

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-10-02
Rule Type: Amendment
Rule Title/Tagline: Investigations.
Agency Name: State Board of Emergency Medical, Fire, and Transportation Services
Division:
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I. Rule Summary

1. **Is this a five year rule review?** Yes
 - A. **What is the rule's five year review date?** 3/23/2022
2. **Is this rule the result of recent legislation?** No
3. **What statute is this rule being promulgated under?** 119.03
4. **What statute(s) grant rule writing authority?** 4765.11
5. **What statute(s) does the rule implement or amplify?** 4765.10, 4765.101, 4765.102
6. **What are the reasons for proposing the rule?**

This rule is being filed according to a R.C. 106.03 periodic rule review.

7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

Rule 4765-10-02 sets forth the procedures for handling complaints lodged with the Division of EMS and conducting investigations involving EMS providers, EMS instructors, or EMS training institutions. The rule states that all complaints filed with the Board shall be investigated, and all investigations shall be conducted to maintain confidentiality. This rule also provides that any member of the State Board of

Emergency Medical, Fire, and Transportation Services involved in the investigation at the state level or locally shall not participate in the adjudication of the case. The rule is amended to reword paragraph (E), which deletes a regulatory restriction.

8. **Does the rule incorporate material by reference? No**
9. **If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.**

Not Applicable

10. **If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

Not Applicable

II. Fiscal Analysis

11. **Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

This will have no impact on revenues or expenditures.

\$0

Not Applicable

12. **What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

Not Applicable

13. **Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No**

14. **Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No**

15. **If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.**

Not Applicable

III. Common Sense Initiative (CSI) Questions

16. Was this rule filed with the Common Sense Initiative Office? Yes

17. Does this rule have an adverse impact on business? No

A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No

B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No

The rule will not result in any penalties or sanctions for the EMS providers, instructors, accredited institutions, and approved CE organizations in compliance.

C. Does this rule require specific expenditures or the report of information as a condition of compliance? No

The rule will not result in any cost of compliance for the EMS providers, instructors, accredited institutions, and approved CE organizations in compliance. Disciplinary action, if invoked against providers and entities found to be out of compliance, may include fines up to \$1000 and/or limiting authority to practice, up to revocation.

D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No

IV. Regulatory Restrictions (This section only applies to agencies indicated in R.C. 121.95 (A))

18. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? Yes

A. How many new regulatory restrictions do you propose adding? 0

B. How many existing regulatory restrictions do you propose removing? 1

The regulatory restriction "shall" is removed by the amendments made to paragraph (E).