

REC. BY THE
COUNTY OF VOLUSIA
APR 19 2010
DIVISION OF
FIRE SERVICES

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REFERENCE B

To whom it may concern:

On C shift, April 16th, 2010 I was contacted by a VCSO deputy by way of my personal cell phone about a complaint made by my wife. My wife and I are currently going through a divorce and she has made a history of false complaints and has excluded me from my home for some months. As best that I can recall the phone call was 1630 hours. The Deputy advised me that there was a complaint that my wife had discovered some medications in my house and wanted them delivered to VCSO. The Deputy (and I do not recall his name) asked me if I had or currently do work as a Paramedic and if I was an instructor with Daytona State College (DSC). I verified that information. The Deputy advised that he was familiar with the history of false complaints made by my wife and would call me back if there were any concerns. About a half-hour later the Deputy contacted me again by phone and advised me to come to my residence if able. I did so and made contact with him. I also attempted to make contact with my supervisor, Lt. Heather Love, by way of personal cell phone, but was initially unsuccessful (I was successful afterwards). I made contact with the deputy after verification that my wife was not at the residence. The Deputy showed me a Ziploc bag that contained expired and/or unusable prehospital medications. I recognized these medications as items I had planned to bring to DSC for them to use in their Paramedic training program. The medications were in my house because at the time I was not scheduled to teach at DSC for several weeks and I did not want to transport them around in my personal vehicle for that time frame. Due to my wife excluding me from my home during our divorce and against my will, I was unable to deliver those items. As a courtesy to the VCFS training and EMS staff, I occasionally deliver supplies like that to DSC, and have done so without incident for some time. Many agencies make a practice of using unneeded EMS supplies for this purpose and it is a commonly accepted practice. I do not remember the exact contents of the bag except that I do remember a multidose vial of Dyphenhydramine. I recall that particular medication due to the fact that, while it was not expired, it was open and therefore in an unserviceable condition. There were a combination of multidose vials and an empty Carpuject. There were no controlled substances or illegal drugs as defined by Volusia County EMS protocols. Based on Volusia County Fire Policy, we destroy / waste these items with witnesses present when they expire. I also showed the Deputy that the medications we currently had in the EMS drug box on E15 were intact, accounted for according to procedure, and of a different format than the medications in the bag in question. I offered to answer any questions or assist the Deputy with any information I could or to assist in any way he felt necessary. The Deputy told me that based on his findings the claim made by my wife was false and unfounded and that he would give the bag to me to dispose of. I left the scene in Engine 15 as my wife had been onscene watching the discussion and I wished to prevent any kind of conflict or argument with her. As soon as I was able I made contact with my supervisors and advised them of the events and what the outcome was. There was no concern by them of anything negative. I disposed of the meds and vials upon my return to the station by wasting them in

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a method that is commonly used by my EMS system. There were no hazards found and all the items were disposed of without incident. Notation of those events was made in the station logbook, verbally to the supervisors involved, and in this narrative upon the request of my supervisor.

Ken Giraldo  4/19/2010
Firefighter and Paramedic, VCFS.

REFERENCE B

Captain Rawlins:

In reference to your question about the incident of April 16th, 2010, the prehospital medications in question that I received from the VCSO Deputy were wasted upon my return to fire station 15. My supervisors were aware of this as soon as they could be contacted about this incident. Disposal was done via biohazard / sharps container.

Ken Girlando
4/22/10
VCFS 15



mc K

REF K

April 28, 2010

Kenneth R. Giraldo, Paramedic
Volusia County Fire Services
125 W. New York Avenue, Suite 220
DeLand, Florida 32720

Mr. Giraldo:

This correspondence serves as notice that I'm suspending the privilege allowing you to function as an emergency medical technician or paramedic under my medical license. This suspension is effective immediately and indefinite in duration. It extends all activities including patient care and access to prescription medications, controlled substances or legend devices. This includes, but is not limited to, involvement with Volusia County Fire Services and other prehospital providers within Volusia County.

This suspension results from two recent discoveries of various prescription medication and controlled substance containers and legend devices at The deputy's report following the April 23 incident indicates that you admitted to acquiring the items with the intent of delivering them to Daytona State College. A subsequent discovery on April 27 raises suspicion as to the validity of the explanation.

