

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

Agency Name

Division

**Anna Firestone**

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**4765-4-01**

Rule Number

**AMENDMENT**

TYPE of rule filing

Rule Title/Tag Line

**Definitions.****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. 4765.06, R.C. 4765.11**

5. Statute(s) the rule, as filed, amplifies or implements: **R.C. 4765.06**

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

This rule is being filed pursuant to a scheduled R.C. 119.032 rule review of Chapter 4765-4. This rule was originally filed on 2/20/13 without change and subsequently withdrawn to correct an ORC reference and fully address material incorporated in the rule.

As Chapter 4765-4 was filed in accordance with CSI rule-making, and this rule was

part of that filing, the original CSI documents are being filed as part of this package, even though this rule, in and of itself, does not pose any adverse impact to small business.

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 definitions for terms used in Chapter 4765-4 of the Administrative Code. It is proposed for amendment to address material incorporated by reference in paragraph (I) and to correct a ORC reference in paragraph (P).

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:

The material incorporated in this rule consists of a properly cited and dated reference to a definition contained within the Health Insurance Portability and Accountability Act and set forth in C.F.R. Title 45. This rule provides readers with a website address where the material is generally available and can be accessed.

Pursuant to Ohio Revised Code section 121.75, federal regulations are exempted from the provisions of R.C. 121.71 to 121.74, as long as the material incorporated by reference is generally available and consists of a citation that will be intelligible to readers. The material incorporated in this rule is familiar to persons who can reasonably be affected by this rule, and is generally and widely available to those persons who are submitting data to the Registry through their professional associations and organizations.

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. The material incorporated in this rule is not filed as part of this package as pursuant to Ohio Revised Code section 121.75, federal regulations are exempted from the provisions of R.C. 121.71 to 121.74, as long as the material incorporated by reference is generally available and consists of a citation that will be intelligible to readers.

The material incorporated in this rule consists of a properly cited and dated reference to a definition contained within the Health Insurance Portability and Accountability Act and set forth in C.F.R. Title 45. This rule provides readers with a website address where the material is generally available and can be accessed.

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: **5/10/2013**

(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.

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:

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

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**

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? **No**