

**NOTICE OF PUBLIC HEARING
OHIO DEPARTMENT OF PUBLIC SAFETY**

Date: October 2, 2023
Time: 9:00 a.m.
Location: Ohio Department of Public Safety
1970 West Broad Street, Room 1108
Columbus, Ohio 43223

The Ohio Department of Public Safety, Division of Emergency Medical Services, State Board of Emergency Medical, Fire, and Transportation Services, pursuant to Chapter 119. of the Ohio Revised Code, will conduct a public hearing for the purpose of soliciting comments regarding the adoption, amendment, and rescission of rules.

The public hearing will be conducted on **Monday, October 2, 2023, beginning at 9:00 a.m.** in room 1108, located at 1970 West Broad Street, Columbus, OH 43223 and continue until all parties in attendance have had an opportunity to be heard.

The following amended rules have been filed with JCARR.

OAC Chapter 4765-7 (EMS Training Programs)
OAC Chapter 4765-12 (EMR Training and Scope)
OAC Chapter 4765-15 (EMT Training and Scope)
OAC Chapter 4765-16 (AEMT Training and Scope)
OAC Chapter 4765-17 (Paramedic Training and Scope)
OAC Chapter 4765-19 (Continuing Education)

Rule #	Tagline	Proposed Filing
4765-7-01	Merging of certificates of accreditation and general provisions.	Amend
4765-7-02	Accreditation of Ohio EMS training programs.	Amend
4765-7-03	Provisional certificates.	Amend
4765-7-04	Application for accreditation.	Amend
4765-7-05	Offsite locations.	Amend
4765-7-06	Notification to the board.	Amend
4765-7-07	Renewal of a certificate of accreditation.	Amend
4765-7-08	Reinstatement of a certificate of accreditation or approval, or provisional certificate of accreditation or approval.	Amend
4765-7-09	Approval of Ohio EMS continuing education programs.	Amend
4765-7-10	Reinstatement of revoked certificate of accreditation or approval, or provisional certificate of accreditation or approval.	No Change
4765-7-11	Continuing education course requirements for Ohio EMS accredited and approved institutions.	Amend
4765-7-12	Online education and distance learning delivery systems for EMS training programs offered through an accredited institution.	Amend
4765-7-13	National accreditation of paramedic programs.	Amend
4765-12-01	General provisions.	No Change
4765-12-02	Emergency medical responder curriculum prior to September 1, 2012.	Rescind
4765-12-03	Emergency medical responder continuing education.	Amend
4765-12-04	Emergency medical responder scope of practice.	Amend
4765-12-05	Emergency medical responder curriculum.	Amend
4765-15-01	Emergency medical technician curriculum prior to September 1, 2012.	Rescind
4765-15-03	Emergency medical technician continuing education.	Amend
4765-15-04	Emergency medical technician scope of practice.	Amend
4765-15-05	Emergency medical technician curriculum.	Amend
4765-16-01	Advanced emergency medical technician curriculum prior to September 1, 2012.	Rescind
4765-16-02	Transitional EMT-intermediate update course.	Rescind
4765-16-03	Advanced emergency medical technician continuing education.	Amend
4765-16-04	Advanced emergency medical technician scope of practice.	No Change
4765-16-05	EMT-intermediate special requirements.	No Change
4765-16-06	Advanced emergency medical technician curriculum.	Amend
4765-17-01	Paramedic curriculum prior to September 2012.	Rescind
4765-17-02	Paramedic continuing education.	Amend
4765-17-03	Paramedic scope of practice.	Amend
4765-17-04	Paramedic curriculum.	Amend
4765-19-01	Continuing education for EMS providers.	Amend
4765-19-02	Examination alternative to continuing education.	No Change
4765-19-03	Extension of continuing education requirement for EMS providers.	Amend
4765-19-04	Exemption from continuing education requirements for EMS providers.	Amend

Persons affected by the proposed rules may appear at the hearing and be heard in person, or by an attorney, or both, or may present their position, argument, or contention in writing. Persons may offer and examine witnesses and present evidence to show that the proposed rules will be unreasonable or unlawful if enacted.

Requests for copies of the proposed rules and/or public comments may be submitted in person or by mail at the following address: Ohio Department of Public Safety, Office of Legal Services, Suite 531C, 1970 West Broad Street, Columbus, Ohio 43223, Telephone: (614) 466-5605. These rules may be accessed at The Register of Ohio search page or via the Department of Public Safety's website at <https://publicsafety.ohio.gov/wps/portal/gov/odps/what-we-do/administrative-rules-reviews>.

