

BEFORE THE STATE FIRE PREVENTION COMMISSION  
OF THE STATE OF DELAWARE

IN THE MATTER OF: )  
)  
E. RUSSELL WHITE ) **ORDER**  
(EMT I.D. NO. 773439) and ) Case No. 1209  
MILLSBORO FIRE COMPANY, )  
)  
Respondents. )

WHEREAS, the Delaware State Fire Prevention Commission (the “Commission”), in accordance with its authority under Title 16, Chapter 67 of the Delaware Code, having held a hearing (the “Hearing”) at its public meeting on February 21, 2014, issues this final order:

**Summary of the Evidence**

1. By administrative complaint, the State of Delaware (“State”) commenced an administrative proceeding pursuant to the provisions of Title 16, Chapter 67 of the Delaware Code against E. Russell White (“Mr. White”), a resident of Georgetown, Delaware, and certified as an emergency medical technician (“EMT”) in Delaware pursuant to the provisions of 16 *Del. C.* ch. 67 and the Millsboro Fire Company, a fire company located at, and providing fire and ambulance services from, 109 E. State Street, Millsboro, Delaware (the “Company”). The Company is licensed to provide ambulance services in Delaware pursuant to the provisions of 16 *Del. C.* ch. 67.

2. From at least February 2012 to June 2012, Mr. White was employed as an EMT by the Company in Millsboro, Delaware.

3. For approximately twenty-seven separate patient transports by the Company occurring from February 2012 to mid-May 2012, Mr. White failed to enter patient care reports (for which he

was responsible) on a timely basis into the Delaware EMS Data Information Network (“EDIN”), which was, at the time, the Commission’s approved ambulance data collection system.

4. The Company’s conduct (through its agent, Mr. White) as described in paragraph 3 above constitutes grounds for the Commission to discipline the Company pursuant to 16 *Del. C.* §6712(c)(1) and §6712(h), as well as Part 710, §7.1.6.4 of the Delaware State Fire Prevention Regulations.

5. Prior to learning of Mr. White’s conduct as set forth in paragraph 3 above, the Company maintained no internal controls to ensure that persons responsible for the entry of patient contact reports into the EDIN system were entering those reports on a timely basis.

#### **Findings of Fact and Conclusions of Law**

6. The Commission is charged under 16 *Del. C.* Ch. 67 with the duty to administer the provisions of the chapter governing the licensure of ambulance service providers and the certification of persons as emergency medical technicians in Delaware.

7. Under 16 *Del. C.* § 6711(b)(2) it is provided that “the Commission shall adopt regulations specifying operational standards for ambulances [licensed under 16 *Del. C.* ch. 67].”

8. Under 16 *Del. C.* § 6712(h) it is provided that “the Commission shall adopt regulations to implement [the provisions in § 6712 governing the certification of persons as EMTs in Delaware].”

9. Part 710, § 7.1.6 of the Delaware State Fire Prevention Regulations provides as follows:

All individuals, Primary Ambulance Service Providers and Secondary Ambulance Service Providers shall be required to participate in the Delaware State Fire Prevention Commission approved Ambulance data collection system which includes:

7.1.6.1 A BLS [Basic Life Support] run report shall be completed on all dispatched responses.

7.1.6.2 EMT's- shall complete, without exception, a written/computer report on each patient contact. Reports shall be completed within twenty-four (24) hours.

7.1.6.3 When available, the report shall be entered electronically and forwarded to the state EMS office.

7.1.6.4 Failure to comply with data submission may result in loss of BLS Ambulance Service Permit or EMT Certification.

10. From at least February 2012 to June 2012, Mr. White was employed as an EMT by the Company in Millsboro, Delaware.

11. For approximately twenty-seven separate patient transports by the Company occurring from February 2012 to mid-May 2012, Mr. White failed to enter patient care reports (for which he was responsible) on a timely basis into the Delaware EMS Data Information Network ("EDIN"), which was, at the time, the State Fire Prevention Commission's approved ambulance data collection system.

12. Mr. White's conduct as described in the preceding paragraphs constitutes grounds for the Commission to discipline him pursuant to 16 *Del. C.* § 6712(c)(1) and §6712(h), as well as Part 710, § 7.1.6.4 of the Delaware State Fire Prevention Regulations.

13. The Company's conduct (through its agent, Mr. White) as described in paragraphs 3 and 11 above constitutes grounds for the Commission to discipline the Company pursuant to 16 *Del. C.* § 6712(c)(1) and §6712(h), as well as Part 710, § 7.1.6.4 of the Delaware State Fire Prevention Regulations.

14. Prior to Mr. White's conduct as set forth in paragraphs 3 and 11 above, the Company maintained no internal controls to ensure that persons responsible for the entry of patient contact reports into the EDIN system were entering those reports on a timely basis.

15. The Company's failure to maintain such internal controls constitutes grounds for the

Commission to discipline the Company pursuant to 16 *Del. C.* § 6712(c)(1) and §6712(h), as well as Part 710, § 7.1.6.4 of the Delaware State Fire Prevention Regulations.

16. Mr. White's misconduct as described in the preceding paragraphs constitutes unprofessional conduct pursuant Part 710, § 14.4.2.11 of the Delaware State Fire Prevention Regulations.

**ORDER**

WHEREFORE, the Commission, pursuant to 16 *Del. C.* § 6711 and §6712, orders that a letter of reprimand be issued to Mr. White imposing a period of six months probation. During the six months probation, Mr. White will provide a monthly report of all of his EMT runs showing the reporting compliance with state protocols. This report will be due the 5th of each month with information pertaining to the preceding month. This report will be sent by email to Commissioner DiCristofaro. During the six month probationary period, Mr. White will work with a Senior Instructor assigned by the Fire School, enrolling in a refresher course on Documentation and Reporting, and Rules and Responsibilities of an EMT as required by the Commission. Further, while Millsboro Fire Company at the time of the events did not have appropriate checks and balances in place with respect to reporting, the Company has since imposed appropriate checks and balances so that the Commission is not concerned with further violations on the part of the Company and issue no additional sanctions to Millsboro Fire Company.

IT IS SO ORDERED this 20th day of May, 2014.

**DELAWARE STATE FIRE PREVENTION COMMISSION**

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David J. Roberts, Chairman

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Alan Robinson, Vice Chairman

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Charles Boyer, Commissioner

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Tom DiCristofaro, Commissioner

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Marvin Sharp, Commissioner

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Ron Marvel, Commissioner

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Bob Ricker, Commissioner

Date Mailed: May 20, 2014