

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4766-2-09

**Rule Type:** No Change

**Rule Title/Tagline:** Maintenance documentation.

**Agency Name:** Ohio Medical Transportation Board

**Division:**

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#### I. Rule Summary

1. **Is this a five year rule review?** Yes
  - A. **What is the rule's five year review date?** 11/29/2021 and 11/01/2026
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?** 4766.03
5. **What statute(s) does the rule implement or amplify?** 4766.04, 4766.07
6. **What are the reasons for proposing the rule?**

This rule is being filed according to a RC 106.03 periodic rule review.

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

Rule 4766-2-09 sets forth the documentation that licensed medical transportation organizations are required to maintain related to the inspection conducted at least annually on each of their ambulance and non-transport vehicles, which includes: the "Periodic Mechanical Safety Report" signed by mechanic who completed the inspection; documentation of corrections made to failed items identified during

the periodic mechanical safety inspections; "out of service" signs on permitted vehicles that have been removed from service; and documentation about the periodic maintenance and repair of biomedical and patient care equipment. The rule sets a document retention period of twelve months after a vehicle is removed from inventory.

- 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.**

This rule incorporates the "Periodic Mechanical Safety Report" form. To comply with section 121.72 of the Revised Code, this rule refers readers to OAC rule 4766-2-18, which provides the date of the forms and the Web site address where the forms may be accessed.

- 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

Not Applicable.

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

The costs of compliance are those associated with conducting periodic mechanical safety inspections. The cost of periodic mechanical safety inspections vary depending the structure and size of each business. Some MTOs employ mechanics who will be qualified to complete the periodic mechanical safety inspections, or MTOs may choose to have vehicles inspected by mechanics at auto service facilities, chain repair stores, dealerships, or independent garages. Members of the Medical Transportation Committee, who are owners and administrators for medical transportation agencies

as well as representatives of the industry, report that they routinely conduct periodic mechanical safety inspections and believe it to be essential for maintaining and operating a medical transportation service and assuring the safe and effective delivery of EMS care to patients who must use the services of an MTO.

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? Yes**
17. **Does this rule have an adverse impact on business? Yes**
  - 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? Yes**

Rule 4766-2-09 requires licensed MTOs to maintain documentation of all vehicles' periodic mechanical safety inspections and the periodic maintenance and repair records for bio-medical and patient care equipment. MTOs are required to employ staff to conduct periodic mechanical safety inspections or otherwise obtain the inspections from trained and certified inspectors.

- 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? Yes**

The costs of inspection will impact MTOs. Costs will vary depending on the structure and size of each business.