

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

Agency Name

Division

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4766-2-14

Rule Number

NEW

TYPE of rule filing

Rule Title/Tag Line

Regulations for out of state providers.**RULE SUMMARY**1. Is the rule being filed for five year review (FYR)? **No**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, 4766.07, 4766.13, 4766.09**

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

The rule is being proposed to address questions that are asked regularly after the rule was previously rescinded.

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 exemptions applied to out of state medical transportation organizations (MTOs) 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 R.C. and O.A.C. Chapter 4766-02.

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 response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

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:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

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 If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation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:

(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 additional costs of compliance for Ohio-based stakeholders or for out of state MTOs that are in compliance with O.R.C. Chapter 4766.09. The estimated costs of compliance will affect only those out of state MTOs on-boarding patients in Ohio for transport to an Ohio location. The cost of compliance to these MTOs will be the annual MTO licensing fee of \$100 and the annual per vehicle permit fee of \$100 for each ambulance and non-transport vehicle used to transport patients within Ohio.

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? **Yes**

This rule 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**

This rule does require 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. The cost of compliance to these MTOs will be the annual MTO licensing fee of \$100 and the annual per vehicle permit fee of \$100 for each ambulance and non-transport vehicle used to transport patients within Ohio.