




**Government of the
District of Columbia**



Department: *Department of Health*
Administration: *Health Emergency Preparedness and Response Administration*
Section: *Emergency Medical Services*
Title: *Policy on EMS Certifications with Issuance of Probation Before Judgment or Other
Deferred Adjudication Decision by Court*
Policy Number: *2013-0022*
Effective Date: *15 July 2013*

Approved By: *Brian Amy, MD, Senior Deputy Director, HEPRA* 
Applies To: *All EMS Providers*
Purpose: *Define Standard Procedures to be Utilized when an EMS Certification is Issued
based on a Probation Before Judgment, Adjournment in Contemplation of
Dismissal (ACD), or Deferred Adjudication Decision by the Court*
Reference: *DCMR Title 29, Section 504.2*
Revision: *Original*

I. Purpose

The purpose of this procedure is to establish guidelines for issuing of EMS certifications when an applicant has been issued a Probation Before Judgment (PBJ), Adjournment in Contemplation of Dismissal (ACD), or Deferred Adjudication by a criminal court.

II. Applicability

This policy applies to all Emergency Medical Service providers.

III. Authority

DC Municipal Regulations (DCMR) Title 29, Chapter 5, Section 504.2 states, "The Mayor shall require each applicant for a certificate as an emergency medical technician to provide evidence, in a form acceptable to the Mayor, that the applicant is free from addiction to narcotics or alcoholic beverages and from physical or mental defects or diseases that would impair the applicant's ability to provide emergency care for persons transported by ambulance." When an applicant for EMS certification presents a PBJ, ACD, or other deferred adjudication including, but not limited to, any case related to an alcohol and/or drug incident, the circumstances surrounding that case will be reviewed by the Chief Medical Officer to determine if this policy is applicable.

IV. Actions

When a PBJ, ACD, or other deferred adjudication is presented as part of a provider application, it will be determined if the particular violation of law for which the PBJ, ACD, or other deferred adjudication was issued is applicable under this policy. If it is determined that the circumstances allow use of this policy for issuance of a certification, then the following actions will be taken:

- The applicant will be notified that he or she is eligible for provisional certification under the guidelines of this policy and the DCMR.
- The applicant will be issued an initial provisional certification for a period of three (3) months.
- At the conclusion of the initial provisional period, the applicant can apply for subsequent three (3) month provisional certifications.
 - The applicant must submit any existing or new court actions that have taken place during the previous three (3) month period.
 - Any new court actions will be taken into consideration in the issuance of a new certification
- The applicant must submit a total of four (4) provisional applications over the first year (each three months apart), and two (2) provisional applications over the second year (each six months apart).
- At the conclusion of the two (2) year period, if no additional judgments are rendered against the applicant by the court, the applicant will be eligible to apply for a two (2) year active certification.