

CSI - Ohio

The Common Sense Initiative

Agency Name: [Ohio Department of Public Safety \(DPS\) - Division of Emergency Medical Services \(EMS\), State Board of Emergency Medical, Fire, and Transportation Services](#)

Regulation/Package Title: [EMS Training and Continuing Education Curriculums](#)

Rule Number(s): [OAC Rules 4765-18-02, 4765-18-03, 4765-18-04, 4765-18-05, 4765-18-06, 4765-18-07, 4765-18-08, 4765-18-09, 4765-18-11, 4765-18-12, 4765-18-13, 4765-18-14, 4765-18-15, 4765-18-16, 4765-18-17, 4765-18-18, 4765-18-19, 4765-18-20, 4765-18-21, 4765-18-22](#)

Date: [September 21, 2018](#)

Rule Type:

New

☒ 5-Year Review

☒ Amended

Rescinded

☒ No Change

Business Impact Analysis

The Common Sense Initiative was established by Executive Order 2011-01K and placed within the Office of the Lieutenant Governor. Under the CSI Initiative, agencies should balance the critical objectives of all regulations with the costs of compliance by the regulated parties. Agencies should promote transparency, consistency, predictability, and flexibility in regulatory activities. Agencies should prioritize compliance over punishment, and to that end, should utilize plain language in the development of regulations.

Regulatory Intent

1. Please briefly describe the draft regulation in plain language.

Please include the key provisions of the regulation as well as any proposed amendments.

Chapter 4765-18 of the Administrative Code (OAC) sets forth the conditions under which the State Board of Emergency Medical, Fire, and Transportation Services (EMFTS) may approve, renew, reinstate, or deny an application for a certificate to teach as an EMS instructor, assistant EMS instructor, or EMS continuing education instructor. OAC Chapter 4765-18 is proposed for filing pursuant to a completed Revised Code (RC) 106.03 five-year rule review.

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A summary of each of the twenty rules included in OAC Chapter 4765-18 is:

4765-18-02	Amend	General provisions.
Rule 4765-18-02 sets forth the conditions under which EMS instructors, assistant EMS instructors, or EMS continuing education instructors may be used to teach EMS and continuing education training courses.		
4765-18-03	No Change	EMS instructor training program requirements for an accredited institution.
Rule 4765-18-03 sets forth the entrance requirements into an EMS instructor training program. Requirements include possession of a current and valid EMS certificate to practice or license to practice as a registered nurse or physician assistant. Additionally, a candidate must pass the knowledge and practical skills examinations within the timeframes set forth in the rule and have been certified or licensed for at least five of the preceding seven years. The rules set forth relevant education, training, or service that shall be considered when determining the experience and education requirements met by the holder of a certificate to practice seeking a certificate to teach.		
4765-18-04	Amend	EMS instructor training program curriculum.
Rule 4765-18-04 sets forth the course hours and the content requirements for the EMS Instructor training program. The rules set forth the terms of a mentorship program that may be used in lieu of the instructor training program. The rule sets forth relevant education, training, or service that shall be considered when determining the experience and education requirements met by the holder of a certificate to practice seeking a certificate to teach. This rule refers readers to the incorporated by reference rule.		
4765-18-05	Amend	Qualifications for a certificate to teach as an EMS instructor.
Rule 4765-18-05 sets forth the qualifications that must be met by an individual seeking a certificate to teach as an EMS instructor, including the application to be submitted and possession of a current and valid certificate to practice as an EMS provider or license to practice as a registered nurse or physician assistant for at least five of the preceding seven years. The rule sets forth examination and training requirements and relevant education, training, or service that shall be considered when determining the experience and education requirements met by the holder of a certificate to practice seeking a certificate to teach. This rule refers readers to the incorporated by reference rule.		
4765-18-06	Amend	Renewal of a certificate to teach as an EMS instructor.
Rule 4765-18-06 sets forth the requirements to be met by an individual seeking to renew a certificate to teach as an EMS instructor and the division's obligations to notify renewal candidates. The rule sets forth continuing education and record keeping requirements and the name of the renewal application that must be submitted. This rule refers readers to the incorporated by reference rule.		
4765-18-07	Amend	Extension and exemption from continuing education for an individual holding a certificate to teach.
Rule 4765-18-07 sets forth the process for an individual holding a certificate to teach to request an extension of time to complete the necessary continuing education or instructional hours required to renew the certificate or to request an exemption from continuing education or instructional requirements due to military service, medical hardship, or unusual hardship. This rule refers readers to the incorporated by reference rule.		

