

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

Agency Name

Division

**Joseph Kirk**

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**4765-5-01**

Rule Number

**NEW**

TYPE of rule filing

Rule Title/Tag Line

**Incorporated by reference.****RULE SUMMARY**

1. Is the rule being filed for five year review (FYR)? **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: **4765.07**
5. Statute(s) the rule, as filed, amplifies or implements: **4765.11**
6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

The rules is proposed as the incorporated by reference rule for the chapter that describes the Division of EMS grant programs as a result of revisions proposed as part of a R.C. 106.03 review. This rule is proposed to replace existing rule 4765-5-01 Definitions. The new rule incorporating forms by reference replaces the old definition rule that is being rescinded.

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 rule incorporates two grant applications as reference material related to the EMS grant programs authorized by section 4765.07 of the Revised Code (R.C.) using the trauma and emergency medical services fund established in section 4513.263 of the R.C.

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 new O.A.C. 4765-5-01 is the incorporated by reference rule for Chapter 4765-5 (Grants) and includes two items: "Training and Equipment Grant Application Priority 1" form or form "EMS 1803" (January 2016) and "Research Grant Application Priority 2-5" form or form "EMS 2083" (January 2016). Both forms can be accessed at the Division of EMS Web site at: <http://www.ems.ohio.gov/forms.aspx>.

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 materials incorporated by reference are accessible at the Division of EMS Web site "Forms & Applications" at: <http://www.ems.ohio.gov/forms.aspx>.

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. Five Year Review (FYR) Date:

(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.

0.00

This rule is not expected to impact the agency's budget in the current biennium.

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:

It is estimated that this rule will not 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**

This rule, in and of itself, does not require a license, permit, or other prior authorization to engage in or operate a line of business. However, some provisions in the Chapter 4765-5 filing package may subject grantees to investigation by the attorney general's office for failure to comply and may require the report of information as a condition of compliance.

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, in and of itself, does not impose a criminal or civil penalty, or other sanctions, or create a cause of action for failure to comply. However, some provisions in the Chapter 4765-5 filing package may subject grantees to investigation by the attorney general's office for failure to comply and may require the report of information as a condition of compliance.

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

This rule, in and of itself, does not require specific expenditures or the report of information as a condition of compliance. However, some provisions in the Chapter 4765-5 filing package may subject grantees to investigation by the attorney general's office for failure to comply and may require the report of information as a condition of compliance.