

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4765-4-03

**Rule Type:** Amendment

**Rule Title/Tagline:** Required reporting.

**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?** 11/1/2022
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?** 4765.06, 4765.11
5. **What statute(s) does the rule implement or amplify?** 4765.06
6. **What are the reasons for proposing the rule?**

The Trauma Committee of the Emergency Medical, Fire, and Transportation Services (EMFTS) Board discussed data retention at its January 9, 2019 meeting and recommended making the retention schedule for data collected consistent with other state and national data repositories. On February 14, 2019, the Trauma Committee's recommendation was presented to the EMFTS Board, which approved a motion to retain the electronic version of patient records indefinitely to be consistent with the National Trauma Data Bank and the National Emergency Medical Services Information System.

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

This rule identifies which entities are required by section 4765.06 of the Revised Code to report clinical data and sets the minimum information to be collected from each entity. The rule is amended by adding paragraph (A)(4) requiring that data submitted electronically to the EMS incident reporting system be retained indefinitely or until superseded, obsolete or replaced and no longer of any administrative value. Paragraph (B)(3) is also added, requiring that data submitted electronically to the state trauma registry be retained indefinitely or until superseded, obsolete or replaced and no longer of any administrative value.

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 amendments to O.A.C. 4765-4-03 will not result in any additional cost for compliance by stakeholders. The estimated costs of compliance for stakeholders

include basic internet access (to submit the required information) and a small amount of time for data entry. While no sources exist to verify, it can be safely assumed that internet access is universally available throughout Ohio and is a cost already being borne by affected stakeholders for other purposes, including and especially for medical billing. Cost for data entry time will vary widely as both hospitals, using paid medical records staff, and volunteer EMS agencies, using unpaid staff, will spend between 10 and 20 minutes per record. The number of records submitted will also vary, dependent on the submitting entity's size and its patient volume. The majority of stakeholders already comply with the data submission requirement by utilizing automated processes for all or most of the reporting function further reducing the time spent reporting data. There is no cost to collecting the data as it is already collected as a matter of routine clinical record-keeping practice.

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
  - 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