

**NOTICE OF PUBLIC HEARING**

The State Board of Emergency Medical Services will conduct a public hearing, pursuant to R.C. 119.02 through 119.04, on Wednesday, February 16, 2011, at 8:00 a.m. at Deer Creek Resort Lodge, 22300 State Park Road 20, Mt. Sterling, Ohio 43143 in the White Oak Room. The purpose of the hearing will be to solicit public comment on the following proposed rules to the Ohio Administrative Code:

**Amendment** of 4765-1-01 (Definitions), 4765-8-02 (Application for certificate to practice), 4765-8-03 (Notification to the board of personal information), 4765-8-15 (Certification by reciprocity), 4765-8-16 (Application fees for certification), 4765-8-17 (Voluntary surrender or change in level of certificate to practice), 4765-9-01 (Professional standards of conduct), 4765-9-02 (Professional standards of conduct for holders of certificate to teach) 4765-10-02 (Investigations), 4765-18-09 (Qualifications for a physician as instructor or an individual holding a certificate of training as a physician) and 4765-18-21 (Upgrade process for certificate to teach as an assistant EMS instructor to EMS instructor);

**Adoption** of 4765-8-18 (Reinstatement of certificate to practice);

**Rescission** of 4765-8-18 (Reinstatement of certificate to practice).

Rule 4765-1-01 is being amended to correct a reference in the definition of "hospital," to clarify the definition of "reinstatement," and to add "RPAB" as an acronym for the Regional Physician Advisory Board.

Rule 4765-8-02 is being amended to reflect that a fee may be imposed for an application for a certificate to practice via reciprocity.

Rule 4765-8-03 is being amended to include that a certificate holder shall notify the Division of EMS, in writing and within thirty-days, of any change in the certificate holder's email address.

Rule 4765-8-15 is being amended to establish a seventy-five dollar fee for an application for a certificate to practice via reciprocity.

Rule 4765-8-16 is being amended to allow for an application fee to be charged for individuals applying for a certificate to practice via reciprocity.

Rule 4765-8-17 is being amended to remove language that the voluntary surrender of a certificate must occur during the certification cycle and to reflect that for those applicants who drop back at the time of renewal or wish to reinstate a previously dropped certification, a certificate will be issued in accordance with the certification cycles set forth in rule 4765-8-06.

Rule 4765-8-18 is being rescinded and adopted to provide more options for an

individual to reinstate a certificate to practice. Amended language, under the new rule, establishes the different requirements which must be met depending upon the time that has lapsed since a person's certificate expired, was dropped back, or surrendered: If not more than ninety days, the applicant must provide documentation of meeting continuing education requirements during the last certification cycle, or successfully pass a reinstatement examination, or possess a current and valid National Registry of Emergency Medical Technician (NREMT) certificate; If more than ninety days, but less than three years, the applicant must possess a current and valid NREMT certification or successfully pass a reinstatement examination; If between three and six years, the applicant has three options: Option number one is to possess a current and valid NREMT certification and current and valid certificate to practice in another state; Option number two is to successfully pass the reinstatement examination and take an approved refresher course; and Option number three is to possess a current and valid NREMT certification and take an approved refresher course; If a certificate is expired six years or more, the applicant must complete a new course of instruction and apply for a new certificate.

Rule 4765-9-01 is being amended to clarify that a holder of a certificate to practice shall not have inappropriate contact or conduct with a patient under the certificate's holder care. Additionally, the language was added to this rule stating a certificate holder shall not consume alcohol or be under the influence of alcohol while on duty.

Rule 4765-9-02 is being amended to add language to require a holder of a certificate to teach, to report to the board, if the holder's license, as a registered nurse, physician assistant, or physician, is disciplined, revoked or not renewed.

Rule 4765-10-02 is being amended to clarify that an EMS Board member, who is involved with a case locally, shall not participate in an investigation or adjudication of the same case before the Board.

Rule 4765-18-09 is being amended to allow individuals, who hold a certificate of training as a physician, to be granted a certificate to teach as an EMS continuing education instructor.

Rule 4765-18-21 is being amended to clarify that an individual must pass the knowledge examination in the preceding three years in order to become an EMS instructor, but an individual who passed the knowledge examination in order to become certified as an assistant EMS instructor, is not required to test again to become an EMS instructor regardless of the time that has passed.

All interested parties are invited to attend the hearing. Any persons affected by the proposed rules may appear at the hearing and be heard in person, by an attorney, or both, or may present their position, argument, or contention in writing. Persons may offer and examine witnesses and present evidence to show that the proposed rules will be unreasonable or unlawful.

Requests for copies of the proposed rules and/or to offer public comment may be submitted in person or by mail at the following address: Office of Legal Services, Ohio Department of Public Safety, 1970 West Broad Street, Suite 531C, Columbus, Ohio 43223 or by telephone: (614) 466-5605.

Comments received at the above address before the hearing will be treated as testimony.

These rules may be accessed electronically via the Division of EMS website [http://ems.ohio.gov/ems\\_laws.stm](http://ems.ohio.gov/ems_laws.stm)