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-7-01

Rule Type: Amendment

Rule Title/Tagline: Merging of certificates of accreditation and general provisions.

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

Division:

Address: 1970 West Broad Street PO box 182081 Columbus OH 43218-2081

Contact: Joseph Kirk **Phone:** 614-466-5605

Email: jakirk@dps.ohio.gov

I. Rule Summary

1. Is this a five year rule review? Yes
 - A. What is the rule's five year review date? 8/29/2023
2. Is this rule the result of recent legislation? No
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? 4765.17
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 is being filed according to a R.C. 106.03 periodic rule review, and to simplify the comment related to the incorporated by reference rule and revise the title of a form.
8. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

Rule 4765-7-01 sets forth general provisions for institutions holding a certificate of accreditation issued by the EMFTS Board to operate emergency medical services training programs. The rule lists the training programs that may be authorized by the EMFTS Board and the qualifications for a valid certificate of accreditation. The rule provides information about the application submitted to obtain a certificate of accreditation and refers readers to the incorporated by reference rule. Rule 4765-7-01 is amended to simplify the comment related to the incorporated by reference rule and revise the title of a form. The word "may," previously omitted, is added in paragraph (D).

- 9. Does the rule incorporate material by reference? Yes**
- 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.**

OAC rule 4765-7-01 incorporates the form "Certificate of Accreditation Application" (February, 2014) or form EMS 1652. To comply with sections 121.71 to 121.74 of the Revised Code, this rule refers readers to OAC rule 4765-1-03, which provides the editions and dates of the materials and the website addresses where the information may be accessed.

"Certificate of Accreditation Application" is published at the EMS "Forms & Applications" website at: <http://www.ems.ohio.gov/forms.aspx>.

- 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? Yes**

- 18. Does this rule have an adverse impact on business? Yes**

- A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? Yes**

This rule requires a certification of accreditation authorized by the State Board of Emergency medical, Fire, and Transportation Services (EMFTS) for entities operating EMS training programs.

- 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? Yes**

Accredited institutions seeking to operate additional EMS training programs are required to submit a "Certificate of Accreditation Application." These regulations do not require an institution (stakeholder) to provide specific levels of EMS training programs. Each institution applies to provide levels of training at its own discretion. Costs vary depending on the levels of training provided, typical class size, instructor salaries, supplies, equipment, and affiliations, as

the institution deems appropriate. The institutions have the sole ability to dictate the tuition costs of their programs based on budgetary needs.

SOURCE: Division of EMS Education & Testing Section

- 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? No

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

Not Applicable

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

Not Applicable

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

Not Applicable

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

Not Applicable

4765-7-01

Merging of certificates of accreditation and general provisions.

[Comment: For dates and availability of material incorporated by reference in this chapter and Chapters ~~4765-01 to 4765-10 and 4765-12 to 4765-19 of the Administrative Code~~, see rule 4765-1-03 of the Administrative Code.]

- (A) An institution may not hold more than one certificate of accreditation.
- (B) An institution that is granted a certificate of accreditation may be authorized by the board to operate one or more of the following training programs:
- (1) Initial EMS certification training program, as follows:
 - (a) Emergency medical responder;
 - (b) Emergency medical technician;
 - (c) Advanced emergency medical technician;
 - (d) Paramedic.
 - (2) EMS continuing education training ~~program~~;
 - (3) ~~EMS instructor~~ Instructor certification training program.
- (C) In order to operate an additional EMS training program, an accredited institution shall submit ~~as a "Certificate of Accreditation Application,"~~ written request to the division and meet all requirements set forth in rule 4765-7-02 of the Administrative Code. Any additional training programs will expire on the expiration date of the current certificate of accreditation.
- (D) A certificate of accreditation may be valid for up to five years pursuant to section 4765.17 of the Revised Code. ~~However, if the accredited institution meets all of the following requirements, the board shall issue the institution a certificate of accreditation with a five-year cycle:~~
- (1) The certificate holder is of good reputation;
 - (2) The accredited institution is in compliance with all the requirements in rule 4765-7-02 of the Administrative Code;
 - (3) The accredited institution has held a certificate of accreditation for the preceding six years;

- (4) The accredited institution is in compliance with the requirements in paragraph (C) of rule 4765-7-07 of the Administrative Code;
- (5) The previous certificate of accreditation was issued without any contingencies;
- (6) The accredited institution has not been issued a provisional certificate of accreditation during the preceding six years;
- (7) The accredited institution has not received any disciplinary action by the board during the preceding six years.