4765-18-08	Amend	Reinstatement of a certificate to teach as an EMS instructor.
Rule 4765-18-08 sets forth the requirements to be met by an individual seeking to reinstate a certificate to teach as an EMS instructor that has expired or becomes invalid due to voluntary surrender. This rule refers readers to the incorporated by reference rule.		
4765-18-09	Amend	Qualifications for a physician to be certified as an EMS instructor or an individual holding a certificate of training to be certified as a continuing education instructor.
Rule 4765-18-09 sets forth the qualifications necessary for a physician to obtain a certificate to teach as an EMS instructor or an individual holding a certificate of training as a physician to obtain a certificate to teach as a continuing education instructor. This rule refers readers to the incorporated by reference rule.		
4765-18-11	Amend	Reciprocity qualifications for a certificate to teach as an EMS instructor.
Rule 4765-18-11 sets forth the qualifications that must be met by an individual seeking a certificate to teach as an EMS instructor through reciprocity from another state, the District of Columbia, a United States territory, a branch of the United States armed forces or a reserve component of the United States armed forces, including the Ohio National Guard or the national guard of another state. This rule refers readers to the incorporated by reference rule.		
4765-18-12	Amend	EMS instructor trainer qualifications.
Rule 4765-18-12 sets forth the provisions under which an instructor training program shall be provided under the auspices of an accredited institution, including the instructor trainer minimum qualifications, evaluation requirements, and documentation requirements. This rule refers readers to the incorporated by reference rule.		
4765-18-13	Amend	Fire service instructor seeking certificate to teach as EMS instructor.
Rule 4765-18-13 sets forth the qualifications that must be met by a certified fire instructor seeking a certificate to teach as an EMS instructor. This rule refers readers to the incorporated by reference rule.		
4765-18-14	No Change	Application for a certificate to teach.
Rule 4765-18-14 sets forth the application requirements for a certificate to teach, which include that an application which is not completely filled out may be deemed incomplete and not processed by the Division. Furthermore, this rule requires any applicant for a certificate to teach who has pled guilty or had a judicial finding of guilt or eligibility for treatment and/or intervention to submit additional information with the application.		
4765-18-15	Amend	Qualifications for a certificate to teach as a continuing education instructor.
Rule 4765-18-15 sets forth the qualifications that must be met by an individual seeking a certificate to teach as an EMS continuing education instructor. This rule refers readers to the incorporated by reference rule.		
4765-18-16	Amend	Renewal requirements for a certificate to teach continuing education.
Rule 4765-18-16 sets forth the conditions under which the division shall notify each certificate holder of the certificates scheduled expiration date. In addition, this rule sets forth the requirements to be met by an individual seeking to renew a certificate to teach as an EMS continuing education instructor. This rule		

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refers readers to the incorporated by reference rule.		
4765-18-17	Amend	Reinstatement of a certificate to teach as a continuing education instructor.
Rule 4765-18-17 sets forth the requirements to be met by an individual seeking to reinstate a certificate to teach as an EMS continuing education instructor. This rule refers readers to the incorporated by reference rule.		
4765-18-18	Amend	Qualifications for a certificate to teach as an assistant EMS instructor.
Rule 4765-18-18 sets forth the qualifications that must be met by an individual seeking a certificate to teach as an assistant EMS instructor. This rule refers readers to the incorporated by reference rule.		
4765-18-19	Amend	Renewal of a certificate to teach as an assistant EMS instructor.
Rule 4765-18-19 sets forth the conditions under which the division shall notify each assistant EMS instructor certificate holder of the certificates scheduled expiration date. In addition, this rule sets forth the requirements to be met by an individual seeking to renew an assistant EMS instructor certificate to teach. This rule refers readers to the incorporated by reference rule.		
4765-18-20	Amend	Reinstatement of a certificate to teach as an assistant EMS instructor.
Rule 4765-18-20 sets forth the requirements to be met by an individual seeking to reinstate a certificate to teach as an assistant EMS instructor. This rule refers readers to the incorporated by reference rule.		
4765-18-21	Amend	Upgrade process for certificate to teach as assistant EMS instructor to EMS instructor.
Rule 4765-18-21 sets forth the qualifications that must be met by an assistant EMS instructor seeking a certificate to teach as an EMS instructor. This rule refers readers to the incorporated by reference rule.		
4765-18-22	Amend	Reinstatement of a revoked certificate to teach.
Rule 4765-18-22 sets forth the requirements to be met by an individual seeking to reinstate a revoked certificate to teach. This rule refers readers to the incorporated by reference rule.		

