BEFORE THE STATE FIRE PREVENTION COMMISSION OF THE STATE OF DELAWARE

IN RE: ROBERT DAVIS)		
) Case	No.:	2225
EMT I.D. NO. 303)		

STIPULATION TO LIFT TEMPORARY SUSPENSTION

- 1. Robert Davis ("Respondent") is a resident of Smyrna, Delaware and is certified as an emergency medical technician ("EMT") in Delaware pursuant to the provisions of 16 *Del. C.* Ch. 67.
- 2. Respondent's EMT certification, I.D. Number 3)3 was originally issued on January 3, 2009, and expires on March 31, 2023.
- 3. On October 11, 2022, the State of Delaware filed with the State Fire Prevention Commission (the "Commission") a Complaint and Request for Temporary Suspension (the "Complaint") alleging, among other things, that Respondent was currently serving a one-year term of probation and was alleged to have acted unprofessionally at d also that on or around October 4, 2022, a Fitness for Duty Report stated that Respondent was considered psychologically unfit for duty and not cleared to work. The Report further found that Respondent cannot safely perform his job duties as an EMT.
- 4. By Commission Order dated October 12, 2022, Respondent's certification was temporarily suspended in accordance with Commission Regulation 710, Section 14.4.6, effective 12:00 p.m., October 13, 2022 (the "Suspension Order").
- 5. The Suspension Order found that the alleged conduct of Respondent, as set forth in the Complaint and Request for Temporary Suspension, appears to present a clear and immediate danger to the public health and safety.



6. After the Suspension Order was entered, on October 17, 2022, Respondent underwent a Fitness for Duty Re-Evaluation. The report, dated October 24, 2022, concluded that Respondent is now considered to be psychologically fit for dury without job restrictions. It further found that he is cleared to return to work but will need to first have the suspension on his EMT license lifted.

7. Without waiving its ability to proceed on the rer raining allegations in the Complaint, the State of Delaware and Respondent agree that the need for the temporary suspension, namely the findings of the October 4, 2022 Fitness for Duty Evaluation, has changed in that the October 24, 2022 Fitness for Duty Re-Evaluation now reflects he is no longer unfit and is, in fact, psychologically fit and cleared to return to work without job restrictions.

WHEREFORE, for the above reasons, the parties join ly request that the Suspension Order against Respondent's Delaware EMT certification be lifted an I that the State shall retain all rights to proceed on the remaining allegations in the Complaint.

Date: October $\frac{27}{2}$, 2022

Date: October 27, 2022

Counsel for Respondent

/s/ Renee Hrivnak

Renee Hrivnak (ID # 3742)

Deputy Attorney General

Date: October <u>37</u>, 2022

IT IS SO ORDERED on this ____ day of 2022.

Ronald AMarvel

Ron Marvel, Chairman