

**MEMORANDUM**

**TO:** Pamela Watkins, Rules Administrator, Ohio Department of Public Safety

**FROM:** Paula Steele, Regulatory Policy Advocate

**DATE:** February 13, 2013

**RE:** **CSI Review – Complaints** (OAC Chapter OAC 4765.10)

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On behalf of Lt. Governor Mary Taylor, and pursuant to the authority granted to the Common Sense Initiative (CSI) Office under Ohio Revised Code (ORC) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Agency as provided for in ORC 107.54.

**Analysis**

The Ohio Department of Public Safety has submitted a rule package consisting of five proposed rules, all of which are existing rules being reviewed under the five-year review requirement of ORC 119.032. The rules are being proposed with no changes. The chapter fulfills the requirements of ORC 4765.06 which requires the Department to establish standards and procedures to address discipline-related issues for Emergency Medical Service (EMS) providers, training institutions, and instructors. The proposed rules address definitions, procedures for handling complaints, types of sanctions, disciplinary action notification requirements, and specific medical director authority over EMS providers. The rule package was filed with the CSI Office on January 10, 2013 with a public comment period ending on January 24, 2013. There were no comments received during the public comment period.

According to the BIA, there was comprehensive early stakeholder outreach that began in January 2012. Stakeholders included EMTs, registered nurses, program coordinators of training institutions, EMS Board members, and EMT instructors. The stakeholders did not provide any suggestions for changes to the proposed rules.

The BIA identified and quantified the adverse impact to those EMS providers, training institutions, or instructors who become subject to disciplinary action. Fines can range up to \$1,000, and the rules authorize the Department to limit a provider's authority to practice, up to full revocation.

After reviewing the proposed rules and BIA, the CSI Office determined that the rules satisfactorily meet the standards espoused by the CSI Office, and the purpose of the rules justifies the adverse impact identified in the BIA.

### **Recommendations**

For the reasons discussed above, the CSI Office does not have any recommendations for this rule package.

### **Conclusion**

Based on the above comments, the CSI Office concludes that the Department of Public Safety should proceed with the formal filing of this rule package with the Joint Committee on Agency Rule Review.

cc: Mark Hamlin, Lt. Governor's Office