Effective:

Five Year Review (FYR) Dates: 8/29/2023

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4765.11
Rule Amplifies: 4765.17
Prior Effective Dates: 07/30/2010, 08/12/2014



Common Sense Initiative

Mike DeWine, Governor
Jon Husted, Lt. Governor

Joseph Baker, Director

Business Impact Analysis

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

Rule Contact Name and Contact Information: [Joseph Kirk, jakirk@dps.ohio.gov, 614-466-5605](#)

Regulation/Package Title (a general description of the rules' substantive content):
[ORC 4765-7, 4765-12, 4765-15, 4765-16, 4765-17, and 4765-19 \(EMS Accreditation, Scope of Practice, and Continuing Education\)](#)

Rule Number(s):

- 4765-7-01, 4765-7-02, 4765-7-03, 4765-7-04, 4765-7-05, 4765-7-06, 4765-7-07, 4765-7-08, 4765-7-09, 4765-7-10, 4765-7-11, 4765-7-12, 4765-7-13;
- 4765-12-01, 4765-12-02, 4765-12-03, 4765-12-04, 4765-12-05;
- 4765-15-01, 4765-15-03, 4765-15-04, 4765-15-05;
- 4765-16-01, 4765-16-02, 4765-16-03, 4765-16-04, 4765-16-05, 4765-16-06;
- 4765-17-01, 4765-17-02, 4765-17-03, 4765-17-04; and
- 4765-19-01, 4765-19-02, 4765-19-03, 4765-19-04

Date of Submission for CSI Review: [02/01/2023](#)

Public Comment Period End Date: [02/24/2023](#)

Rule Type/Number of Rules:

New/ 0 rules

No Change/ 9 rules (FYR? [Yes](#))

Amended/ 27 rules (FYR? [Yes](#))

Rescinded/ 0 rules (FYR? [Yes](#))

The Common Sense Initiative is established in R.C. 107.61 to eliminate excessive and duplicative rules and regulations that stand in the way of job creation. Under the Common Sense Initiative, agencies must balance the critical objectives of regulations that have an adverse impact on business with the costs of compliance by the regulated parties. Agencies should promote transparency, responsiveness, predictability, and flexibility while developing regulations that are fair and easy to follow. Agencies should prioritize compliance over punishment, and to that end, should utilize plain language in the development of regulations.

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Reason for Submission

1. **R.C. 106.03 and 106.031 require agencies, when reviewing a rule, to determine whether the rule has an adverse impact on businesses as defined by R.C. 107.52. If the agency determines that it does, it must complete a business impact analysis and submit the rule for CSI review.**

Which adverse impact(s) to businesses has the agency determined the rule(s) create?

The rule(s):

- a. ☒ **Requires a license, permit, or any other prior authorization to engage in or operate a line of business.**
- b. ☐ **Imposes a criminal penalty, a civil penalty, or another sanction, or creates a cause of action for failure to comply with its terms.**
- c. ☒ **Requires specific expenditures or the report of information as a condition of compliance.**
- d. ☐ **Is likely to directly reduce the revenue or increase the expenses of the lines of business to which it will apply or applies.**

Regulatory Intent

2. **Please briefly describe the draft regulation in plain language.**

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

Chapter 4765-7 of the Ohio Administrative Code (OAC) sets forth the conditions under which the State Board of Emergency Medical, Fire, and Transportation Services (EMFTS Board or Board) may approve, renew, reinstate, or deny an application for a certificate of accreditation or a certificate of approval to operate EMS training programs. In addition, this chapter sets forth the levels of EMS training authorized by the EMFTS Board and the conditions under which accredited institutions and approved continuing education (CE) institutions may offer emergency medical services (EMS) training using online education and/or distance learning systems.

Chapters 4765-12, 4765-15, 4765-16, and 4765-17 of the Administrative Code (OAC) set forth the curriculum standards, continuing education requirements, and scopes of practice established by the EMFTS board for the emergency medical responder (EMR), emergency medical technician (EMT), advanced emergency medical technician (AEMT), or paramedic certificate to practice.

Chapter 4765-19 of the OAC is authorized by sections 4765.11 and 4765.16 of the Ohio Revised Code (RC). This chapter sets forth the following:

- The conditions under which the EMFTS Board will accept continuing education (CE) training as meeting the requirements to renew an EMS provider certificate to practice EMR, EMT, AEMT, or paramedic.
- The criteria to complete an examination in lieu of continuing education as an option to meet the requirements to renew a certificate to practice.

