

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

Agency Name

Division

Joseph Kirk

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4766-3-03

Rule Number

AMENDMENT

TYPE of rule filing

Rule Title/Tag Line

Fees.**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: **4766.05**

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 fees that ambulette services are required to submit to the

EMFTS Board with initial and renewal applications when applying for a license to operate; for inspection or reinspection of ambulettes, which is a requirement to obtain a vehicle permit; to acquire a temporary permit; or to acquire a reprinted vehicle decal to replace a lost, damaged, or incorrectly applied decal or a decal created based on incorrect vehicle information provided by the service.

This rule rewords paragraph (A); adds language to require that fees are submitted with applications and are nonrefundable; changes "deficiency" to "violation notification" to describe the trigger for a reinspection; replaces "Ohio medical transportation board" with "board" due to the merger of the organization with the State Board of EMFTS in 2013; and clarifies that violation notifications may be issued by a board designee. An addition to the rule sets forth the \$5.00 fee that will be instituted to re-print vehicle decals that have been lost, damaged, incorrectly applied, or created based on incorrect vehicle information provided to the Division of EMS by the ambulette service. The \$5.00 fee has been calculated to cover the actual costs associated with re-printing and mailing each vehicle decal.

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: **3/17/2017**

(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:

The estimated costs of compliance for stakeholders are provided here.

The existing license and permit fees associated with O.A.C. Chapter 4765-3 rules include the following fees for ambulette services:

Initial or Renewal License Fee, annually - \$100.00

Ambulette Permit Fee per vehicle, annually - \$50.00

Inspection fee, per reinspection - \$50.00

Temporary vehicle permit fee - \$50.00

The license and permit fees are set pursuant to section 4766.05 of the R.C. Vehicle inspection fees of \$50 per inspection were set by the Ohio Medical Transportation Board prior to its merger with the EMFTS Board in 2013, pursuant to section 4766.03 of the R.C., and based on actual costs. The proposed rule revisions do not change the license and permit fees or the vehicle inspection fee.

One additional fee is proposed as part of this rule review-a \$5.00 fee to cover the actual costs associated with re-printing and mailing each vehicle decal. This fee would only be charged to the services that provide incorrect information to the Division of EMS or lose or destroy the decals they receive from the Division of EMS, requiring that the decal be re-printed. The \$5.00 fee represents actual costs to the agency to re-print and mail a decal. Expenses include \$1.88 per decal, \$0.49 for postage, and no more than \$2.63 for the salary costs of the Medical Transportation and information technology (IT) staff members whose time is required to re-print and mail a decal.

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**

This rule, in and of itself, does not require prior authorization to engage in or operate a line of business. The rule does set forth the fees associated with obtaining and maintaining the permits and licenses required to operate as an ambulette service, and it is part of a filing package that includes provisions that require ambulette services to obtain and maintain the appropriate licenses and vehicle permits to engage in business.

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**

The estimated costs of compliance for stakeholders are provided here.

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