OAC rules 4765-18-03 and 4765-18-14 are proposed as No Change rules.

Pursuant to a scheduled RC 106.03 five-year rule review, the following amendments are proposed for eighteen of the rules in OAC Chapter 4765-18:

- OAC rules 4765-18-04, 1765-18-05, 4765-18-06, 4765-18-07, 4765-18-08, 4765-18-09, 4765-18-11, 4765-18-12, 4765-18-13, 4765-18-15, 4765-18-16, 4765-18-17, 4765-18-18, 4765-18-19, 4765-18-20, and 4765-18-21 are amended to revise the comment providing information about materials incorporated by reference. OAC 4765-18-22 is revised to add the comment.
- OAC rules 4765-18-04, 4765-18-05, 4765-18-12, 4765-18-17, 4765-18-20, 4765-18-21, and 4765-18-22 are amended to correct punctuation, spelling, formatting, and/or grammar errors.
- OAC rules 4765-18-06, 4765-18-09, 4765-18-15, 4765-18-16, 4765-18-17, and 4765-18-19 are amended to correct the titles of referenced materials.
- OAC 4765-18-02 is amended to add “or license” to paragraphs (E) and (F) to include EMS instructors who are registered nurses or physician assistants and to delete a reference made in paragraph (G) to Chapter 119. Of the Revised Code.
- OAC 4765-18-06 is amended to correct a reference in paragraph (D).

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- OAC rule 475-18-07 is amended to include information about the ninety-day functioning and greater than ninety day extensions, which was inadvertently omitted; to add items to the list of items required to be submitted with a written request of a greater than ninety day extension; to add paragraph (E) describing the timeframe for completing CE and instructional requirements and submitting a renewal application after an extension is granted; to include “instructional requirements” when setting forth the conditions for exemptions and extensions; and to change “certificate to practice” to “certificate to teach” in paragraph (G)(2).
- OAC rule 4765-18-08 is amended to clarify the certificate to teach refers to an EMS instructor in paragraphs (C), (D), and (G).
- OAC rule 4765-18-09 is amended to delete paragraph (F); certificates to teach as a continuing education instructor are not issued to run concurrently with the certificate of training as a physician.
- OAC rule 4765-18-11 is amended to clarify that a registered nurse or physician assistant seeking reciprocity to teach as an EMS instructor must pass the practical exam at the paramedic level; to clarify the beginning of the one-year period allowed for completion of the instructional methods examination; and to delete incorrect references included in paragraph (D).
- OAC rule 4765-18-13 is amended to clarify that a fire service instructor who is a registered nurse or physician assistant and is seeking a certificate to teach as an EMS instructor must pass the practical exam at the paramedic level.
- OAC rule 4765-18-15 is amended to change a reference to a certificate to teach from “EMS instructor” to “continuing education” instructor in paragraph (B).
- OAC rules 4765-18-16 and 4765-18-19 are amended to correct a reference in paragraph (D).
- OAC rule 475-18-17 is amended to clarify that information described in paragraph (B) applies to the holder of an expired certificate; and to add the missing word “program” to paragraph (B)(6).
- OAC rule 4765-18-18 is amended to clarify that a registered nurse or physician assistant seeking a certificate to teach as an assistant EMS instructor must pass the practical exam at the paramedic level; and to add the missing word “assistant” to paragraph (B).
- OAC rule 4765-18-20 is amended to clarify that information described in paragraph (B) applies to the holder of an expired certificate; to clarify conditions under which the required hours of instruction may be completed in paragraph (B)(6); and to clarify that the teaching certificate described in paragraph (E) is for an assistant EMS instructor.
- OAC rule 4765-18-22 is amended to correct the provisions describing reinstatement; reinstatement of a certificate to teach is not available to any applicant whose certificate to teach has been permanently revoked.