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- The criteria to obtain an extension beyond the expiration date of a certificate to practice to complete continuing education required for renewal of the certificate.
- The criteria to obtain an exemption from the continuing education requirement for renewal of a certificate to practice.

A summary of each of the rules and its proposed amendments is provided below:

4765-7-01	AMEND	<i>Merging of certificates of accreditation and general provisions.</i>
Rule 4765-7-01 sets forth general provisions for institutions holding a certificate of accreditation issued by the EMFTS Board to operate emergency medical services training programs. The rule lists the training programs that may be authorized by the EMFTS Board and the qualifications for a valid certificate of accreditation. The rule provides information about the application submitted to obtain a certificate of accreditation and refers readers to the incorporated by reference rule.		
Rule 4765-7-01 is amended to simplify the comment related to the incorporated by reference rule and revise the title of a form. The word “may,” previously omitted, is added in paragraph (D)		
4765-7-02	AMEND	<i>Accreditation of Ohio EMS training programs.</i>
Rule 4765-7-02 sets forth the provisions for issuing a certificate of accreditation and includes information about the application to be submitted. The rule sets forth requirements for Commission on Accreditation of Allied Health Education Programs (CAAHEP) accreditation for Ohio accredited institutions seeking to provide paramedic training programs. The rule refers readers to the incorporated by reference rule.		
Rule 4765-7-02 is amended to simplify the comment related to the incorporated by reference rule, revise the title of a form, update the categories of discrimination prohibited as a basis for accepting students, correct the spelling of “prehospital,” and add “deadlines” for obtaining a certificate to practice” as information a training program must provide to a student. The rule also amends paragraph (D)(4) to replace submitting a report with entering required data into the Division of EMS course management system.		
4765-7-03	NO CHANGE	<i>Provisional certificates.</i>
Rule 4765-7-03 sets forth the criteria for issuance of a provisional certificate of accreditation or certificate of approval for previously certified institutions seeking renewal. Criteria include substantial compliance with RC and OAC standards of record keeping and passage rates. The rule sets forth time frames for applying, for issuing, and for the expiration of provisional certificates, which are not renewable but may be extended by the EMFTS Board.		
4765-7-04	AMEND	<i>Application for accreditation.</i>
Rule 4765-7-04 sets forth the application standards for a certificate of accreditation. The rule refers readers to the incorporated by reference rule.		
Rule 4765-7-04 is amended to simplify the comment related to the incorporated by reference rule and revise the title of a form.		
4765-7-05	AMEND	<i>Offsite locations.</i>
Rule 4765-7-05 sets forth the provisions required of an EMS accredited institution or EMS approved institution offering courses at locations other than those submitted in applications.		
Rule 4765-7-05 is amended to add the comment related to the incorporated by reference rule and add paragraph (A)(3) regarding the “Request for EMS Offsite Training Offsite Location” form.		
4765-7-06	AMEND	<i>Notification to the board.</i>
Rule 4765-7-06 requires an EMS accredited institution or EMS approved institution to provide to the Division of EMS within ten days written notification of a change of mailing address or physical location and name or contact information of the authorizing official, program director, or program medical director. In addition, the institutions must notify the EMFTS Board in writing of an increase in the number of hours included in an EMS training program.		
Rule 4765-7-06 is amended to correct spelling errors, simplify the language, and make the rule more similar to rule 4765-24-06 (<i>Notification to the executive director.</i>), which applies to fire charters.		

