

**Rule Summary and Fiscal Analysis (Part A)****Ohio Medical Transportation Board**

Agency Name

Division

**Joseph Kirk**

Contact

**1970 West Broad Street PO Box 182081 Columbu** **614-466-5605**  
**OH 43218-2081**

Agency Mailing Address (Plus Zip)

Phone

Fax

**jakirk@dps.ohio.gov**

Email

**4766-2-13**

Rule Number

**AMENDMENT**

TYPE of rule filing

Rule Title/Tag Line

**Staffing compliance.****RULE SUMMARY**1. Is the rule being filed for five year review (FYR)? **Yes**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: **4766.03**5. Statute(s) the rule, as filed, amplifies or implements: **4766.04**

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

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

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:

This rule sets forth the staffing requirements, including the number of staff and the

required certification levels, for medical transportation organizations (MTOs) licensed as a basic life support, intermediate life support, or advanced life support service. Paragraph (B) of the rule sets forth the requirements for non-certified personnel who drive an ambulance or non-transport vehicle for a licensed MTO. Amendments to this rule include replacing the terms "EMT," "emergency medical technician-basic," "emergency medical technician-intermediate," and "emergency medical technician" with the certification titles adopted by the Division of EMS in May 2016 to align with national EMS provider titles. The requirement for two staff members described in paragraphs (A)(1) and (A)(2) of this rule have been modified to "at least" two. The vehicle operator course required of staff prior to their driving or operating an ambulance or non-transport vehicle has been identified as meeting the requirements of the national highway traffic safety administration's "1995 Emergency Vehicle Operators Course (Ambulance): National Standard Curriculum."

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:

This rule incorporates the "1995 Emergency Vehicle Operators Course (Ambulance): National Standard Curriculum." To comply with sections 121.71 to 121.74 of the Revised Code, this rule refers readers to O.A.C. Rule 4766-2-18, which provides the Web site address where the curriculum may be accessed.

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 "1995 Emergency Vehicle Operators Course (Ambulance): National Standard Curriculum" is voluminous and is available via the National Highway Transportation Safety Administration (NHTSA) website at <http://www.nhtsa.gov/people/injury/ems/web%20site%20intro.htm>. To comply with sections 121.71 to 121.74 of the Revised Code, these materials are fully addressed in rule O.A.C. 4766-2-18, which provides a full citation, date of the materials, and access to the participant manual (417 pages) and instructor guide (637 pages).

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: **1/13/2017**

(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**

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**