2. Please list the Ohio statute authorizing the Agency to adopt this regulation.

4765.11

3. Does the regulation implement a federal requirement? Is the proposed regulation being adopted or amended to enable the state to obtain or maintain approval to administer and enforce a federal law or to participate in a federal program?

If yes, please briefly explain the source and substance of the federal requirement.

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The regulations do not implement federal requirements, nor are they being adopted to participate in a federal program.

- 4. If the regulation includes provisions not specifically required by the federal government, please explain the rationale for exceeding the federal requirement.**

Not applicable.

- 5. What is the public purpose for this regulation (i.e., why does the Agency feel that there needs to be any regulation in this area at all)?**

Pursuant to RC section 4765.11, the Board must adopt rules that establish the EMS instructor curriculum standards and the conditions under which the Board may issue, renew, suspend, or revoke certificates to teach, as an EMS instructor curriculum is Board-approved and utilized by all EMS Instructor training programs. Consistent EMS instructor training helps ensure well-trained EMS providers, improved response in emergencies, efficient and effective delivery of prehospital patient care, and increased safety while delivering services. In addition, the proposed regulations protect Ohio EMS students by ensuring the students' education and eligibility for certification, through national standard testing, are not jeopardized.

Additionally, the regulations comply with RC sections 5903.10 and 5903.12, which allow the Board to extend certification renewal time or exempt renewal and reinstatement requirements, if a certification expired because the EMS provider or the provider's spouse has been serving on active duty in the military. The regulation also allows the Board to consider the EMS provider's military primary specialty experience and/or training from reserve components that is substantially equivalent as meeting continuing education requirements for the certificate to practice.

- 6. How will the Agency measure the success of this regulation in terms of outputs and/or outcomes?**

The number of extensions and exemptions are presented to the State Board of EMFTS at its regular meetings. EMS instructors renewing certificates are randomly audited to ensure certificate holders are completing all continuing education and instructional requirements. All certificate holders renewing following an extension are audited.

Development of the Regulation

- 7. Please list the stakeholders included by the Agency in the development or initial review of the draft regulation.**

If applicable, please include the date and medium by which the stakeholders were initially contacted.

OAC 4765-18 was reviewed for formatting, spelling, and punctuation and revised, as needed, by staff of the Division of Emergency Medical Services (DEMS). The draft created was provided to members of the State Board of EMFTS prior to the Board's June 20, 2018, meeting and briefly discussed during the meeting.

The five-year rule review scheduled for OAC 4765-18 was discussed at the June 19, 2018 meeting of the Education Committee of the State Board of EMFTS, and on July 2, 2018, the draft was emailed to

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members of the Education Committee. The Education Committee members were asked to provide comments and suggestions to the DEMS staff by July 20, 2018.

The email included an explanation of the revisions to be proposed for the filing, which will “address specific items raised by staff and stakeholders that are non-substantive or can be resolved without impacting other rules or broader issues.” The email included this note:

The EMS staff, along with the Education Committee and other standing and ad hoc committees will be working on a comprehensive review of all seventeen chapters of EMS rules. The comprehensive review will address issues including continuing education, reciprocity, scope of practice, and alignment with the EMFTS strategic plan. The rule packages developed as a result of the comprehensive rule review are expected to be filed with JCARR in early 2020.

The draft rules and a draft Business Impact Analysis (BIA) form were provided to members of the State Board of EMFTS prior to its August 15, 2018, meeting, and the Board approved filing the OAC 4765-18 draft rules and BIA with the CSI office during the meeting.

When the rules and BIA are filed with CSI, they will be sent to subscribers to the EMS-Instructors, EMS-Agency, EMS General, and EMS for Children lists by the Division of EMS using the gov.delivery.com notification system. Approximately 3,200 subscribers who receive the rules will have an opportunity to provide comments during the following sixteen business days.