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4765-7-07	AMEND	<i>Renewal of a certificate of accreditation.</i>
Rule 4765-7-07 sets forth the provisions for renewing a certificate of accreditation. The Division of EMS is required to notify each holder of a certificate of accreditation no later than ninety days prior to its expiration of the expiration date, mechanism for renewal, and due date for receipt of application. The rule sets a schedule for the EMFTS Board to review the passing percentages set forth in the rule. The rule refers readers to the incorporated by reference rule.		
Rule 4765-7-07 is amended to simplify the comment related to the incorporated by reference rule and revise the title of a form.		
4765-7-08	AMEND	<i>Reinstatement of a certificate of accreditation or approval, or provisional certificate of accreditation or approval.</i>
Rule 4765-7-08 sets forth the provisions for reinstatement of a certificate of accreditation or approval or provisional certificate of accreditation or approval. Applicants whose certificate expires within the time period for reinstatement are not eligible for a new certificate. The rule refers readers to the incorporated by reference rule.		
Rule 4765-7-08 is amended to simplify the comment related to the incorporated by reference rule and revise the title of a form.		
4765-7-09	AMEND	<i>Approval of Ohio EMS continuing education programs.</i>
Rule 4765-7-09 sets forth sets forth the requirements for EMFTS Board approval of an EMS CE program offered by an EMS approved institution. Certificates of approval are valid for up to five years. EMS approved institutions are required to maintain documentation as set forth in the rule. The rule refers readers to the incorporated by reference rule.		
Rule 4765-7-09 is amended to simplify the comment related to the incorporated by reference rule, revise the title of a form, and update the categories of discrimination prohibited as a basis for accepting students. In addition, paragraphs (E) and (F) are amended and paragraph (G) is added to distinguish between "initial" and "renewal" certificates of approval.		
4765-7-10	NO CHANGE	<i>Reinstatement of revoked certificate of accreditation or approval, or provisional certificate of accreditation or approval.</i>
Rule 4765-7-10 sets forth the restrictions for EMFTS Board approval of revoked certificates of accreditation or approval, or provisional certificates of accreditation or approval.		
4765-7-11	AMEND	<i>Continuing education course requirements for Ohio EMS accredited and approved institutions.</i>
Rule 4765-7-11 sets forth the requirements for CE courses offered by EMS accredited and approved institutions, including record keeping requirements.		
Rule 4765-7-11 is amended to update references to other rules in paragraph (K).		
4765-7-12	AMEND	<i>Online education and distance learning delivery systems for EMS training programs offered through an accredited institution.</i>
Rule 4765-7-12 sets forth the provisions for EMFTS Board approval of online and distance learning offered by EMS accredited and approved institutions.		
Rule 4765-7-12 is amended to update references to other rules in paragraphs (A)(10)(d) and (D).		
4765-7-13	NO CHANGE	<i>National accreditation of paramedic programs.</i>
Rule 4765-7-13 sets forth the qualifications, to become effective on January 1, 2018, for institutions offering an EMS training program at the paramedic level.		

4765-12-01	NO CHANGE	<i>General provisions.</i>
Rule 4765-12-01 sets forth the criteria that must be demonstrated by an applicant requesting the Board to waive the requirement that an emergency medical responder must be a volunteer for a nonprofit emergency medical services (EMS) organization or non-profit fire department.		
4765-12-02	AMEND	<i>Emergency medical responder curriculum prior to September 1, 2012.</i>
Rule 4765-12-02 sets forth the curriculum standards to be met by an emergency medical responder training program and refresher programs that began prior to September 1, 2012. This rule refers readers to the incorporated by reference rule.		
Rule 4765-12-02 is amended to simplify the comment related to the incorporated by reference rule.		

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4765-12-03	AMEND	<i>Emergency medical responder continuing education.</i>
Rule 4765-12-03 sets forth the continuing education requirements necessary to renew a certificate to practice as an emergency medical responder. This rule refers readers to the incorporated by reference rule.		
Rule 4765-12-03 is amended to simplify the comment related to the incorporated by reference rule.		
4765-12-04	NO CHANGE	<i>Emergency medical responder scope of practice.</i>
Rule 4765-12-04 sets forth the emergency medical services that may be performed by an emergency medical responder and the conditions under which the services may be performed.		
4765-12-05	AMEND	<i>Emergency medical responder curriculum.</i>
Rule 4765-12-05 sets forth the curriculum standards to be met by an emergency medical responder training program. This rule refers readers to the incorporated by reference rule.		
Rule 4765-12-05 is amended to simplify the comment related to the incorporated by reference rule and to revise paragraph (B) to establish core and discretionary competencies in the scope of practice curriculum as approved by the EMFTS Board in April 2022.		

