

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4766-3-13

Rule Type: Amendment

Rule Title/Tagline: Driver training and qualifications.

Agency Name: Ohio Medical Transportation Board

Division:

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I. Rule Summary

1. Is this a five year rule review? No
 - A. What is the rule's five year review date? 3/15/2022
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? 4766.04, 4766.15
6. What are the reasons for proposing the rule?

An amendment is made to add the period of time that a passenger assistance training course certification is valid.

7. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

This rule sets forth driver training and qualifications for ambulette services and the documentation that shall be maintained and provided. The rule includes the elements of the required passenger assistance training, and is amended to specify that the training certification is to be completed once every three years.

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?

OAC 4766-3-13 requires ambulette services to maintain and obtain documentation of driver operator requirements. Ambulette services are required to obtain a valid driver/operator abstract at the time of application and annually thereafter, driver/operator license, criminal background checks, pre-employment health statements, and alcohol and controlled substance tests. Driver/operators are required to hold current and valid certifications in first aid (or equivalent) and CPR and passenger assistance. Services may pay the associated fees or may require the drivers to pay the 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.

Ambulette services may incur costs including:

- Driver/operator abstract (driving record): \$5.00 [Record Request (form BMV 1173)]
- Criminal background checks: \$22/\$24 plus additional fees of approximately \$13 - \$23 for a BCI check or \$13 - \$40 for an FBI check, depending on the provider (https://www.ocjs.ohio.gov/background_check.stm)
- Health statements: The CostHelper Web site states, "For patients without health insurance, an annual physical typically costs \$50-\$200 or more. (<https://health.costhelper.com/physical-exam.html>) and administrative physicals available at clinics operated by national pharmacy chains were priced at \$69 and \$89.
- Alcohol and controlled substance tests: "The Society for Human Resource Management (SHRM) advises that you can expect to pay between \$10 and \$30 for a single basic drug test. However, this can increase depending on the number of substances you test for or the kind of test you use. Costs may decrease with volume discounts." (<https://fitsmallbusiness.com/employee-drug-screening/>)
- First aid: American Red Cross and American Heart Association classes were priced at \$60, \$76, and \$96
- CPR: American Red Cross and American Heart Association classes were priced at \$40, \$76, and \$96
- First aid and CPR: American Red Cross and American Heart Association classes were priced at \$85-\$125, \$90, \$100, and \$103

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

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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**

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- 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? No**