8. What input was provided by the stakeholders, and how did that input affect the draft regulation being proposed by the Agency?

On July 3, 2018, a member of the Education Committee contacted the DPS EMS Rules email with comments about several of the rules in OAC Chapter 4765-18. The comments and DEMS responses are summarized in the following table:

Rule and paragraph	Comment and DEMS response
4765-18-07 (B)	The draft provided for review did not include paragraphs (1) and (2) under paragraph (B); the missing paragraphs were added to the next draft.
4765-18-11 (A)	In answer to the question, are out-of-state instructors required to take NREMT exam as part of the reciprocity requirement, DEMS replied yes and explained that the rule was written to ensure all candidates meet the same criteria for certification.
	In answer to the question, will Ohio accept National Association of EMS Educators (NEEC) in lieu of instructional methods testing, DEMS replied not at this time; however NEEC and other national courses, state requirements, and testing are being considered as part of the later, comprehensive rule review.
4765-18-03 (A)(2) 4765-18-05 (A)(2) 4765-18-08 (B)(1)	A revision to change language to “has been certified or licensed for at least five years” was suggested to simplify and clarify the rules; DEMS explained that the revision would not capture the intent of the rule to consider any five years within

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4765-18-11 (A)(4)	the seven year period prior to the admission date.
4765-18-03 (B)(1), (B)(2) 4765-18-05 (A)(4), (A)(5) 4765-18-11 (A)(5), (A)(6) 4765-18-13 (A)(3), (A)(5), (A)(6) 4765-18-15 (A)(2) 4765-18-18 (A)(2), (A)(4), (A)(5) 4765-18-21 (A)(5)	A revision to add “preceding three years from the date the applicant applies for EMS instructor certification” was suggested; DEMS explained that general discussion has been to consider a shorter time period to match the fire rules, which require passing the knowledge exam within one year prior to admission into an instructor program. The suggested revisions will be considered as part of the later, comprehensive rule review.

9. What scientific data was used to develop the rule or the measurable outcomes of the rule? How does this data support the regulation being proposed?

There was no scientific data to be considered.

10. What alternative regulations (or specific provisions within the regulation) did the Agency consider, and why did it determine that these alternatives were not appropriate? If none, why didn't the Agency consider regulatory alternatives?

It was determined that alternative regulations may not meet the purpose of the rules to assure consistent EMS instructor training and ensure well-trained EMS providers, efficient and effective delivery of pre-hospital patient care, and increased safety while delivering services.

11. Did the Agency specifically consider a performance-based regulation? Please explain. *Performance-based regulations define the required outcome, but don't dictate the process the regulated stakeholders must use to achieve compliance.*

The EMS instructor curriculum standards referenced in this regulation are competency-based (performance based) education standards. EMS instructor trainers, under the auspices of an accredited institution, develop their own training courses, lesson plans, and evaluation processes, which meet the standards established in rules adopted by the Board under RC section 4765.11.

12. What measures did the Agency take to ensure that this regulation does not duplicate an existing Ohio regulation?

The Division of Emergency Medical Services is the only authority for EMS training, instruction and certification; therefore, a review of Chapter 4765. of the RC and agency 4765 of the OAC was completed. The Division of Emergency Medical Services and ODPS legal staff reviewed Chapter 4731. of the RC and agency 4731 of the OAC to avoid duplication and/or conflict with Medical Board authority.

13. Please describe the Agency's plan for implementation of the regulation, including any measures to ensure that the regulation is applied consistently and predictably for the regulated community.

Using the Division's website (EMS.ohio.gov) and the gov.delivery.com user groups, the division will provide stakeholders with final rules, rule summaries, and changes to Chapter 4765-18 of the OAC. The approved Ohio EMS curriculum and CE requirements are published to the EMS website at the following link: <http://www.ems.ohio.gov/accreditation-curriculum.aspx>. DEMS staff notify the EMS accredited EMS training programs about the approved Ohio EMS curriculum and rule revisions via email. The information is made available to accredited EMS training programs and approved EMS

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CE programs through program director directives published on the EMS.ohio.gov/ program director portal (<http://www.ems.ohio.gov/portal.aspx>).

