

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-12-03

Rule Type: Amendment

Rule Title/Tagline: Emergency medical responder continuing education.

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?** 8/29/2023
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?** 4765.16, 4765.24, 4765.31, 4765.162
6. **Does the rule implement a federal law or rule in a manner that is more stringent or burdensome than the federal law or regulation requires?** No
 - A. **If so, what is the citation to the federal law or rule?** Not Applicable
7. **What are the reasons for proposing the rule?**

This rule is being is being filed according to a R.C. 106.03 periodic rule review, and to simplify the comment related to the incorporated by reference rule.
8. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

Rule 4765-12-03 sets forth the continuing education requirements necessary to renew a certificate to practice as an emergency medical responder. This rule refers readers to the incorporated by reference rule. Rule 4765-12-03 is amended to simplify the comment related to the incorporated by reference rule.

9. **Does the rule incorporate material by reference? Yes**
10. **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.**

OAC rule 4765-12-03 incorporates the form "EMS Renewal Application." To comply with sections 121.71 to 121.74 of the Revised Code, this rule refers readers to OAC rule 4765-1-03, which provides the editions and dates of the materials and the website addresses where the information may be accessed.

"EMS Renewal Application" is made available to a holder of an EMS provider certificate who wishes to renew the certificate and can be accessed at the division's renewal website at <https://services.dps.ohio.gov/EMSProviders>.

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

This revision adds to the list of statutes amplified by this rule.

II. Fiscal Analysis

12. **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

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

The cost of compliance for certificate holders (stakeholders) to obtain required continuing education may depend upon whether or not an individual's department provides in-service training and the extent to which the scope of practice is adopted into local protocol by the responder's EMS organization and medical director. EMS

organizations and their medical directors determine the level of emergency medical services that responders perform.

SOURCE: Division of EMS Education & Testing Section

14. **Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No**
15. **Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No**
16. **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

17. **Was this rule filed with the Common Sense Initiative Office? Yes**
18. **Does this rule have an adverse impact on business? Yes**

- A. **Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? Yes**

This rule requires renewal of a certificate to practice to serve as an emergency medical responder.

- 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**

- C. **Does this rule require specific expenditures or the report of information as a condition of compliance? Yes**

This rule in and of itself does not require the report of information, however, certificate holders who are audited are required to provide documentation of CE as a condition of compliance. Each month ten percent of renewed certificates from all levels of EMS and instructor certifications are randomly selected for audit. In addition, any EMS certificate holders who renews while on an extension is audited.

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SOURCE: Division of EMS Education & Testing Section

- 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 Restriction Requirements under S.B. 9. Note: This section only applies to agencies described in R.C. 121.95(A).

- 19. **Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95?** No

- A. **How many new regulatory restrictions do you propose adding to this rule?**

Not Applicable

- B. **How many existing regulatory restrictions do you propose removing from this rule?**

Not Applicable

- C. **If you are not removing existing regulatory restrictions from this rule, please list the rule number(s) from which you are removing restrictions.**

Not Applicable

- D. **Please justify the adoption of the new regulatory restriction(s).**

Not Applicable