



## Common Sense Initiative

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

**Carrie Kuruc**, Director

### MEMORANDUM

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

**FROM:** Emily Groseclose, Senior Policy and Business Advocate

**DATE:** November 26, 2019

**RE:** **CSI Review – Medical Transportation – HB 195 and Other Corrections - 2019 (OAC 4766-2-08, 4766-3-13 and 4766-4-09)**

---

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 contains three amended rules submitted by the Ohio Department of Public Safety (Department). The rule package was submitted to the CSI Office on October 30, 2019, and the public comment period was held open through November 22, 2019. No comments were received during this time. Unless otherwise noted below, this recommendation reflects the version of the proposed rules filed with the CSI office on October 30, 2019.

The rules set requirements for applications to operate a medical transportation organization (MTO) or ambulette service, and set operating standards as well as license and permit fees. Amendments include a statutory reference update, an addition to specify that passenger assistance training must be completed every three years, and a correction that periodic mechanical safety inspections must be conducted every 25,000 miles instead of every 20,000.

**77 South High Street | 30th Floor | Columbus, Ohio 43215-6117**  
**CSIOhio@governor.ohio.gov**

The Department drafted amendments with consultation from its Critical Care Subcommittee, Medical Transportation Committee, and the State Board of Emergency Medical, Fire, and Transportation Services. No comments were received during the CSI public comment period.

The rules impact approximately 151 licensed MTOs that operate ambulances, non-transport vehicles and mobile intensive care units, and 339 licensed ambulette services that operate ambulettes. MTOs must comply with inspection requirements, which cost about \$100, and MTOs that receive a violation notification must provide documentation to the Department that the violation has been corrected before using the vehicle. Additionally, there is a possibility of an MTO license suspension or revocation, or issuance of a fine for violating the statutes or rules. Ambulette services must maintain documentation of driver/operator abstracts, licenses, criminal background checks, pre-employment health statements, and alcohol and controlled substance tests, and driver/operators are required to hold current and valid certifications in first aid, CPR and passenger assistance - all of which can add up to \$215-515. The Department asserted that the adverse impacts of the rules are justified because they help to ensure the safety and effective delivery of EMS care to patients who use these services.

### **Recommendations**

For the reasons described above, the CSI Office has no recommendations on this rule package.

### **Conclusion**

Based on its review of the proposed rule package, the CSI Office recommends that the Ohio Department of Public Safety should proceed in filing the proposed rules with the Joint Committee on Agency Rule Review.