

**MEMORANDUM**

TO: Beverly Cooper, Ohio Department of Public Safety

FROM: Cory Bailey, Regulatory Policy Advocate, Lt. Governor's Office

DATE: October 21, 2015

RE: **CSI Review – Certificate to Teach or Practice; Continuing Education and Ethical Standards of Conduct (OAC § 4765-8-01 through 4765-8-07; 4765-8-15 through 4765-8-19; 4765-9-01 through 4765-9-02)**

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) § 107.54, CSI has reviewed the abovementioned administrative rules and associated Business Impact Analysis (BIA). This memo represents CSI's comments to the Agency as provided for in ORC § 107.54.

Analysis

On September 10, 2015, the Ohio Department of Public Safety (ODPS) submitted a draft rule package consisting of two amended and twelve no-change rules to the CSI Office as a part of the five-year rule review requirement contained in Ohio statute. The official public comment period closed on October 2, 2015 with no comments submitted.

The draft rule package regulates the certification of emergency medical responders, emergency medical technicians, advanced emergency medical technicians, and paramedics through the Ohio State Board of Emergency Medical, Fire, and Transportation Services (EMFTS). The rules lay out the certification process, continuing education requirements, and professional standards of conduct. The purpose of the rules is to ensure emergency medical services (EMS) personnel possess the necessary qualifications to provide quality care for patients.

The draft rules set the standards that must be met and the documentation that must be submitted for initial applicants seeking an EMS certificate to practice. The rules also cover certificate renewal, reinstatement procedure, and reciprocity requirements. The continuing education requirements, which vary based on the position and the certification cycle, are aligned with those

established by the National Registry of Emergency Medical Technicians (NREMT). NREMT is a certification agency that registers EMS providers across the United States. According to the BIA, the NREMT is launching a new recertification model that will result in revisions to these rules in 2016.

Only two rules are being amended, both of which cover professional standards of conduct. The first rule, OAC § 4765-9-01, is specific to holders of a certificate to practice, while the second, OAC § 4765-9-02, applies to holders of a certificate to teach. The amendments mainly update language regarding discrimination and clarify statutory references.

The adverse impacts to business resulting from the draft rules are the time needed to submit documentation, the time and cost of completing a training program and continuing education courses, and the NREMT application fee. Disciplinary action that limits authority to practice or imposes fines would also be considered an adverse impact to business. ODPS justifies the adverse impacts through a statutory obligation to establish the rules, as well as a need to ensure EMS personnel are properly trained and able to care for patients.

Following review of the draft rules, BIA, and stakeholder outreach, it has been determined that the standards espoused by the CSI Office have been met, and the adverse impacts of the draft rules and amendments are justified.

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 Ohio Department of Public Safety should proceed with the formal filing of this rule package with the Joint Committee on Agency Rule Review.