

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

Agency Name

Division

**Joseph Kirk**

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**4766-4-18**

Rule Number

**NEW**

TYPE of rule filing

Rule Title/Tag Line

**Incorporated by reference.****RULE SUMMARY**

1. Is the rule being filed for five year review (FYR)? **No**
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: **4766.03**
6. State the reason(s) for proposing (i.e., why are you filing,) this rule:
 

This rule is being filed to consolidate materials that are incorporated by reference into a single rule.
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:

Rule OAC 4766-4-18 is the incorporated by reference rule for Chapter 4766-4

(Mobile Intensive Care Units) and includes thirteen documents incorporated throughout the chapter, their publication dates, and the Web addresses where the documents can be accessed.

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 new rule OAC 4766-4-18 is the incorporated by reference rule for Chapter 4766-4 (Mobile Intensive Care Units) and includes thirteen documents incorporated throughout the chapter, their publication dates, and the Web addresses where the documents can be accessed.

If not, why, and how will the materials be accessed? PDFs of the "MoICU Inspection" form, dated February 2017, and the "Non-Transport Vehicle Inspection" form, dated January 2017, are being filed with this package, and Word and PDF versions of both forms will be launched at the Web site on the date the OAC 4766-4 rules becomes effective. The web site addresses for all other forms referenced, including the predecessor versions of the two forms being provided as PDFs, are provided in OAC rule 4766-4-18.

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:

OAC 4766-4-18 lists the thirteen forms incorporated throughout OAC Chapter 4766-4, their publication dates, and the Web addresses where the forms can be accessed. Ten of the forms may be accessed at the Division of EMS "Medical Transportation Checklists & Forms" Web site at: <http://www.ems.ohio.gov/medical-transportation-forms.aspx>. Of these ten forms, the "MoICU Inspection" form, dated February 2017, and the "Non-Transport Vehicle Inspection" form, dated January 2017, will be available at the Division of EMS "Medical Transportation Checklists & Forms" Web site at: <http://www.ems.ohio.gov/medical-transportation-forms.aspx> when the OAC 4766-4 rules becomes effective. The predecessor forms, "MoICU Inspection" dated July 2013, and the "Non-Transport Vehicle Inspection (EMSO)" form, dated July 2013, are available at the Division of EMS "Medical Transportation Checklists & Forms" Web site currently, and will remain available until the revised OAC 4766-4 rules become effective. PDFs of the "MoICU Inspection" form, dated February 2017, and the "Non-Transport Vehicle Inspection" form, dated January 2017, are being

filed with this package, and Word and PDF versions of both forms will be launched at the Web site on the date the rules becomes effective. Two of the documents can be viewed electronically online from the "Electronic Code of Federal Regulations" (e-CFR) Web site main page, <http://www.ecfr.gov/cgi-bin/ECFR?page=browse>, using the C.F.R title number and part number. The CFR regulations listed in OAC Chapter 4766-4 are effective September 12, 2016, and can be located using the "Browse / Search Previous" toggle in the left navigation pane of the e CFR main page. One form can be accessed at the National Highway Transportation Safety Administration (N.H.T.S.A) Web site, <http://www.nhtsa.gov/people/injury/ems/web%20site%20intro.htm>.

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:

(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**