

Tony Evers
Governor

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State of Wisconsin
Department of Health Services

DIVISION OF PUBLIC HEALTH

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May 9, 2023

(Via E-Mail and Certified Mail)

Brandon B. Wittmer
202 S. Walker St.
Wautoma, WI 54982

Re: Reprimand of Brandon Wittmer #300254

Dear Mr. Wittmer:

The Department of Health Services (Department), Emergency Medical Services (EMS) Section, hereby reprimands you, Brandon Wittmer, License #300254, for not remaining with a patient at all times during their care and transport after initiating paramedic level care, and for falsifying patient care reports as required by Wis. Admin. Code DHS §§ 110.50(1)(d)2., 110.54(4) and 110.54(22).

Factual Basis for the Department's Action

On January 6, 2023, Waushara County Emergency Medical Services (EMS) notified the Department that you, Brandon Wittmer, left a patient requiring patient care at a paramedic level, in the care of an EMT (Emergency Medical Technician)-Basic during the transport of the patient to the hospital. Waushara County EMS also informed the Department that patient care reports that were submitted and signed by you, Brandon Wittmer, were inaccurate and false.

On January 11, 2023, Waushara County EMS informed the Department that an investigation was conducted into your conduct involving patient care and your documentation of patient care reports.

Facts related to failing to remain with a patient during care and transport

The outcome of the investigation found that on January 3, 2023, you, Brandon Wittmer, and an EMT-Basic responded to a call for respiratory distress. During the call, you initially provided paramedic care to the patient, then you left the patient in the care of an EMT-Basic during the transport of the patient to the hospital. You admitted to this conduct during the investigation. The EMT-Basic also confirmed that he remained with the patient during transport.

Facts related to falsifying patient care reports

The outcome of the investigation also found that two patient care reports falsely documented paramedic skills as performed by you, Brandon Wittmer, when they were instead performed by an EMT-Basic.

The first instance related to a call you responded to for cardiac arrest. On January 2, 2023, the patient care report of this call documents that you, Brandon Wittmer, established the Intraosseous (IO) cannulation of the patient. The investigation revealed that it was the EMT-Basic whom established the IO cannulation of the patient. During the investigation, you and the EMT-Basic confirmed that the EMT-Basic established the IO cannulation.

The second instance related to a call you responded to for respiratory distress on January 3, 2023. The patient care report of this call states that you, Brandon Wittmer, established the Intravenous (IV) cannulation of the patient and that you continued to provide paramedic care during the transport of this patient to the hospital.

The investigation revealed that the EMT-Basic established the IV cannulation of the patient. The investigation also revealed that after you administered, Solumedrol, a paramedic care level medication, you, Brandon Wittmer, left the care of the patient to the EMT-Basic during the transport of the patient to the hospital. During the investigation, you and the EMT-Basic confirmed that the EMT-Basic established the IV cannulation and remained with the patient during transport to the hospital.

Despite the contrary, both these reports were submitted and were signed by you, Brandon Wittmer, as an accurate and complete description of each incident.

Legal Authority for Department Action

Under Wis. Admin Code DHS § 110.56,

The department may reprimand a licensee, permit holder, or certificate holder if the department finds that the person has violated a requirement of this chapter or ch. 256, Stats., or engaged in conduct described in s. DHS 110.54. A reprimand documents the department's finding that the permittee, certificate holder or licensee has violated a requirement of this chapter or ch. 256, Stats., or has engaged in conduct described in s. DHS 110.54. A reprimand may be in the form of a letter issued to the person who is the subject of the reprimand...

Wis. Admin. Code DHS § 110.50 (1)(d) 2 provides:

If a patient requires patient care at the paramedic level, the paramedic shall remain with the patient at all times during care and transport of the patient.

Wis. Admin. Code DHS §110.54 provides:

The department may take any enforcement action under ss. 110.55 to 110.58, which it determines is appropriate against a person subject to the

requirements of this chapter and ss. 256.12 to 256.18, Stats., for any of the following reasons:

(4) The person has violated any provision of ch. 256, Stats., or this chapter.

(22) The person falsified or inappropriately altered patient care reports.

Department Action

An EMS professional must comply with Wisconsin statutes, administrative rules, and standards of practice for operating and maintaining licensure as an EMS professional and for providing appropriate care to patients. You evidence a tendency to behave in ways that are contrary to the responsible and safe performance and duties of an EMS professional by not remaining with a patient requiring care at a paramedic level and by falsifying patient care reports.

EMS professionals are responsible for caring for those who are sick and injured. As an EMS professional, you are responsible for conducting appropriate physical assessments and providing the appropriate treatment based on those assessments. By providing paramedic level care, you are responsible for the continued care of a patient throughout the transport of the patient to the hospital. Your decision to leave a patient requiring paramedic level care, with an EMT-Basic, during transport to the hospital, demonstrated poor judgment and potentially placed the patient at risk of an adverse reaction or harm. Your behavior involving patient care is a violation of state regulations and professional ethics, creating a clear and present danger to the patients whom you treated and transported.

As a paramedic, you are tasked with providing medical care that is proven to help rather than harm patients. When providing paramedic level care, you have education, skills and treatment options that can potentially benefit a patient. However, these abilities are only available to you and are out of the scope of practice of an EMT-Basic. Once you provide patient care at the paramedic level, you have an obligation to follow ethical principles that are in the best interest of the patient and avoid undue harm. It is your duty to provide the best care possible, including ensuring patient safety and treatment during the transport of the patient to the hospital. By leaving a patient in the care of an EMT-Basic, you unnecessarily placed your patient at greater risk for an adverse reaction, up to and including death.

As an EMS professional, you are required to complete patient care reports. Patient care reports are used to document the care received prior to arriving in the emergency department. Hospitals, insurance companies, physicians and other health care practitioners rely on truthful documentation from EMS professionals to provide appropriate care to the patient. If the records are not accurate, a patient could experience an adverse reaction or even death. Your conduct shows that you submitted inaccurate patient care reports which is contrary to the safe performance of an EMS professional.

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An EMS professional must be capable of making appropriate decisions that are in the best interest of their patients. Your actions demonstrate poor judgement and understanding for the EMS documentation process and for providing continued patient care at a paramedic level from which countless citizens depend on during vulnerable times.

Based on investigative information, it has been determined that while licensed as an EMT-Paramedic you did not remain with a patient at all times, during their care and transport, after initiating paramedic level care as required by Wis. Admin. Code DHS § 110.50(1)(d)2.

Additionally, it has been determined that the patient care reports that were submitted and signed by you, Brandon Wittmer, were inaccurate and false, as required by Wis. Admin. Code DHS §§ 110.54 (4) and (22).

In accordance with Wis. Admin. Code DHS §110.56, the Department will post the reprimand on the Department's website, will retain a copy of this letter of warning in your file, and may consider it in determining what further enforcement action may be appropriate if violations continue.

Pursuant to Wis. Admin. Code DHS § 110.56, the Department's issuance of this reprimand is a final decision of the Department and is not subject to an administrative hearing.

If you need additional assistance, please contact me by phone at 608-267-7178 or via email at natalie.easterday@dhs.wisconsin.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Natalie Easterday", with a stylized flourish at the end.

Natalie Easterday

Director

Office of Preparedness and Emergency Health Care

Wisconsin Department of Health Services