for provider's tri-annual license renewal.
- d. Provide documentation of successful completion, of items (4)(a-c).
 - i. The respondent shall submit proof of completion of the presented hours during any month through a direct submission to RIDOH no later than 5 days after the end of that month via DOH.PRCOMPLIANCE@health.ri.gov or directly to RIDOH EMS Compliance Officer.
- e. That said probationary period shall abate during any period in which Respondent ceases to be employed and/or to perform volunteer services as a paramedic or EMS provider at any level in Rhode Island.
- f. That should Respondent change EMS employment and/or EMS volunteer service during the period of probation, he shall notify RIDOH within 5 business days and shall provide the name and address of the new employer(s) and/or entities for which he is a volunteer.
- g. That RIDOH shall send a copy of this Consent Order to Respondent's current employer(s) and/or volunteer service and all future employer(s) and/or volunteer services during the period of probation.

Respondent's successful completion of the probationary period established pursuant to this Consent Order shall not have any effect on the probationary period imposed pursuant to the Consent Order dated July 8, 2021, C21-0319(B).

Failure to adhere to the terms of this Consent Order may constitute unprofessional conduct and may subject Respondent to further disciplinary action at the discretion of RIDOH, including but not limited to Suspension or Revocation of Respondent's EMT license.

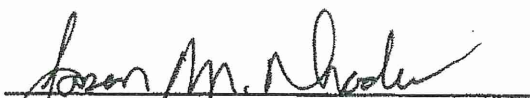
Signed this 8th day of July, 2023



MICHAEL J. MONTEIRO

EMT14792

Approved this 10th day of July, 2023



JASON M. RHODES, MPA, AEMT-C
Chief, Center for Emergency Medical Services
Division of Healthcare Quality and Safety
Rhode Island Department of Health