

	<p style="text-align: center;">SOUTHERN FOX VALLEY EMERGENCY MEDICAL SERVICES SYSTEM POLICY & PROCEDURES</p>				
<p>TITLE: SUSPENSION FOR SYSTEM PARTICIPATION</p>					
<p>SECTION: SUSPENSIONS, CONFLICT, DUE PROCESS</p>			<p>POLICY NUMBER: E-1.0</p>		
<p>APPROVED BY: DR. ARTHUR PROUST EMS MEDICAL DIRECTOR</p>					
<p>EFFECTIVE DATE: 09/01/2023</p>			<p>PAGE NUMBER: 1 OF 4</p>		

PURPOSE:

The EMS Medical Director may order the suspension of any individual or service provider in the Southern Fox Valley EMS System (SFVEMSS) from participation in the system if that individual or individual service provider is not considered to meet the standards of the SFVEMS System.

POLICY:

The SFVEMSS Medical Director (MD) may suspend from participation within the SFVEMSS, any EMS licensed provider who does not maintain the standards of the SFVEMSS policies and procedures, Region 9 EMS Standard Operating Procedures, or the Illinois Department of Public Health (IDPH) EMS act. The suspension order shall contain the length, terms and reasons for the suspension. The reasons must include at least one of the following:

- 1) Failure to meet the education and training requirements prescribed by the Department in Section 515.520, 515.500, 515.560, 515.580 of the Rules and Regulations of the Illinois Department of Public Health, or by the SFVEMSS MD. The education and training requirements of the SFVEMSS MD are contained in the System policy and procedure manual, the Standard Operating Protocols and the System continuing education programs;
- 2) Violation of the IDPH EMS Act, and/or Rules and Regulations
- 3) Failure to maintain proficiency at the level licensed
- 4) Failure to comply with the provisions of the System's Program Plan approved by the Department;
- 5) Intoxication or personal misuse of any drugs or the use of intoxicating liquors, narcotics, controlled substances, or other drugs or stimulants in such manner as to adversely affect the delivery, performance or activities in the care of patients requiring medical care (for the purposes of this subsection, adversely affect means anything which could harm the patient or treatment that is administered improperly);
- 6) Intentional falsification of any medical reports or orders, or making misrepresentations involving patient care.

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- 7) Abandoning or neglecting a patient requiring emergency care.
- 8) Unauthorized use or removal of narcotics, drugs, supplies or equipment from any ambulance, health care facility, institution or other workplace location.
- 9) Performing or attempting emergency care, techniques or procedures without proper permission, licensure, education or supervision.
- 10) Discrimination in rendering emergency care because of race, sex, creed, religion, national origin, sexual orientation, sexual identity, medical status, or ability to pay.
- 11) Medical misconduct or incompetence, or a pattern of continued or repeated medical misconduct or incompetence in the provision of emergency care.
- 12) Violation of System's standards of care.
- 13) Physical impairment of a pre-hospital provider to the extent that he or she cannot physically perform the emergency care and life support functions for which he or she is licensed, as verified by a physician, unless the pre-hospital provider is inactive status pursuant to the Part; or
- 14) Mental impairment of a pre-hospital provider to the extent that he or she cannot exercise the appropriate judgment, skill and safety for performing the emergency care and life support functions for which he or she is licensed, as verified by a physician, unless the pre-hospital provider is on inactive status to this Part.
- 15) IDPH investigations or fraud / malpractice
- 16) Failing to report a serious injury or death that may have been preventable

SUSPENSION PROCESS

- 1) The SFVEMSS MD may suspend from participation within the System any individual, individual provider or other participant considered not to meet the requirements of the Program Plan of that approved EMS System. (Section 3.40(a) of the EMS Act)
- 2) Except as allowed in Section 3.40(c) of the EMS Act, the SFVEMSS MD shall provide the individual, individual provider or other participant with a written explanation of the reason for the suspension; the terms, length, and condition of the suspension; and the date the suspension will commence, unless a hearing is requested. The procedure for requesting a hearing within 15 days through the Local System Review Board shall be provided.
 - a) The SFVEMSS MD may immediately suspend an individual, individual provider or other participant if he or she finds that the information in his or her possession indicates that the continuation in

