

5. Horn provided gabapentin to Respondent from a prescription issued to his spouse.

6. On or about September 12, 2020, Respondent requested more gabapentin from Horn.

7. Horn reported this interaction to the Fire Commission Investigator.

8. In or around September 2020, Respondent purchased Oxycodone pills from a co-worker's girlfriend and consumed at least one of the pills while on duty.

9. A subsequent investigation revealed that Respondent had solicited prescription drugs, some of which were controlled substances, on prior occasions.

10. By soliciting unprescribed addictive narcotics and other controlled substances from her co-workers over a period of time, Respondent has violated Part 710, Section 14.4.1.9 of the Delaware State Fire Prevention Regulations in that she has engaged in unprofessional conduct as defined by Section 14.4.2, specifically:

- a. 14.4.2.3 in that she has engaged in dishonorable, unethical or other conduct likely to harm the public;
- b. 14.4.2.6 in that she used narcotic drugs for non-therapeutic purposes;
- c. 14.4.2.7 in that she abused, misused or diverted controlled substances or prescription drugs;
- d. 14.4.2.8 in that she practiced as an EMT when her physical or mental capacity was not adequate to safely perform her job duties.

11. Respondent hereby admits that the allegations set forth in paragraphs one (1) through twelve (12) above are true and correct.

12. Respondent and the State agree that the appropriate disciplinary sanctions

shall be as follows:

- a. Respondent's EMT certification shall be suspended for three years, which suspension shall be immediately stayed for three years of probation, contingent upon the following: within 30 days of the Board's acceptance of this consent as an Order, she must provide satisfactory proof to the Fire Commission that she has completed a substance abuse evaluation and enrolled in a Commission approved treatment program;
- b. During the period of probation. Respondent shall arrange to provide drug screens to the Commission on a monthly basis, and shall provide proof of ongoing compliance with substance abuse treatment on a monthly basis;
- c. During the period of probation, should Respondent be employed as an EMT in any capacity. Respondent's EMS supervisor shall send bi-monthly reports regarding Respondent's patient care reports and conduct regarding the protocols to the BLS medical director for review;
- d. Should Respondent fail to provide proof of ongoing compliance with her treatment program to the Commission, her probationary period may be converted to a suspension without further hearing; and
- e. The Fire Commission reserves jurisdiction to modify this order and restrict Respondent's certification or modify her probation as appropriate to protect the public health and safety.

13. The parties to this Consent Agreement are the State of Delaware and Respondent.

14. The parties agree and acknowledge that nothing contained in this Consent Agreement shall affect any rights or interests of any person not a party to this Agreement.

15. Respondent acknowledges that she is waiving her rights under the State Fire Prevention Regulations and 29 *Del. C.* Ch. 101 to a hearing before the Commission prior to the imposition of disciplinary sanctions.

16. Respondent acknowledges that she has carefully read and understands this

Consent Agreement, and is entering into this Consent Agreement freely, knowingly, voluntarily, and after having received or having been afforded the opportunity to receive the advice of counsel.

17. Respondent acknowledges that this Consent Agreement is a public record within the meaning of 29 *Del. C.* § 10002 and will be available for public inspection and copying as provided for by 29 *Del. C.* § 10003.

18. The parties acknowledge and agree that this Consent Agreement is subject to approval by the Commission.


19. The parties acknowledge and agree that if the Commission does not accept this Consent Agreement, it shall have no force or effect, except as follows:

- a. Neither Respondent, nor anyone on her behalf, will in any way or in any forum challenge the ability of the Commission or any of its members to conduct an evidentiary hearing relating to the allegations in the subject Complaint;
- b. The Consent Agreement, or conduct or statements made in negotiating the Consent Agreement, will be inadmissible at any administrative, civil or criminal legal proceeding; and
- c. No provision contained in the Agreement shall constitute or have the effect of an admission by the Respondent as to any fact alleged in the Complaint in this matter or in this Agreement.

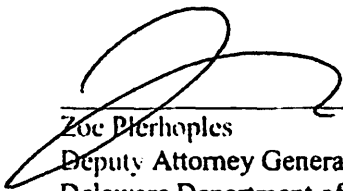
20. If the Commission accepts the Consent Agreement and enters it as an Order, the Consent Agreement shall be admissible as evidence at any future proceedings before the Commission.

21. The parties acknowledge and agree that this Consent Agreement, along with any exhibits, addendums, or amendments hereto, encompasses the entire agreement of the parties and supersedes all previous understandings and agreements between the parties, whether oral or written. There are no other terms, obligations, covenants, representations, statements or conditions, or otherwise, of any kind whatsoever concerning this agreement.

22. This Consent Agreement shall be effective upon acceptance by the Commission and entry of the Commission's Order.



Kristin Miller
Respondent



Zoe Pierhoples
Deputy Attorney General
Delaware Department of Justice

Dated: 5/5/2021

Dated: 5/5/2021

BEFORE THE STATE FIRE PREVENTION COMMISSION OF THE STATE OF
DELAWARE

IN RE: KRISTIN MILLER

)

) Case No.: 2050


EMT I.D. NO. 706789

)


ORDER

WHEREAS, the Delaware State Fire Prevention Commission has reviewed this matter and hereby approves the Consent Agreement of the parties, and enters it now as an Order of the Delaware State Fire Prevention Commission;

IT IS SO ORDERED this 18th day of May, 2021.



Ronald Marvel, Chairman



Alan Robinson, Jr., Vice Chairman



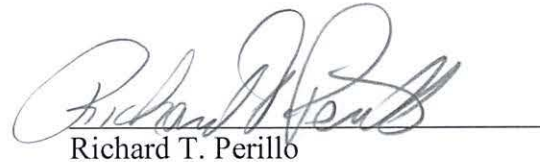
William Kelly



Joseph Leonetti, Sr.



Lynn Truitt



Richard T. Perillo



Willard (Bill) Betts