

Rule Summary and Fiscal Analysis (Part A)**State Board of Emergency Medical Services**

Agency Name

Division

Heather Reed

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4765-10-03

Rule Number

NEW

TYPE of rule filing

Rule Title/Tag Line

Administrative actions.**RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **No**

2. Are you proposing this rule as a result of recent legislation? **No**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**

4. Statute(s) authorizing agency to adopt the rule: **4765.11**

5. Statute(s) the rule, as filed, amplifies or implements: **4765.33**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

This rule is being filed as a new rule, in accordance with LSC rule-drafting requirements, as more than 50% of former Rule 4765-10-03 is being amended.

7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:

This rule sets forth the different types of administrative actions the EMS Board may take in response to a violation of R.C. Chapter 4765., OAC Chapters 4765-1 to

4765-19, Board order, or Board-approved consent agreement. New language does the following: clarifies the types of criminal offenses on which the Board may take action; refers to the standards of conduct set forth in Chapter 4765-9 rather than listing out the offenses separately; and provides that the Board may take disciplinary action against a certificate of accreditation or certificate to teach in response to a violation of the aforementioned laws and rules.

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

Not Applicable.

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so:

New language regarding "minor misdemeanor" has been deleted from paragraph (B)(2)(b) so that only the original language regarding a misdemeanor remains. Paragraph (B)(2)(f) has been added to clarify that the Board may take action against an individual for practicing without a certificate, a violation of ORC 4765.50(A).

12. 119.032 Rule Review Date:

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this

rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

FISCAL ANALYSIS

13. Estimate the total amount by which *this proposed rule* would **increase / decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

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Not Applicable

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

Not Applicable

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

The new language clarifies the Board's ability to take disciplinary action and does not impose any additional cost of compliance upon an EMT, EMS instructor, or accredited institution.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**