

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

Agency Name

Division

**Joseph Kirk**

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**4766-4-01**

Rule Number

**AMENDMENT**

TYPE of rule filing

Rule Title/Tag Line

**Definitions.****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: **4766.01**
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 provides twelve definitions associated with OAC Chapter 4766-4, entitled

Mobile Intensive Care Units, which sets forth the conditions under which the State Board of Emergency Medical, Fire, and Transportation Services (EMFTS) may approve, renew, or deny an application to operate a MoICU and sets license and permit fees. The definitions for this chapter relate to standards for MoICU organizations, including record-keeping, health and safety requirements, communications, vehicle maintenance, inspections, investigations, and disciplinary grounds.

OAC rule 4766-4-01 has been revised to replace "Ohio medical transportation board" with "state board" or "emergency medical, fire, and transportation services" (EMFTS) due to the merger of the two organizations into the State Board of EMFTS in 2013. The definitions were revised for consistency and to remove unnecessary capitalizations. EMS provider titles were included, and in some instances changed, to align with the national EMS provider titles. The definition for "service code" was deleted as a separate entry and included as part of the "service number" entry. A definition for "medical director" has been added, which states that medical director meets the requirements set forth in Chapter 4765. of the Revised Code and 4765-3-05 of the OAC A total of eight definitions were added; nine definitions were revised, including combining "service code" and "service number;" and the definitions for "operate" and "neonate" were unchanged.

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:

The term "violation notification" is defined in OAC rule 4766-4-01, and "Violation Notification" is the title of a form dated April 2015 available at the Division of EMS "Medical Transportation Checklists & Forms" Web site at: <http://www.ems.ohio.gov/medical-transportation-forms.aspx>. To comply with sections 121.71 to 121.74 of the Revised Code, this rule refers readers to OAC Rule 4766-2-18, which provides the publication date of the materials and provides the Web site address where the form may be accessed.

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:

If not, why, and how will the materials be accessed? OAC 4766-4-01 incorporates the "Violation Notification" form, dated April 2015, which can be accessed at the Division of EMS "Medical Transportation Checklists & Forms" Web site at:

<http://www.ems.ohio.gov/medical-transportation-forms.aspx>.

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:

It is estimated that this rule will not result in any costs of compliance for stakeholders.

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**

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? **No**