



March 3, 2023

Firefighter Paramedic Jesse Guy
Employee ID # 27677
Engine 53, A-Shift
Division of Fire Services

Subject: Suspension – Seventy-two (72) hours

Dear FFP Jesse Guy:

You responded to Incident 23-0004087 on January 07, 2023, at [REDACTED] at 2046. You arrived at the patient at 2057 per the PCR and video footage. Your interpretation and treatment of the patient's cardiac rhythm was incorrect. You documented multiple times that the rhythm was asystole and then PEA. [REDACTED] There were also noted discrepancies of events between the PCR and your IDC. You did not initially bring any equipment to the patient and did not determine in advance of arriving on the scene if anything was needed. Your inactions caused a delay in patient care.

Thus, based upon the facts presented above, you were charged with violating the Division of Fire Services Operations Manual, the City of Memphis Personnel Manual, and/or state or federal rules and regulations as shown below:

Division of Fire Services Operations Manual, Volume 100, Rules and Regulations

Section 101.03, Page 19, Paragraph 5

Maintain a continuous program of training and instruction in basic and advanced emergency medical procedures.

Section 101.04, Page 9-10, Paragraphs 13 and 23

Determine nature and extent of patient's illness or injury and symptoms. Administer basic or advanced treatment according to established SOP's and/or protocols.

Maintain a courteous and professional rapport toward the public in the performance of their duties and responsibilities.

Section 102.02 Page 8, Paragraph 52

Members shall be knowledgeable of the duties and responsibilities of the position to which they are assigned. Exert their greatest energy and full ability in the performance of their duties; shall not neglect or fail to take proper action regarding the situation involved; nor fail to perform any portion of their duty as required by rule, regulation, order, common practice, or training. Employees who fail to perform accordingly shall be considered lacking the qualities for effective action, inadequate to perform, or unsuitable for the performance of the duties required, which may lead to disciplinary action for incompetence.

Section 103.01, Page 2-3, Paragraphs II.7; 11(g)(h)(s)

Members shall in no way hinder the orderly, efficient operation of the Division of Fire Services and shall exert the authority vested in them to uphold the standards, policy and procedures of the Division of Fire Services written or unwritten.

Major Violations: Note that the violations listed below are not all inclusive. Any action may be defined as a Major Violation notwithstanding the examples listed.

g) Disruption of work.

h) Neglect of duty or negligence.

s) Conduct unbecoming a member of the Memphis Fire Department or City of Memphis.

Section 402.01, Page 14, Paragraph 3

Firefighter / Paramedic: Personnel licensed by the Tennessee Department of Health, Office of EMS and authorized by the Medical Director to provide basic and advanced emergency patient care according to the Standard of Care and the Memphis Division of Fire Services BLS and ALS Standing Orders and Protocols.

City of Memphis Personnel Manual

PM 30-01, Section 30-00, Page 9, Paragraph G

City employees, as integral members of the City of Memphis Government, shall adhere to acceptable business principles in matters of personal conduct and behavior and must exhibit a high degree of personal integrity. This not only involves respect for the rights and feelings of other City employees but demands that City employees refrain from any conduct or behavior that is criminal or illegal, or that might be personally harmful to co-workers, members of management, customers, vendors or visitors of the City of Memphis Government or that could be viewed unfavorably by the public at large. Therefore, City employees are expected to behave in a professional manner by conducting themselves in a way that best represents City Government and to exercise appropriate conduct and judgment at all times.

PM 38-02, Section 38-00, Page 1, Paragraph 1; 3; 4

The employee has violated a provision set forth in City of Memphis Personnel Manual Policies and Procedures or provision set forth by the employee's Division or department.

The employee is incompetent, inefficient, and unprofessional in demonstrated work performance of their assigned job duties.

The employee's conduct and/or behavior toward citizens, public charges, vendors, contractors, management personnel, fellow employees, etc., had been offensive, inappropriate, and fail to maintain satisfactory and harmonious working relationships.

Tennessee General Rules 1200-12-01-.07, Page 73, Paragraph 3

Failing to take appropriate action in safeguarding the patient from incompetent health care practices of emergency medical services personnel.

Tennessee General Rules 1200-12-01-.04, Page 12, Paragraph e. 1; e. 3

A Paramedic will provide basic and advanced skills that are effective and can be performed safely in an out-of-hospital setting with medical direction and advanced training and focused on the acute management and transportation of critical, emergent, and non-emergent patients.

