

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4766-2-13

Rule Type: Amendment

Rule Title/Tagline: Staffing compliance.

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
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
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 4766-2-13 sets forth the staffing requirements, including the number of staff and the required certification levels, for 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-EMS certified personnel who drive an ambulance or non-transport vehicle for a licensed MTO, which include completion of a specified vehicle

operator course. An amendment is made to correct the article "a" to "an." Paragraph (A)(4) is added to set forth staffing standards for ambulances permitted at BLS non-emergency only level or the BLS emergency and non-emergency level. Paragraph (C) is added to set forth the training and documentation standards for non-EMS certified personnel who drive an ambulance permitted at the BLS non-emergency only level.

- 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.**

Rule 4766-2-13 incorporates the "1995 Emergency Vehicle Operators Course (Ambulance): National Standard Curriculum." 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 form and the Web site address where the form 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 estimated costs of compliance vary according to the level of service provided by an MTO. The level of service provided determines the number of personnel and the levels of certification required. Rule 4766-2-13 requires that non-certified personnel who drive an ambulance or non-transport vehicle complete an emergency vehicle operator course. The course is available for fees ranging from approximately \$100 to \$400. MTOs are required to provide training to non-EMS personnel who drive vehicles permitted at the BLS non-emergency level. The required training includes driving an

ambulance; patient transfer and loading, including the use of stairchairs and similar devices; equipment and supplies; and regulations governing bloodborne pathogens.

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**

Expenditures for staffing will vary according to the level of service provided, which determines the number of personnel and the levels of certification required. In addition, MTOs are required to provide staff with training and to maintain training documentation for some personnel.

- 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**

Staffing decisions made by MTOs, which are related to their levels of service, will impact revenues and expenditures. The addition of the BLS emergency and non-emergency and BLS non-emergency levels of service in rule 4766-2-02 were made, in part, to provide MTOs with greater flexibility in determining staffing levels.

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? 2

In rule 4766-2-13, the word "shall" is included in the new paragraph (A)(4).

In rule 4766-2-13, the word "shall" is included in the new paragraph (C).

B. How many existing regulatory restrictions do you propose removing? 0