Division of EMS staff are available via telephone and/or face-to-face meetings to assist institutions and approved sites. Questions may be submitted via email to “Ask EMS” (ASKEMS@dps.ohio.gov) or directly to the Division’s education staff (EMSEducation@dps.ohio.gov).

The Division of EMS posts information about the rule review process, including those rules scheduled for review, drafts open for public comment, proposed rules and public hearing notices, and recently adopted rules, at its *Small Business Regulatory Impact* website (http://www.publicsafety.ohio.gov/ems_rules.stm). The laws and rules associated with emergency medical services are provided as links at the “*Laws and Rules Overview*” site (<http://www.ems.ohio.gov/laws.aspx>), and the amended rules, when they become effective, will be available through that link. The Division of EMS will use the EMS gov.delivery.com system, which includes EMS-Instructors, EMS-Agency, EMS General, and EMS for Children lists, to distribute the final rules to stakeholders when they become effective.

Division of EMS staff will receive email notification of the rule changes and attend section briefings regarding the implementation policy and procedures. During its meetings, the State Board of EMFTS and its committees, subcommittees, advisory boards, and work groups receive regular updates about EMS rules. In addition, notification of the rule changes to Division staff will be delivered internally through staff meetings, and cross-training of staff on co-workers’ job responsibilities that will increase the overall knowledge and efficiency of the Division.

The appointees to the State Board of EMFTS represent Ohio’s fire and emergency medical services, private medical transportation services, mobile intensive care providers, air medical providers, trauma programs, hospitals, emergency physicians, EMS training programs, and the Ohio Department of Public Safety. Board members communicate with these stakeholder organizations to keep their members apprised of the rule review and revision process.

Adverse Impact to Business

14. Provide a summary of the estimated cost of compliance with the rule. Specifically, please do the following:

a. Identify the scope of the impacted business community;

The scope of the impacted business community fluctuates but includes approximately:

- 1,304 EMS organizations (June 2016);
- 41,351 EMS providers (June 2018);
- 5,157 EMS instructors (June 2018);
- 90 EMS accredited institutions, which include 38 paramedic training programs (June 2018);
- 538 approved EMS continuing education institutions (June 2018); and
- 219 medical directors (July 2018).

SOURCE: Division of Emergency Medical Services

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b. Identify the nature of the adverse impact (e.g., license fees, fines, employer time for compliance); and

OAC Chapter 4765-18, in and of itself, does not require specific expenditures. However, some provisions in these regulations require EMS training to be conducted in accordance with the standards adopted by the State Board of EMFTS under RC section 4765.11, which would include the cost of instructional materials, instructor time, and equipment as the program deems necessary. Stakeholders estimate that proposed amendments to these regulations would not increase the cost of compliance.

c. Quantify the expected adverse impact from the regulation.

The adverse impact can be quantified in terms of dollars, hours to comply, or other factors; and may be estimated for the entire regulated population or for a “representative business.” Please include the source for your information/estimated impact.

These regulations require the accredited institutions to retain written or electronic documentation that demonstrates compliance with EMS Instructor curriculum standards and evaluation of student performance and achievement. These regulations do not require an institution to provide EMS training programs or, once accredited, to offer EMS Instructor training or utilize specific equipment and/or materials.

Although not incurred by a line of business, an EMS provider could incur tuition costs of up to \$1,000 dollars to complete an initial EMS instructor training program. There is no application fee to obtain or renew a certificate to teach.

Costs for compliance to renew a certificate to teach can range from zero to \$750 dollars per certification cycle depending on whether or not an individual’s department provides continuing education training. Instructors, affiliated with accredited institutions, EMS agencies or fire departments, typically incur no cost for continuing education courses. The regulation also allows the Board to consider the EMS provider’s military primary specialty experience and/or training from reserve components that is substantially equivalent as meeting continuing education requirements for the certificate to practice. An EMS instructor providing training about EMS operations or patient-related care can use those hours as a portion of the continuing education required to renew a certificate to practice.

If an instructor allows the certificate to expire, the individual could be faced with a reinstatement fee of \$25 or \$75 dollars, dependent on the certificate to teach classification. However, OAC Chapter 4765-18 includes provisions that allow an EMS provider to reinstate without penalty, if the certificate was not renewed because the EMS provider or the provider’s spouse was serving in the military.

