

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

Agency Name

Division

Heather Reed

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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? **No**

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: **4765.11**

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

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

This rule is being filed for the purpose of changing a reference to the Code of Federal Regulations (C.F.R.). The reference currently listed is no longer applicable and the reference needs to be changed to reflect the appropriate code section.

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:

The reference in the Appendix to "45 C.F.R. Section 164.501" is no longer relevant

as the pertinent definition in this section has been moved to another section (Section 160.103) of the C.F.R. This rule is being changed in order to rescind the Appendix with the improper code reference and incorporate by reference the appropriate code section (45 C.F.R. Section 160.103) in accordance with R.C. 121.75.

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 incorporated reference is to a regulation in the Code of Federal Regulations (C.F.R.) and R.C. Section 121.75 provides that provisions of R.C. 121.71 to 121.74 do not apply with regard to the incorporation by reference of a regulation of the C.F.R. so long as the reference consists of a citation that will be intelligible to the person who reasonably can be expected to be affected by the rule and that, if the incorporated material reasonably can be expected to be subject to change, identifies, and specifies the date of the particular version that is incorporated. We are providing the correct citation information and date as required. In addition, the books containing the C.F.R. are generally available at depository libraries and, therefore, people can access them.

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:

The incorporated reference is to a regulation in the Code of Federal Regulations (C.F.R.) and R.C. Section 121.75 provides that provisions of R.C. 121.71 to 121.74 do not apply with regard to the incorporation by reference of a regulation of the C.F.R. so long as the reference consists of a citation that will be intelligible to the person who reasonably can be expected to be affected by the rule and that, if the incorporated material reasonably can be expected to be subject to change, identifies, and specifies the date of the particular version that is incorporated.

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:

Not Applicable.

12. 119.032 Rule Review Date: **4/28/2007**

(If 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: At 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.

0

Not applicable

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

Not applicable

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:

This rule is being filed in order to rescind an Appendix which references an improper code section (45 C.F.R. Section 164.501) and incorporate by reference the proper code section (45 C.F.R. Section 164.103). As such, there is no additional cost of compliance.

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**