

**STATE OF NEW HAMPSHIRE
OFFICE OF PROFESSIONAL
LICENSURE AND CERTIFICATION**

**BOARD OF REGISTRATION OF
MEDICAL TECHNICIANS**

**In Re: Jeremy Campbell,
Mtec Registrant #003075**

Docket No. 03-2020

FINAL DECISION AND ORDER

I. ATTENDEES:

Todd H. Prevett, Esq. – Presiding Officer
Talia Wilson, Administrator
Keri Grande, Member
Sarah Wilder, Member
Attorney Rahkiya Medley, Hearing Counsel

II. CASE SUMMARY/PROCEDURAL HISTORY:

On or about mid-December, Registrant Jeremy Campbell (“Registrant”) applied for registration as a medical technician with the Board of Registration of Medical Technicians (“Board”). On or about 12/24/20, the Board received notification that the check tendered by the Registrant for his registration fees had been refused by the drawee bank for insufficient funds. The Board granted registration to practice to the Registrant on 12/27/20. On or about 03/02/20, the Board commenced an adjudicatory proceeding and conducted a disciplinary hearing on 12/03/2020, pursuant to RSA 328-I:11. Pursuant to N.H. Admin. R. Ann., Mtec 205.02, Todd H. Prevett, Esq. presided over the hearing. After being sent notice via certified mail, return receipt requested, Registrant Jeremy Campbell failed to appear at the hearing and was defaulted pursuant to Rule 205.16(f).

III. SUMMARY OF THE EVIDENCE:

The Board received the following evidence pursuant to RSA 541-A:33 and Rule 205.19:

A. Exhibits were submitted by Hearing Counsel, numbered as follows:

1. Notice of Insufficient Funds, dated 01/06/20
2. Certified Mail Receipt with Registrant's Address, dated 01/06/20
3. Check #621 from Registrant, Marked "Non-Sufficient Funds" dated 12/04/19
4. 2nd Notice of Insufficient Funds, dated 02/05/20
5. Certified Mail Receipt with Registrant's Address, dated 02/05/20
6. Certified Mail Receipt, with Registrant's Signature, dated 02/11/20

B. Testimony/Offer of Proof was received from:

1. Attorney Rahkiya Medley, Hearing Counsel

IV. CONDUCT OF THE HEARING AND EVIDENCE PRESENTED:

The Registrant, Jeremy Campbell (hereinafter "Registrant"), is a registered medical technician under RSA 328-I, who was initially granted a license on or about 12/27/19. After receiving notification that Registrant's check was refused by the drawee bank for insufficient funds, the Board commenced an adjudicative proceeding and set a hearing date for 12/03/20. After sending notice to the Registrant consistent with Rule 205.08, he failed to appear and was defaulted pursuant to Rule 205.16(f). The hearing proceeded in his absence. Pursuant to Rule 205.21, Hearing Counsel has the burden of proving its case by a preponderance of the evidence, and Hearing Counsel was allowed to move to admit all evidentiary exhibits.

The credible evidence presented at the hearing shows the following facts. On or about 12/24/19, the Board of Registration of Medical Technicians ("Board") received notification that the check tendered by the Registrant for his registration fees had been refused by the drawee bank for insufficient funds. On or about 01/06/20, the Board provided notice via both regular mail and certified mail for Registrant to tender a certified check/money order, along with additional fees for his registration. Registrant did not sign for the certified mail copy, but it does not appear that the copy sent via regular mail was returned. On or about 02/05/20, the Board provided a second notification via both regular and certified mail, reiterating the Board's request. On or about 02/11/20, Registrant signed for this second notification, affirmatively indicating that he received the notice on that date. Registrant never tendered a replacement check and never responded to any of the Board's requests. Hearing Counsel requested that the Board determine what, if any, discipline should be imposed on Registrant.

V. FINDINGS OF FACTS AND CONCLUSIONS OF LAW:

- A. Pursuant to Rule 205.16(f), after notice and an opportunity to be heard, the Registrant failed to appear and he is hereby defaulted.
- B. Pursuant to Rule 205.16(f)(2), and based on the default, testimony and evidence from Hearing Counsel was received, and the Board shall make a final determination in this matter.
- C. Pursuant to RSA 328-I:6, Registrant was registered as a medical technician on 12/27/20, based on his application and tendering a check that was valid on its face for the fee required by RSA 328-I:6(I) and (II).
- D. Registrant's check was ultimately refused by the drawee bank for insufficient funds after his registration was granted.
- E. Registrant was given notice of his check being refused on or about 01/06/20 via regular mail and again on 02/11/20 via certified mail, return receipt requested. Registrant has not remedied the situation or affirmatively responded.
- F. Pursuant to RSA 328-I:10(V)(c), Registrant has engaged in misconduct in that he has engaged in dishonest or unprofessional conduct, specifically by submitting a check that was refused for insufficient funds. The Board reasonably relied on receiving a check that was valid on its face when it granted Registrant's application for registration.
- G. Pursuant to RSA 328-I:10(V)(d), Registrant has likewise engaged in misconduct in that he has willfully or repeatedly violated RSA 328-I by being put on notice that his check was refused, yet repeatedly failing to remedy the situation.
- H. Pursuant to RSA 328-I:10(VII)(c), after making an affirmative finding under RSA 328-I(V), the Board hereby REVOKES Registrant's registration as a medical technician.
- I. Pursuant to RSA 328-I:10(VII)(e), after making an affirmative finding under RSA 328-I(V), the Board declines to assess an administrative fine in this matter, due to the comparatively small amount of the check in relation to the possible amount of the fine.

V. CONCLUSION AND DECISION:

Pursuant to RSA 328-I:10(VII)(c), the Board hereby REVOKES Jeremy Campbell's registration as a medical technician.

DATED: 01/07/21

____/s/ Todd H. Prevett, Esq._____
Todd H. Prevett, Esq., Hearings Examiner,
Authorized Representative of Board of
Registration of Medical Technicians -
New Hampshire Office of Professional
Licensure & Certification
7 Eagle Square
Concord, NH 03301
Office: 603-271-3825