

Pending Criminal Charges Policy

Policy Statement:

Vermont-licensed or certified EMS personnel who are arrested or charged with a crime shall report the incident to the Department of Health EMS Office (the Department) within seven (7) days and provide the arresting officer's report showing probable cause for the arrest within fourteen (14) days of the arrest.

Authority:

EMS Rule Section 8.4

EMS Rule 14.1.4

EMS Rule Section 14.4

Procedure:

When a Vermont-licensed or certified person is arrested or charged with a crime, they must notify the Department within seven days of the arrest. Similarly, if a person is a defendant in a criminal proceeding when they apply for a license, certification, or enroll in an EMS course, they must disclose this status by truthfully answering the crime history question on the application.

Within fourteen (14) days of the arrest or submission of a license application, the person must provide the Department with a copy of the arresting officer's report or affidavit. If the nature of the alleged offense has a direct bearing on the person's fitness to serve as EMS personnel, the Department will either place conditions on the person's license or certification, suspend or revoke the license or certification, or, if the actions described in the police report demonstrate that the person presents an imminent threat to public safety, the Department may summarily suspend the person's EMS license or certification. If the person fails to report the arrest or supply a copy of the police report within the timeframes described in this policy, their license will be summarily suspended until the police report is received by the Department. Such failures will be a factor in the Department's investigation. Persons subject to conditions, suspension, or revocation will be afforded the opportunity for a hearing in accordance with EMS Rule 14.4.

In the case of driving offenses *see* Impaired or Negligent Vehicle Operation Policy.

The person must provide all court records to the Department within thirty (30) days of the case conclusion, and an EMS Office investigation regarding continuing licensure eligibility will follow...

Rationale:

The public affords EMS personnel a high level of trust, so the Department must respond swiftly if it receives credible information that an EMS practitioner has engaged in behavior that puts the public at risk. While all persons are considered innocent of a crime until found guilty by a court of law, the Department must consider the potential harm to

the public, particularly vulnerable populations, and respond in a manner and urgency commensurate to the hazard posed by the alleged crime.

Effective Date:

September 27, 2022