

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-20-10

Rule Type: Amendment

Rule Title/Tagline: Firefighter certification by reciprocity.

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?** No
 - A. **What is the rule's five year review date?** 10/1/2022
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?** 4765.55
5. **What statute(s) does the rule implement or amplify?** 4765.55
6. **What are the reasons for proposing the rule?**

This rule is part of a package of rules being filed to correct errata remaining in the September 2017 filing of the comprehensive rule review and reorganization of the fire training rules; to incorporate revisions required due to the publication of 2019 NFPA standards; and to address inconsistencies created by the EMS IT system.

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

OAC rule 4765-20-10 sets forth the requirements for applying for firefighter certification by reciprocity for those individuals who were trained in another state,

the District of Columbia, the United States territories, or a branch of the United States military. Requirements include an emergency vehicle operations course and incident management courses, as well as specific firefighter training courses. The rule permits the EMS executive director to review training received in other states, United States territories, the District of Columbia, and any branch of the United States military in order to grant credit for that training for a firefighter certification in Ohio. The rule refers readers to rule OAC 4765-25-02, Incorporated by reference.

OAC rule 4765-20-10 is amended to add the word "qualifications" in paragraph (C) and to focus the paragraphs (C) and (D) on eligibility for certification; to correct the verb tense in several paragraphs; to revise the emergency vehicle operations course references in terms of course requirements found in OAC rule 4765-20-02 rather than a specific document; to revise the hazardous materials awareness and operations level training using a reference to OAC rule 4765-20-02; to include information about the issuance of a letter to authorize testing; to correct a capitalization error in paragraph (E)(2); and to add information to paragraph (F) to set forth the timeframe for completing examinations or being required to complete a new course of instruction. Several references are corrected, and paragraph (I) is corrected to clarify that an applicant eligible for reinstatement is not eligible to apply for certification by reciprocity at or below the level of the expired certificate.

8. **Does the rule incorporate material by reference? Yes**
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.**

OAC rule 4765-20-10 incorporates the "Firefighter Reciprocity Packet," "Firefighter Reciprocity Application," "National Incident Management System Course IS-700," and "National Incident Management System Course ICS-100." To comply with sections 121.71 to 121.74 of the Revised Code, this rule refers readers to OAC rule 4765-25-02, which provides the editions and dates of the materials and the Web site addresses where the information may be accessed.

PDFs of the following EMS forms are filed with JCARR:

"Firefighter Reciprocity Application" or form "EMS 0081" (January 2019)

"Firefighter Reciprocity Packet" or form EMS 5917 (April 2019)

Not filed with JCARR are:

2 National Incident Management System (NIMS) courses:

"National Incident Management System Course ICS-100" available at the following Website:

<https://training.fema.gov/is/courseoverview.aspx?code=IS-100.c>

"National Incident Management System Course IS-700" available at the following Website: <https://training.fema.gov/is/courseoverview.aspx?code=IS-700.b>

The following forms will be posted at the EMS forms and applications Web page (<http://www.ems.ohio.gov/forms.aspx>) when the rule becomes effective: "Firefighter Reciprocity Packet" or form "EMS 5917" (April 2019) replacing the previous version dated 2018.

NOT POSTED AT THE EMS FORMS AND APPLICATIONS WEB SITE:

"Firefighter Reciprocity Application" or form "EMS 0081" (January 2019) will not be posted at the EMS Web page. Division staff mail form "EMS 0081" to a potential applicant following that person's completion and the division's review of the "Firefighter Reciprocity Packet" or form EMS 5917 (April 2019), which can be accessed at the division's forms and applications website when the rule becomes effective.

FOR FORMS FILED WITH JCARR, SEE PACKAGE 185077, RULE 4765-25-02

- 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.

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Not Applicable

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

It is estimated that this rule will not result in any costs of compliance for stakeholders.

- 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

III. Common Sense Initiative (CSI) Questions

15. Was this rule filed with the Common Sense Initiative Office? No

16. 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

This rule does not require prior authorization to engage in or operate a line of business.

- 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 does not impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply in regard to operating a line of business.

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

This rule does not require specific expenditures or the report of information as a condition of compliance in regard to operating a line of business.