

**Procedure Summary:**

A licensed Vermont EMS practitioner who is arrested for careless or negligent operation of a motor vehicle or driving under the influence of alcohol or other substance may not operate an ambulance for the duration of the court case and subsequent Vermont Department of Health EMS Office (the Department) investigation.

A person with a single criminal conviction for careless or negligent operation of a motor vehicle or driving under the influence of alcohol or other substance shall, at a minimum, be prohibited from operating an ambulance for eighteen (18) months after the date of the arrest.

Additional criminal convictions, or a failure to report an arrest or conviction in accordance with EMS Rule 8.4 may result in further restrictions or license actions.

**Authority:**

EMS Rule 8.4

EMS Rule 14.1.4

EMS Rule 14.4

**Procedure:**

When an EMS practitioner is arrested for careless or negligent operation of a motor vehicle or driving under the influence of alcohol or other substance, the practitioner must report the arrest and provide the Department with a copy of the arresting officer's affidavit within seven (7) days of the arrest. Unless another action is warranted, the Department will immediately condition the practitioner's license as bulleted below for the duration of the court case and subsequent Department investigation.

- The person agrees to voluntarily surrender their EMS license if charged with and/or found to have probable cause for any other criminal offense.
- The person cannot operate an ambulance vehicle for a period of eighteen (18) months from the date of the arrest

When an applicant for EMS licensure has pending charges of careless or negligent operation of a motor vehicle or driving under the influence of alcohol or other substance, the Department will, at a minimum, condition the applicant's license as stated above.

When an applicant for EMS licensure has a criminal conviction for careless or negligent operation of a motor vehicle or driving under the influence of alcohol or other substance, the Department will examine documentation of the arrest and court proceedings and consider the timing and circumstances of the incident leading to the arrest.

If the Department's investigation confirms that 1) the person has a single careless or negligent or impaired driver conviction, 2) the conviction occurred more than eighteen months prior, 3) the

person has a current driver's license, and 4) the causal incident resulted in no property damage, injury or death, the person is eligible for a full, unconditioned EMS license.

Upon verification that the person has only a single conviction, that the incident did not result in property damage, injury or death, and that it occurred less than eighteen months prior, the Department will, at a minimum, issue a license with the above bulleted conditions.

If the person is not satisfied with the Department's decision, they have the right to appeal the decision in accordance with EMS Rule 14.4.

**Policy Rationale:**

An EMS practitioner's arrest or criminal conviction for impaired, careless or negligent motor vehicle operation represents an elevated risk to public safety and the public's trust of the EMS profession.

**Effective Date:**

January 4, 2022, revised July 25, 2022