

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4766-2-14

**Rule Type:** No Change

**Rule Title/Tagline:** Regulations for out of state providers.

**Agency Name:** Ohio Medical Transportation Board

**Division:**

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

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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, 4766.13, 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 4766-2-14 sets forth the exemptions applied to out of state medical transportation organizations on-boarding patients in Ohio for transport to locations outside of Ohio or transporting patients on-boarded in states other than Ohio. The rule reiterates the requirement of any MTO on-boarding a patient in Ohio for transport

to a location in Ohio to be licensed in Ohio and to comply with Chapter 4766. of the RC and OAC Chapter 4766-02.

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?

An out of state MTO that receives a patient in Ohio for transportation to a location in Ohio is required to be licensed in Ohio and "is subject to Chapter 4766. of the Revised Code and rules under this chapter and to all applicable fines and sanctions for any violation thereof." Fees include: Initial or Renewal License Fee of \$100.00 annually; Ambulance Permit Fee per vehicle of \$100.00 annually; Non-transport Vehicle Fee per vehicle \$100.00 annually; Vehicle Inspection fees of \$100 per inspection.

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.**

The license and permit fees are set pursuant to section 4766.05 of the R.C. Inspection fees were set by the Ohio Medical Transportation Board prior to its merger with the EMFTS Board in June 2014, pursuant to section 4766.03 and section 4766.05 of the RC and based on actual costs. The proposed rule revisions do not change the license and permit fees or the vehicle inspection fee.

### **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 4766-2-14 requires MTOs based outside of Ohio that are on-boarding patients in Ohio for transport to an Ohio location to become licensed in Ohio and to obtain Ohio permits for ambulances and non-transport vehicles used to transport patients within Ohio.

- 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 4766-2-14 requires specific expenditures and the report of information as a condition of compliance. To operate as an MTO in Ohio on-boarding patients in Ohio for transport to Ohio locations, out of state MTOs must become licensed in Ohio and to complete and submit the required forms to obtain the license and Ohio permits for ambulances and non-transport vehicles used to transport patients within Ohio. Fees include: Initial or Renewal License Fee of \$100.00 annually; Ambulance Permit Fee per vehicle of \$100.00 annually; Non-transport Vehicle Fee per vehicle \$100.00 annually; Vehicle Inspection fees of \$100 per inspection.

- 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 licenses, permits, and inspection will impact out of state MTOs operating in Ohio. Costs will vary depending on the structure and size of each business.