This suspension should neither be misconstrued as an adjudication of guilt, nor interference with due process. The action is being taken out of an abundance of caution to protect patients, other health care professionals and my medical credential. Review of your status may be reconsidered following disposition of any outside investigation. Any future reconsideration should not be construed as a guarantee or a waiver of my right to independently permit certified prehospital providers to operate under my medical license.

If you possess any additional prescription medications, controlled substances or legend devices, that information needs to be disclosed and those items need to be transparently returned to the source from which they were obtained. Additionally, I'm requesting that you provide a written explanation detailing *how*, *when* and *where* you came to possess the materials enumerated on the attached page (Volusia County Sheriff's Office, Narrative/Supplement; Agency Report Number: 100012122 dated April 27, 2010) so future unauthorized possession of prescription medications, controlled substances and/or legend devices can be averted. That explanation should be received by my office no later than close of business Friday, May 7.

Kenneth R. Giraldo, PMD509834
April 28, 2010
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Consistent with my obligations under Chapters' 401.265 and 401.411, Florida Statutes, this matter will be reported to the Florida Department of Health, Division of Medical Quality Assurance for any action they deem appropriate.



Peter C. Springer, MD, FACEP
Volusia County EMS Medical Director

Enc (1)

cc: Mike Coffin, Director, Department of Public Protection
James R. Ryan, Deputy Director, Department of Public Protection
Louie Mercer, Director, Emergency Services Institute, Daytona State College
Florida Department of Health, MQA/Enforcement Consumer Services Unit

File: EMS-10-049

May 10 10 08:35a HCHS

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REC. BY THE
COUNTY OF VOLUSIA
MAY 10 2010
DIV. OF EMERGENCY
MEDICAL SERVICES

May 7, 2010

Peter Springer, MD
Volusia County EMS Medical Director
County of Volusia

Subject: Letter of Explanation in response to your request

First, please let me emphasize that I take my roles and responsibilities as a Paramedic very seriously. I take pride in my career and I am a proud representative of my agency and my profession. Additionally I am a Quality Assurance Paramedic for my agency, and for 3+ years I have been responsible for reviewing EMS Run Reports and providing corrective recommendations (CQI) to VCFS personnel on those reports.

As part of my duties with Volusia County Fire Services, and complimenting my role as an adjunct faculty instructor (EMT & Paramedic) at D.S.C. (Daytona State College), I have in the past received assorted bags of medications and EMS equipment of various types and in various conditions of use and serviceability. Expired or nearly expired medications, equipment, and odd amounts of supplies of a miscellaneous nature were included. This equipment was received at irregular intervals and in varying amounts and was passed into my care in an informal manner. Most commonly, large bags were left at the station where I worked to await my attention on shift.

The majority was never inventoried or inspected by me and then was taken to D.S.C. as a way of doing a favor to both agencies by me. Any and all delay in delivery was solely my responsibility as I delivered them as a matter of convenience rather than as a priority. This informal procedure had been standard for a number of years. As I had previously documented, EMS supplies of a variety of types and conditions were at my house, all destined for D.S.C., and all out of my possession for some time. As I understand several other EMS agencies within Volusia County donate the same types of material to D.S.C. on a regular basis.

In the past few months my wife has made unsubstantiated claims as part of an ongoing and contested divorce. One of the results of this is that I have been excluded from my home for at least two months. It is only this week that I was able to return to my home. I did so with reliable witnesses and there were no other medications, equipment, or supplies found. Those witnesses performed, and are still performing, a thorough cleaning of the house in preparation for me to move back in with my two year old son.

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It is obvious that a controlled substance should not be unaccounted for in any manner. I am confident that after a thorough review of the records that an incident like this deserves, there will be no questions of irregularities or deficiencies found in any of the reports, logs, or documentation I was responsible for.

Based on recent history, these allegations of misconduct come from a source that is highly suspect and has proven to be unreliable and even malicious.

Sir, I hope that this matter is resolved to your satisfaction, both for the selfish reason that it is difficult and stressful to me and has called my abilities into question, but also to prevent anyone else from having to experience this. My honest hope is once this investigation has been resolved, and reviewed by all parties that more clearly defined procedures can be put in effect that will prevent this from occurring again. It is unfortunate that it takes a negative occurrence to prompt change, as is so often the case.

I remain at your disposal at any time to answer any and all of your concerns or questions.

Sincerely,



Kenneth Giraldo
Firefighter / Paramedic
Volusia County Fire Services
kgiraldo@co.volusia.fl.us
386-547-0966