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practice by an EMS provider would constitute an imminent danger to the public. The suspended EMS provider shall be issued an immediate verbal notification followed by a written suspension order to the EMS provider by the SFVEMSS MD which states the length, terms and basis for the suspension. (Section 3.40(c) of the Act)

- b) Within 24 hours following the commencement of the suspension, the SFVEMSS MD shall deliver to the Department, by messenger, email or telefax, a copy of the suspension order and copies of any written materials which relate to the SFVEMSS MD's decision to suspend the provider.
 - c) Within 24 hours following the commencement of the suspension, the suspended EMS provider may deliver to the Department, by messenger, email, or telefax, a written response to the suspension order and copies of any written materials which the EMS provider feels relate to that response.
 - d) Within 24 hours following the receipt of the SFVEMSS MD's suspension order or the EMS provider's written response, whichever is later, the Director or the Director's designee shall determine whether the suspension should be stayed pending the EMS provider's opportunity for hearing or review in accordance with the Act, or whether the suspension should continue during the course of that hearing or review. The Director or the Director's designee shall issue this determination to the SFVEMSS MD, who shall immediately notify the suspended EMS provider. The suspension shall remain in effect during this period of review by the Director or Director's designee. (Section 3.40(c) of the Act)
- 3) A request for hearing will be in writing and sent to the SFVEMSS MD via mail postmarked no later than 15 days of suspension notification.
 - 4) Failure to request a hearing within 15 days shall constitute a waiver of the right to a Local System Review Board hearing.
 - 5) The Resource Hospital shall designate the Local System Review Board as required by IDPH (Section 3.40 (e) of the Act). The SFVEMSS MD shall prepare and post, in a 24-hour accessible location at the Resource Hospital, the System Review Board List.
 - 6) The SFVEMSS local review board is listed in the EMS Office at Northwestern Medicine Delnor Hospital. Should a review board be needed, no member of the same agency shall sit, rather the alternate shall take his or her place as needed. If there is no alternate from an agency other than the one the suspended, then the SFVEMSS MD will designate an alternate of the same licensure level of the suspended.
 - 7) The hearing shall commence as soon as possible but within at least 21 days after receiving a written request. The SFVEMSS MD shall arrange for a certified shorthand reporter to make a stenographic record of that hearing and thereafter prepare a transcript of the proceedings. The transcript, all documents or materials received, as evidence during the hearing and the Local System Review Board's written decision shall be retained in custody of the EMS System. The System shall implement a decision of the Local System Review Board unless that decision has been appealed to the State

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Emergency Medical Services Disciplinary Review Board in accordance with the Act and this Part.
(Section 3.40(e) of the Act)

- 8) The Local System Review Board shall state in writing its decision to affirm, modify or reverse the suspension order. Such a decision shall be sent via certified mail or personal service to the SFVEMSS MD and the individual, individual provider or other participant who requested the hearing within five business days after the conclusion of the hearing.
- 9) The transcripts, all documents or materials received as evidence during the hearing and the Local System Review Board's written decision shall be retained in custody of the EMS System.
- 10) The SFVEMSS MD shall notify the Department, in writing, within five business days after the Board's decision to uphold, modify or reverse the SFVEMSS MD's suspension of an individual, individual provider or participant. The notice shall include a statement detailing the duration and grounds for the suspension.
- 11) If the Local System Review Board affirms or modifies the SFVEMSS MD's suspension order, the individual provider or other participant shall have the opportunity for a review of the Local Board's decision of the State EMS Disciplinary Review Board. (Section 3.40(b)(1) of the Act)
- 12) If the Local System Review Board reverses or modifies the SFVEMSS MD's suspension order, the SFVEMSS MD shall have the opportunity for review of the Local Board's decision by the State EMS Disciplinary Review Board. (Section 3.40(b)(2) of the Act)
- 13) Requests for review by the State EMS Disciplinary Review Board shall be submitted in writing to the Chief of the Department's Division of Emergency Medical Services and Highway Safety, within 10 days after receiving the Local Board's decision or the SFVEMSS MD's suspension order, whichever is applicable. A copy of the Board's decision or the suspension order shall be enclosed. (Section 3.45(h) of the Act)
- 14) For Suspensions of licensure, SFVEMSS shall notify any Secondary System that the provider has on-file once the suspension is enacted or upheld.

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