Source: The estimated cost of compliance was determined by the Education Committee of the Board and replies to a statewide survey sent to all accredited institutions to ascertain adverse impact prior to the 2014 filing. The committee members include EMS and continuing education training program directors,

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EMS instructors, EMS providers, and employers for private ambulance agencies and full-time and volunteer fire departments.

15. Why did the Agency determine that the regulatory intent justifies the adverse impact to the regulated business community?

Pursuant to RC section 4765.11, the Board must adopt rules that establish the EMS instructor curriculum standards. A standardized instructor curriculum helps to ensure EMS professional standards. An EMS provider's professional conduct, delivery of emergency medical services, improved response in emergencies, and patient care justifies the minimal adverse impact to the business community. Additionally, the regulations allow the Board to extend certification renewal time or exempt renewal and reinstatement requirements, if a certification expired because the EMS provider or the provider's spouse has been serving on active duty in the military.

Regulatory Flexibility

16. Does the regulation provide any exemptions or alternative means of compliance for small businesses? Please explain.

The regulation does not mandate an EMS organization to operate a training program or purchase any equipment. Accredited institutions may borrow equipment or any educational resources it deems necessary to meet the EMS instructor curriculum standards.

Organizations holding certificates of accreditation may utilize online education and/or distance learning delivery systems to provide the didactic course component. In addition, an Assistant EMS Instructor may complete a mentorship in lieu of the forty hours in instruction of adult students and basic teaching techniques objectives.

Additionally, the Board may consider relevant education, training, or service obtained in the United States armed forces, including the Ohio National Guard or the national guard of another state, in determining whether the holder of a certificate to teach has fulfilled educational requirements.

17. How will the agency apply Ohio Revised Code section 119.14 (waiver of fines and penalties for paperwork violations and first-time offenders) into implementation of the regulation?

OAC Chapter 4765-18, in and of itself, does not impose a penalty or sanction. However, provisions in RC section 4765.23 establish that the Board may impose administrative sanctions up to and including revocation of a certificate to teach for violations of Chapter 4765. Of the RC or any rule adopted under it.

If disciplinary action is considered, each case is submitted first to the Board's assistant attorney general to ensure compliance with RC section 119. The Board reviews each situation on a case-by-case and may consider all information relevant to the requirements of Chapter 4765. of the RC and all rules promulgated thereunder. Depending on the nature and severity of the violation the Board may issue a lesser penalty or decide the case.

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18. What resources are available to assist small businesses with compliance of the regulation?

Pursuant to section 4765.07 of the RC, the State Board of EMFTS administers grant awards as defined in section 4513.263 of the RC. Grants are awarded to EMS organizations for EMS training and equipment and to research entities to conduct research that may improve accessibility and quality of emergency medical services in this state. Grant funds are distributed through a reimbursement process as costs are incurred by the grantee. The Division of EMS website includes a grants web page that summarizes distribution details and provides grant applications. The EMS web page can be found using the following link:
<http://www.ems.ohio.gov/grants.aspx>.

The EMS web page includes links to the laws and rules associated with emergency medical services, along with an overview section about accredited and approved continuing education programs, certifications, medical, direction, scope of practice, and training and education. The *Agency Directory* at the EMS website (<http://www.ems.ohio.gov/about-directory.aspx>) includes the email addresses, telephone numbers, including a toll free number (1-800-233-0875), and the names of EMS staff. The Division of EMS staff members also attend and present information at various conferences, seminars, symposiums, and public events throughout the State of Ohio, such as the annual International Trauma Life Support (ITLS) Emergency Care Conference, the Ohio Association of Emergency Medical Services (OAEMS) Summer Conference, Ohio Fire and EMS Expo, Ohio EMS Grant Hospital/Ohio Health Conference, Ohio Ambulance Association Conference, and the Ohio State Fair.

Division of EMS staff are available via telephone and/or face-to-face meetings to assist institutions in the application process. Questions may be submitted via email to “Ask EMS” (ASKEMS@dps.ohio.gov) or directly to the Division’s education staff (EMSEducation@dps.ohio.gov).

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