

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4766-2-12

Rule Type: Amendment

Rule Title/Tagline: Temporary and disaster operations.

Agency Name: Ohio Medical Transportation Board

Division:

Address: 1970 West Broad Street PO Box 182081 Columbus OH 43218-2081

Contact: Joseph Kirk **Phone:** 614-466-5605

Email: jakirk@dps.ohio.gov

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
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?** 4766.07, 4766.09
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 4766-2-12 sets forth the process and fee for obtaining a temporary vehicle permit, valid for a period not to exceed sixty days, for an ambulance or non-transport vehicle that may be used to replace a permitted ambulance or non-transport vehicle removed from service and defines the emergency circumstances under which a licensed medical transportation organization may utilize "whatever means necessary

to transport and treat patients." An amendment to paragraph (B) references the MTLs online system and deletes a reference to a form replaced by the MTLs online system. Three regulatory restrictions are eliminated, and an amendment is made to correct the article "a" to "an." A new paragraph (C) is inserted referencing rule 4766-2-08 and division (B) of section 4766.06 of the RC, which replaces the previous paragraph (C), paragraph (D) and paragraph (E), and paragraphs (B)(4), and (B)(5). The comment referencing rule 4766-2-18 is deleted.

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. 121.75, 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. **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?**

Not Applicable

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? Yes

Rule 4766-2-12 sets forth the process for an MTO to obtain a temporary permit when an ambulance or non-transport vehicle is used to replace a permitted ambulance or non-transport vehicle that is temporarily or permanently removed from service.

- 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 4766-2-12 requires and MTO to request a temporary vehicle permit using the MTLIS online system, which requires submission of specific information.

- 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? No

IV. Regulatory Restrictions (This section only applies to agencies indicated in R.C. 121.95 (A))

18. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? Yes

- A. How many new regulatory restrictions do you propose adding? 1

In rule 4766-2-12, the words "shall not" are included in the new paragraph (C).

B. How many existing regulatory restrictions do you propose removing? 3

In rule 4766-2-12, the word "shall" is included in the previous paragraph (C), which is deleted from the rule.

In rule 4766-2-12, the word "shall" is included in the previous paragraph (D), which is deleted from the rule.

In rule 4766-2-12, the word "shall" is included in the previous paragraph (E), which is deleted from the rule.