

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4765-3-05

**Rule Type:** New

**Rule Title/Tagline:** Medical director requirements for each emergency medical services organization.

**Agency Name:** State Board of Emergency Medical, Fire, and Transportation Services

**Division:**

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#### I. Rule Summary

1. Is this a five year rule review? No
  - A. What is the rule's five year review date?
2. Is this rule the result of recent legislation? Yes
  - A. If so, what is the bill number, General Assembly and Sponsor? HB 138 - 134  
- Brian Baldridge
3. What statute is this rule being promulgated under? 119.03
4. What statute(s) grant rule writing authority? 4765.11
5. What statute(s) does the rule implement or amplify? 4765.11, 4765.42
6. Does the rule implement a federal law or rule in a manner that is more stringent or burdensome than the federal law or regulation requires? No
  - A. If so, what is the citation to the federal law or rule? Not Applicable
7. What are the reasons for proposing the rule?

This rule is being filed to comply with the provision of HB 138 and as the new rule replacing the rescinded rule 4765-3-05, based on the fifty per cent guideline. The new

rule does not limit eligibility to serve as a medical director to only those physicians who have completed a residency or fellowship program in emergency medicine or a related area or who are certified or eligible to be certified in a specialty or subspecialty of emergency medicine or a related area, as set forth in section 4765.42 of the RC.

**8. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

Paragraphs (B) and (C) are deleted. Paragraph (A)(3) is added and the previous paragraph (A)(5), and its subparagraphs (a) through (e), have been deleted.

The phrase "trauma-related" is added before "peer review and quality improvement programs" in paragraph (B).

Paragraph (A)(2) has been reworded to include the phrase "three of the previous five years" and to include the phrase "or has provided medical oversight for an EMS agency."

Sections of the deleted paragraphs (A)(5)(a) through (A)(5)(e) have been included in the new paragraph (A)(3).

**9. Does the rule incorporate material by reference? No**

**10. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.**

*Not Applicable*

**11. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

*Not Applicable*

## **II. Fiscal Analysis**

**12. Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

This will have no impact on revenues or expenditures.

\$0

Not Applicable

13. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?

Not Applicable

14. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No
15. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No
16. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.

Not Applicable

### **III. Common Sense Initiative (CSI) Questions**

17. Was this rule filed with the Common Sense Initiative Office? No
18. Does this rule have an adverse impact on business? No
- A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No
  - B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No
  - C. Does this rule require specific expenditures or the report of information as a condition of compliance? No
  - D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No

### **IV. Regulatory Restriction Requirements under S.B. 9. Note: This section only applies to agencies described in R.C. 121.95(A).**

**19. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? Yes**

**A. How many new regulatory restrictions do you propose adding to this rule? 2**

Paragraph (A) of this new rule includes the word "shall."

Paragraph (B) of this new rule includes the word "required."

**B. How many existing regulatory restrictions do you propose removing from this rule? 0**

**C. If you are not removing existing regulatory restrictions from this rule, please list the rule number(s) from which you are removing restrictions.**

Four regulatory restrictions are deleted in the rescinded version of rule 4765-3-05 filed with this package

**D. Please justify the adoption of the new regulatory restriction(s).**

This new rule 4765-3-05 includes two regulatory restrictions; the rescinded version of rule 4765-3-05 deletes four regulatory restrictions.