



Common Sense Initiative

Mike DeWine, Governor
Jon Husted, Lt. Governor

Carrie Kuruc, Director

MEMORANDUM

TO: Joseph Kirk, Ohio Department of Public Safety

FROM: Jacob Ritzenthaler, Regulatory Policy Advocate

DATE: December 23, 2020

RE: **CSI Review – Emergency Medical Services Grants (OAC 4765-4-01 through 4765-5-05)**

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 Department as provided for in ORC 107.54.

Analysis

This rule package consists of two amended rules, two no change rules, one new rule, and one rescinded rule proposed by the Ohio Department of Public Safety (DPS) as part of the statutory five-year review requirements. This rule package was submitted to the CSI Office on November 13, 2020, and the public comment period was held open through December 8, 2020. Unless otherwise noted below, this recommendation reflects the version of the proposed rules filed with the CSI Office on November 13, 2020.

Ohio Administrative Code (OAC) Chapter 4765-5 establishes requirements for the distribution of grants to emergency medical services (EMS) organizations through DPS. OAC 4765-5-01 incorporates forms for supplemental grant applications into the requirements of the rules. The rule is being replaced by a new rule of the same rule number due to the amount of changes made. OAC 4765-5-02 establishes criteria for eligible grantees and requires certain documentation to be submitted to DPS. OAC 4765-5-03 provides general provisions for DPS grants, including the types of grants and approval methods for grant applications. OAC 4765-5-02 and 4765-5-03 are proposed without changes. OAC 4765-5-04 and 4765-5-05 list grant application guidelines and

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restrictions. These rules are amended to include the supplemental grant application form in the submission requirements.

During early stakeholder outreach, DPS sent the rules to industry stakeholders and reviewed the proposed rules during meetings of the Board of Emergency Medical, Fire, and Transportation Services. No comments were received from stakeholders during that time or during the CSI public comment period.

The business community impacted by these rules includes approximately 1,020 EMS organizations operating in Ohio. DPS states that research grants are made available to EMS or medical organizations outside of the state as well. The primary adverse impact created by the rules is the time and effort spent by EMS organizations to apply for grants and to maintain the requirements of the grant program. DPS notes in the BIA that organizations that do not uphold the terms of the grant agreement may face penalties, including returning unused grant funds and becoming ineligible for future grants. DPS states that the rules are necessary to ensure that funds are properly distributed to recipients and to comply with statutory requirements.

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.