

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4766-4-09

Rule Type: Amendment

Rule Title/Tagline: Maintenance documentation.

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, 4766.07
6. What are the reasons for proposing the rule?

The rule is amended to correct an error made when the rule was filed in 2017.

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

OAC 4766-4-09 sets forth the documentation that licensed medical transportation organizations (MTOs) are required to maintain related to the inspection conducted at least annually on each of their MoICUs and non-transport vehicles, which includes: date and description of service/repairs performed; "out of service" signs on permitted vehicles that have been removed from service; and documentation about the

biomedical equipment carried by vehicles. Revisions of rule 4765-4-09 filed in May of 2017 were intended to set forth a schedule for periodic mechanical safety inspections at every 25,000 miles for each permitted vehicle with an odometer reading of 150,000 miles or more. The 2017 filing includes 20,000 miles instead of 25,000 miles, and that is corrected with this proposed amendment.

- 8. Does the rule incorporate material by reference? Yes**
- 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.**

This rule incorporates the "Periodic Mechanical Safety Report" form. To comply with sections 121.71 to 121.75 of the Revised Code, this rule refers readers to OAC Rule 4766-4-18, which provides the date of the form and the Web site address where the form may be accessed.

- 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?**

Required periodic mechanical safety inspections will result in employer time and/or expense.

- 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.**

Inspection fees of \$100 per inspection were set by the Ohio Medical Transportation Board prior to its merger with the EMFTS Board in June 2013, pursuant to section 4766.03 of the R.C. based on actual costs incurred by the Board in carrying out its duties.

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? 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? Yes**

OAC 4766-4-09 requires medical transportation organizations (MTOs) to comply with inspection requirements for vehicles and equipment in order to obtain and maintain a mobile intensive care permit.

- C. Does this rule require specific expenditures or the report of information as a condition of compliance? Yes**

OAC 4766-4-09 requires medical transportation organizations (MTOs) to comply with inspection requirements for vehicles and equipment in order to obtain and maintain a mobile intensive care permit.

- 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**