



## Common Sense Initiative

**Mike DeWine**, Governor  
**Jon Husted**, Lt. Governor

**Carrie Kuruc**, Director

### MEMORANDUM

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

**FROM:** Ethan Wittkorn, Regulatory Policy Advocate

**DATE:** November 15, 2019

**RE:** CSI Review – EMS- Scope of Practice Update (4765-12-04, 4765-16-04)

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On behalf of Lt. Governor Jon Husted, 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 Commission as provided for in ORC 107.54.

#### Analysis

This Ohio Department of Public Safety (Department) rule package consists of 2 amended rules. The rules were submitted to the CSI Office on September 30, 2019, and the public comment period was open through October 23, 2019. Unless otherwise noted below, this recommendation reflects the version of the proposed rules filed with the CSI office on September 30, 2019.

This rule package covers the Department's rules regarding scopes of practice set by the board of Emergency Medical, Fire, and Transportation Services (EMFTS) for emergency medical responder (EMR) and advanced emergency medical technicians (AEMT). Amendments to the rules include the addition of CO-oximeter readings to services permitted after authorization by a physician in OAC 4765-12-04, as well as the addition of ketamine to medications that can be administered in OAC 4765-16-04.

During the period of early stakeholder outreach, the Department worked with the EMFTS board, the Medical Oversight Committee, the Medical Transportation Committee, the EMS for Children Committee, the state medical director, staff including EMS education coordinators and legal staff

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to revise the proposed rules. During the CSI public comment period, one group provided a comment of approval.

Impacted groups include approximately 1,235 EMS organizations, 41,599 EMS providers, 93 EMS accredited institutions, and 560 approved EMS continuing education institutions. Potential impacts include costs associated with obtaining training that meets established medical standards of care. Training costs will vary by the institution, but are estimated to range from \$300- \$700 for EMR training, \$500-1200 for EMT training, \$1000-\$2000 for AEMT training, and \$4000-\$10,000 for paramedic training. The Department states that the proposed rules are necessary to fulfill statutory obligations laid out in ORC 4765.11, 4765.35, and 4765.38. The Department noted that grants are available annually to offset continuing education and training costs; and that EMS agencies can be certified to offer training and continuing education in-house.

### **Recommendations**

Based on the information above, the CSI Office has no recommendations on this rule package.

### **Conclusion**

The CSI Office concludes that the Department should proceed in filing the proposed rules with the Joint Committee on Agency Rule Review.