

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

Agency Name

Division

Anna Firestone

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4765-12-02

Rule Number

AMENDMENT

TYPE of rule filing

Rule Title/Tag Line

**Emergency medical responder curriculum prior to September
1, 2012.****RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **Yes**

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: **R.C. 4765.11**

5. Statute(s) the rule, as filed, amplifies or implements: **R.C. 4765.16**

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

This rule is being filed according to a R.C. section 119.032 review.

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 curriculum standards to be met by an emergency medical responder training program and an emergency medical responder refresher training program that began prior to September 1, 2012. This rule also directs an emergency medical responder training program which began on or after September 1, 2012 to follow the curriculum standards established and adopted by the Board in accordance with O.A.C. rule 4765-12-05. Proposed changes address material incorporated by reference in accordance with R.C. 121.71 to R.C. 121.74.

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 rule incorporates the "First Responder Training Program Ohio Approved Curriculum," (February, 2009) and "First Responder Refresher Curriculum," (January, 2004) by reference, which may be accessed at http://ems.ohio.gov/ems_education.stm. To comply with R.C. sections 121.71 to 121.74, this rule refers readers to O.A.C. rule 4765-1-03, which addresses the versions/dates and availability of incorporated material in this chapter, as well as Chapters 4765-12 to 4765-19 of the Administrative Code.

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:

N/A

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. If applicable, indicate each specific paragraph of the rule that has been modified:

Not Applicable.

12. 119.032 Rule Review Date: 5/13/2014

(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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This rule is not expected to impact the agency's budget in the current biennium.

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

N/A

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:

This rule sets forth the curriculum standards to be met by an emergency medical responder training program and an emergency medical responder refresher training program that began prior to September 1, 2012. This rule, in and of itself, does not require specific expenditures, however, it requires compliance with the education standards established by the Board. Stakeholders indicated students typically incurred tuition costs of \$0 to \$500 for a 48-hour EMR course. Stakeholders indicated that amendment to the rule will not result in any costs of compliance.

Surveys were sent to all accredited institutions to ascertain adverse impact and cost associated with the proposal. The variance in costs is dependent upon instructors' pay rate, whether or not an affiliation agreement is utilized, the institution's choice of instructional materials, the number of students enrolled in the course.

Source: The estimated cost of compliance was determined by the Education Committee of the Board and replies to a statewide survey sent to all accredited institutions to ascertain adverse impact. The committee members include EMS and continuing education training program directors, EMS instructors, EMS providers, and employers for private ambulance agencies and full-time and volunteer fire departments.

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**

S.B. 2 (129th General Assembly) Questions

18. Has this rule been filed with the Common Sense Initiative Office pursuant to R.C. 121.82? **Yes**

19. Specific to this rule, answer the following:

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

This rule, in and of itself, does not require prior authorization to engage in business. However, provisions in R.C. section 4765.50, establish that no person shall operate an emergency medical services training program without a certificate of accreditation issued under R.C. section 4765.17. In addition, provisions in RC 4765.50, establish that no person shall represent that the person is an emergency medical responder (EMR) unless appropriately certified under R.C. section 4765.30.

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**

This rule, in and of itself, does not impose a criminal penalty or sanction. However, some provisions in R.C. section 4765.18 establish that the Emergency Medical, Fire, and Medical Transportation Board (Board) may impose an administrative sanction, up to and including revocation of a certificate to practice, for any violation of R.C. chapter 4765 or any rule adopted under it.

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

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