

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4766-3-02

Rule Type: Amendment

Rule Title/Tagline: Application for initial or renewal licensure.

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? 3/23/2022
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? 4766.03, 4766.04. 4766.07
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 4766-3-02 sets forth the forms or processes that an MTO providing ambulette services is required to use to make application to the EMFTS Board for an initial or renewal license to operate. The rule also sets forth the requirement for submitting a fee and supporting documentation with each request and prohibits the submission of false information; it defines licenses as "not transferable." The rule states that

supporting documentation records must be maintained and that applications not completed in the manner specified shall be deemed incomplete. Amendments include adding references to the MTLs online system and deleting references to some application forms replaced by the MTLs online system and deleting the comment related to the incorporated by reference rule.

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?**

The initial and renewal license fees of \$100 are set pursuant to section 4766.05 of the R.C., which states, "... the fee for each license and each renewal of a license shall not exceed one hundred dollars." The proposed rule revisions do not change the license fees.

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.

Rule 4766-3-02 references fees. The initial and renewal license fees are set pursuant to section 4766.05 of the R.C. The proposed rule revisions do not change the license fees.

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 4766-3-02 describes the application process for initial and renewal licensure of medical transportation organizations (MTOs) operating ambulette services.

- 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 4766-3-02 references fees that are submitted with requests for initial and renewal licensure. In addition, the rule describes information and supporting documentation that is submitted to apply for new and renewal licenses.

- 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 initial and renewal license fees may impact revenues and expenditures and are set pursuant to section 4766.05 of the R.C., which states, "... the fee for each license and each renewal of a license shall not exceed one hundred dollars." The proposed rule revisions do not change the license fees.

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? 0

B. How many existing regulatory restrictions do you propose removing? 2

The word "shall" is deleted from paragraph (A) of rule 4766-3-02.

The word "shall" is deleted from paragraph (B) of rule 4766-3-02.