

**MEMORANDUM**

**TO:** Joseph Kirk, Ohio Department of Public Safety

**FROM:** Christopher Smyke, Regulatory Policy Advocate

**DATE:** February 14, 2018

**RE:** **CSI Review – Emergency Medical Services Scope of Practice (OAC 4765-12, 4765-15, 4765-16, and 4765-17)**

---

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**

This rule package consists of eighteen amended rules and one no-change rule submitted by the Ohio Department of Public Safety (DPS) for their statutorily-required five-year review. It was submitted to the CSI Office on December 1, 2017 and the comment period closed on December 26, 2017. No comments were received during this time.

This rule package addresses all nineteen active rules in Ohio Administrative Code (OAC) Chapters 4765-12, 4765-15, 4765-16, and 4765-17. These chapters cover the training curriculum, continuing education requirements, and scope of practice for emergency medical responders (EMRs), emergency medical technicians (EMTs), advanced emergency medical technicians (AEMTs), and paramedics. Each chapter includes additional approved services for each certification's scope of practice and updates to their training curricula. The proposed rules include numerous minor, non-substantive changes to format, incorporations-by-references, punctuation, grammar, and removing duplicative language. The sole no-change rule, OAC 4765-16-05 pertains to special training requirements for AEMT certificate renewal when the individual has not completed the training curriculum set forth in OAC 4765-16-01.

Prior to filing with the CSI office, the rules were reviewed by the Ohio Board of Emergency Medical, Fire, and Transportation Services (EMFTS) Education and Medical Oversight committees. The committees have members representing healthcare professionals of all levels, EMS instructors, EMS training organizations, and fire service organizations. DPS Division of EMS staff proposed the amended language for the minor changes and to implement changes approved by the EMFTS Board. The Board reviewed and approved the proposed rules for filing at its October meeting. No stakeholder feedback was received during the CSI public comment period.

The BIA identifies the impacted business community as the approximately 1,330 EMS organizations, 41,500 EMS providers, 89 EMS accredited institutions, and 551 approved EMS continuing education institutions. The BIA approximates the tuition costs for students around \$300 to \$700 for EMR training, \$500 to \$1,200 for EMT training, \$1,000 to \$2,000 for AEMT training, and \$4,000 to \$10,000 for paramedic training. DPS does not dictate education fees, so tuition is based on the level of instruction, affiliations, and the various costs and budgetary requirements of operating a training program. The net impact of the amended rules is minor, requiring a negligible amount of additional resources and instructor time to adapt to the changes in training curricula. In addition, the cost of training and continuing education may vary for a certificate holder based on in-service training or resources provided by a department.

ORC 4765.11 directs the EMFTS Board to establish standards for the provision of EMS services by certified EMS providers, as well as the curricula and materials required for training and continuing education. In addition, the law requires the Board to establish a process to approve emergency medical services and add them to the scope of practice. These regulations are necessary to ensure that EMS providers are appropriately trained as they respond to medical emergencies in a pre-hospital setting without direct oversight.

After reviewing the proposed rules and the BIA, the CSI Office has determined that the rules satisfactorily meet the standards espoused by the CSI Office, and the purpose of the rule package is justified.

### **Recommendation**

For the reasons explained 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.

cc: Emily Kaylor, Lt. Governor's Office