The paramedic scope of practice includes, at minimum, all basic knowledge and skills of an AEMT as well as the "Minimum Psychomotor" skills set identified in the current National EMS Scope of Practice Model and National EMS Education Standards for a Paramedic, including but not limited to, advanced invasive and non-invasive interventions to reduce the morbidity and mortality associated with acute out-of-hospital medical and traumatic emergencies for patients of all ages.

An administrative investigation was conducted, and a hearing was held virtually via Microsoft Teams call at **1300** hours **January 30, 2023**. The Investigative Committee consisted of EMS Division Chief Debbie Patterson (Presiding Officer), EMS Division Chief Kevin Spratlin, and Division Chief 2B Phillip Posey. Also in attendance were IAFF representatives Todd Conklin and Thomas Malone and yourself.

During the Administrative Hearing, you were asked whether or not you held an ACLS certification. You responded that you hold an ACLS certification. You received it in 2022 and it expires in 2024. You answered yes to the fact that paramedic school and ACLS class taught you how to interpret cardiac rhythms and how to treat them. You were asked about SOP 402.01 stating the required equipment to bring when the patient is not in close proximity to the apparatus. You answered that you should bring a stretcher, bags, blue and green one. When asked anything else you would bring you answered the Lucas. You stated the following when asked to describe the

scene on your arrival, "Told EMT to get stretcher and bag and get to the scene. ... Then I told one of the EMTs to grab a non-rebreather and set up an IV. About that time stretcher was there." You were asked a follow up question asking if the EMT walked up with you to the scene. You answered "No I told him to get the stretcher and bag." The video footage of the scene on skycop and bodycam revealed that you and your partner arrived at the patient with zero equipment in hand, not even the stretcher.

[REDACTED] These actions were stated in the hearing one way, but video does not show it the way you described. The inactions and decisions by you caused further delay in proper patient treatment. When asked to describe the rhythm asystole. You described it as a straight line.

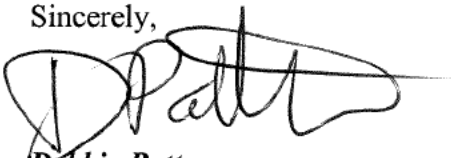
[REDACTED] You were asked if you questioned on how he got those injuries, you stated no that you did not ask anyone on scene and that you just thought he got "scuffed up by the police."

[REDACTED] You were asked how this is possible. You said, "I really don't know how to answer that question."

Considering the facts of the case and the preponderance of evidence, it is the decision of the Investigative Committee that you be suspended without pay for a period of Seventy-two (72) hours. You will lose pay according to the following formula: Seventy-two hours (72) multiplied by \$22.6699 per hour for a total of one thousand six hundred thirty-two dollars and twenty-three cents (\$1632.23). This suspension will remain a permanent part of your official file. Your suspension will be held in abeyance pending the grievance process.

I expect you make every effort to prevent this behavior from occurring again. Please be advised that further incidents of this nature shall result in more severe disciplinary action, up to and including termination. The Fire Division and I stand ready to assist you in your professional development as a firefighter and employee of the City of Memphis, Division of Fire Services. If I may assist you in any way, please feel free to contact me.

Sincerely,



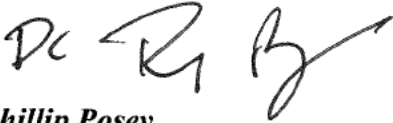
Debbie Patterson

Division Chief of EMS Operations

CONCURRENCE



Kevin Spratlin
Division Chief of EMS Administration



Phillip Posey
Division Chief 2-B

Cc: Gina Sweat, Fire Chief
Hope Lloyd, Assistant Fire Chief of Administration
Colin Burress, Assistant Fire Chief of Operations
Robbie Franks, Deputy Chief of Logistics
Markus Smith, Deputy Chief of Operations
Angie Sullivan, Deputy Chief of Emergency Medical Services
Christopher Wilson, Deputy Chief of Technology
Kenneth Newton, Division Chief of Administration
Debbie Patterson, Division Chief of EMS Operations
Phil Dix, Division 1-B
Phillip Posey, Division 2-B
Kevin Spratlin, Division Chief of EMS Administration
Debra Lee, Fire Project Analyst
Fire/City Personnel File
Labor Relations
Local 1784
File