

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:

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

Contact: Joseph Kirk **Phone:** 614-466-5605

Email: jakirk@dps.ohio.gov

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 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.**

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 reword paragraphs (B) and (D)(2) to eliminate regulatory restrictions and to add paragraph (G)(4), which requires require an applicant for reciprocity who has not resided in the state of Ohio for five years immediately preceding the date of application to provide an FBI criminal background check.

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. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.**

Rule 4765-20-10 references the following documents:

- * "National Incident Management System Course IS-700"
- * "National Incident Management System Course ICS-100"
- * "Firefighter Reciprocity Packet"
- * "Firefighter Reciprocity Application"

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 this rule:

- Sample "Firefighter Reciprocity Application" or form "EMS 0081" (January 2022)
- Sample "Firefighter Reciprocity Packet" or form EMS 5917 (January 2022)

NOT POSTED AT THE EMS FORMS AND APPLICATIONS WEB SITE:

"Firefighter Reciprocity Application" or form "EMS 0081" (January 2022) 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 (January 2022), which will be available at the division's forms and applications website when the rule becomes effective, expected to be January 1, 2022.

National Incident Management System (NIMS) courses [access information provided in rule 4765-25-02, filed with package 191042]:

"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>

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. **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.

\$0.00

Not Applicable

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

Not Applicable

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**

15. **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

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

17. **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.

- 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**

This rule does not apply to engaging in or operating a line of business.

IV. Regulatory Restrictions (This section only applies to agencies indicated in R.C. 121.95 (A))

- 18. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? Yes**

- A. How many new regulatory restrictions do you propose adding? 1**

(G)(4) An applicant who has not resided in the state of Ohio for five years immediately preceding the date of application shall provide the division with a criminal records check of the applicant in accordance with section 109.572 of the Revised Code obtained from the superintendent of the bureau of criminal identification and investigation and including information from the federal bureau of investigation. An applicant's failure to submit this documentation renders the application for reciprocity incomplete.

- B. How many existing regulatory restrictions do you propose removing? 2**

The proposed amendment deletes "shall" in paragraph (B):

The deletion of "shall" in (B) applies to the addition in (G)(4).

The proposed amendment deletes "shall" in paragraph (D)(2) (a) through (d).

The deletion of "shall" in (D)(2) (a) applies to the addition in (G)(4).