

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4765-14-03

**Rule Type:** No Change

**Rule Title/Tagline:** Enforcement of state or regional trauma triage protocols.

**Agency Name:** State Board of Emergency Medical, Fire, and Transportation Services

**Division:**

**Address:** 1970 West Broad Street PO box 182081 Columbus OH 43218-2081

**Contact:** Joseph Kirk

**Email:** jakirk@dps.ohio.gov **Phone:** 614-466-5605

#### I. Rule Summary

1. **Is this a five year rule review?** Yes
  - A. **What is the rule's five year review date?** 11/7/2017 and 11/01/2022

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, 4765.40
5. **What statute(s) does the rule implement or amplify?** 4765.40
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.**

This rule specifies that EMS medical directors are responsible for enforcing triage protocols through a performance improvement or peer review process. This rule also requires the EMFTS Board to investigate all complaints regarding violations of triage protocols.

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. 121.71 to 121.76, 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. **As a result of this proposed rule, please estimate the increase / decrease in revenues or expenditures affecting this agency, or the state generally, in the current biennium or future years. If the proposed rule is likely to have a different fiscal effect in future years, please describe the expected difference and operation.**

This will have no impact on revenues or expenditures.

0.00

Not applicable.

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

The estimated costs of compliance for stakeholders include indeterminate costs for slightly longer transports for a small fraction of an emergency medical services' patients to get the trauma victim to a trauma center instead of the closest hospital. It is impossible to make a legitimate estimate of the cost of compliance as valid cost data are not available. An assumption can be made that there will be a minimal cost to primary EMS providers due to the need to transport a slightly larger number of their injured patients a longer distance to a trauma center. These costs will be more than offset by an anticipated decrease in the costs to the trauma victim associated with subsequent transfers of these same patients from local hospital emergency departments to a trauma center which will necessitate the use of another ambulance or a costly helicopter air medical transport. These assumptions are made on patient care data collected by the Department of Public Safety from EMS in the EMS Incident Reporting System and from acute care hospitals in the Ohio Trauma

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

### **III. Common Sense Initiative (CSI) Questions**

15. **Was this rule filed with the Common Sense Initiative Office? Yes**
16. **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? 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**
  - C. **Does this rule require specific expenditures or the report of information as a condition of compliance? Yes**

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## Rule Summary and Fiscal Analysis Part B - Local Governments Questions

**1. Does the rule increase costs for:**

<b>A. Public School Districts</b>	No
<b>B. County Government</b>	Yes
<b>C. Township Government</b>	Yes
<b>D. City and Village Governments</b>	Yes

**2. Please estimate the total cost, in dollars, of compliance with the rule for the affected local government(s). If you cannot give a dollar cost, explain how the local government is financially impacted.**

The fiscal impact of this rule on the approximately 1,400 emergency medical service agencies operated by counties, townships and municipal corporations in Ohio is impossible to determine as no valid cost data for providing EMS care exist. EMS providers are required to transport trauma patients to trauma centers in order to maximize the patient's chances of survival.

**3. Is this rule the result of a federal government requirement? No**

- A. If yes, does this rule do more than the federal government requires? *Not Applicable***
- B. If yes, what are the costs, in dollars, to the local government for the regulation that exceeds the federal government requirement?**

*Not Applicable*

**4. Please provide an estimated cost of compliance for the proposed rule if it has an impact on the following:**

**A. Personnel Costs**

There will be no increases in the number of EMS personnel as a result of this rule or their pay.

**B. New Equipment or Other Capital Costs**

There is no additional equipment or other capital outlay required by this rule.

**C. Operating Costs**

There will be a small number of EMS patients (<3% of total patient population) who will need to be transported directly to a trauma center, resulting in increased vehicle operating expenses. This will vary considerably across the state, dependent upon distance from the jurisdiction in which an injury occurs to a trauma center. EMS agencies in remote, rural areas may invoke one of several exceptions to the transport requirement and will therefore see no increased costs associated with longer transports.

**D. Any Indirect Central Service Costs**

There are no anticipated increases in indirect central service costs.

**E. Other Costs**

There are no anticipated increases in these costs.

**5. Please explain how the local government(s) will be able to pay for the increased costs associated with the rule.**

Local EMS agencies are eligible to receive grants from the State Board of Emergency Medical, Fire, and Transportation Services' EMS/trauma grant program to help fund ambulance purchases which would help offset any increased ambulance operating expenses resulting from increased travel to trauma centers as required by R.C. 4765.40.

**6. What will be the impact on economic development, if any, as the result of this rule?**

This rule will not have any direct impact on economic development.