4765-15-01	AMEND	<i>Emergency medical technician curriculum prior to September 1, 2012.</i>
Rule 4765-15-01 sets forth the Emergency Medical Technician (EMT) curriculum prior to September 1, 2012, which was developed in accordance with a USDOT standard and a refresher curriculum developed by the Division of EMS. The rule sets forth guidelines for evaluation of student performance and achievement. This rule refers readers to the incorporated by reference rule.		
Rule 4765-15-01 is amended to simplify the comment related to the incorporated by reference rule.		
4765-15-03	AMEND	<i>Emergency medical technician continuing education.</i>
Rule 4765-15-03 sets forth the continuing education (CE) standards for EMTs, including the number of hours required in the areas of pediatric, geriatric, and trauma issues; refresher program requirements; the use of national registry registration and trauma triage training for complying with CE requirements; examination requirements; and the renewal application. This rule refers readers to the incorporated by reference rule.		
Rule 4765-15-03 is amended to simplify the comment related to the incorporated by reference rule.		
4765-15-04	AMEND	<i>Emergency medical technician scope of practice.</i>
Rule 4765-15-04 sets forth the scope of practice for EMTs. The rule states that a medical director for an emergency medical organization may limit the scope of practice for EMTs within the organization. The rule requires EMTs performing emergency medical services within the scope of practice to have received training as part of their initial certification course or through subsequent training approved by the EMFTS board, or in certain emergency medical services, after having received training approved by the local medical director.		
Rule 4765-15-04 is amended to delete two items from the EMT scope of practice: pneumatic paragraph (B)(11) "pneumatic anti-shock garment" and paragraph (B)(15) "administration of activated charcoal," as approved by the EMFTS Board in April 2022.		
4765-15-05	AMEND	<i>Emergency medical technician curriculum.</i>
Rule 4765-15-05 sets forth the Emergency Medical Technician (EMT) curriculum effective September 1, 2012, which was developed in accordance with "National EMS Education Standards" approved by the National Highway Traffic Safety Administration (NHTSA), the "Ohio Approved EMS Curriculum Standards" approved by the EMFTS board, and the scope of practice set forth in OAC 4765-15-04. The rule sets forth guidelines for evaluation of student performance and achievement. This rule refers readers to the incorporated by reference rule.		
Rule 4765-15-05 is amended to simplify the comment related to the incorporated by reference rule and to revise paragraph (B) to establish core and discretionary competencies in the scope of practice curriculum, as approved by the EMFTS Board in April 2022. Paragraph (B)(16) is amended to clarify the number of hours and location of clinical experience.		

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4765-16-01	AMEND	<i>Advanced emergency medical technician curriculum prior to September 1, 2012.</i>
Rule 4765-16-01 sets forth the advanced emergency medical technician (AEMT) curriculum prior to September 1, 2012, which was developed in accordance with division (D) of section 4765.16 of the Revised Code and OAC rule 4765-16-01 and was based on objectives approved by the EMFTS board as set forth in the "Ohio EMT-Intermediate Curriculum and Transition Course. "The rule sets forth guidelines for evaluation of student performance and achievement. This rule refers readers to the incorporated by reference rule.		
Rule 4765-16-01 is amended to simplify the comment related to the incorporated by reference rule.		
4765-16-02	AMEND	<i>Transitional EMT-intermediate update course.</i>
Rule 4765-16-02 sets forth the requirements to renew a certificate to practice as an EMT-I (AEMT) who is not certified as completing training in emergency pharmacology as outlined OAC rule 4765-16-01. The transition course described in the rule provides forty of the sixty required CE hours for an EMT-I (AEMT). The rule sets forth a three-year period that does not require completion of the transitional course for those EMT-Paramedics (Paramedics) who have dropped back to the EMT-I (AEMT) level. This rule refers readers to the incorporated by reference rule.		
Rule 4765-16-02 is amended to simplify the comment related to the incorporated by reference rule.		
4765-16-03	AMEND	<i>Advanced emergency medical technician continuing education.</i>
Rule 4765-16-03 sets forth the continuing education (CE) standards for AEMTs (EMT-Is), including the number of hours required in the areas of pediatric, geriatric, and trauma issues; refresher program requirements; the use of national registry registration and trauma triage training for complying with CE requirements; examination requirements; and the renewal application. This rule refers readers to the incorporated by reference rule.		
Rule 4765-16-03 is amended to simplify the comment related to the incorporated by reference rule.		
4765-16-04	NO CHANGE	<i>Advanced emergency medical technician scope of practice.</i>
Rule 4765-16-04 sets forth the scope of practice for AEMTs (EMT-Is). The rule states that a medical director for an emergency medical organization may limit the scope of practice for AEMTs within the organization. The rule requires AEMTs performing emergency medical services within the scope of practice to have received training as part of their initial certification course or through subsequent training approved by the EMFTS board, or in certain emergency medical services, after having received training approved by the local medical director.		
4765-16-05	NO CHANGE	<i>EMT-intermediate special requirements.</i>
Rule 4765-16-05 sets forth special training requirements for renewal of an EMT-Intermediate (AEMT) certificate when the certificate holder has not completed the curriculum set forth in OAC rule 4765-16-01. The rule prevents an EMT-I (AEMT) from performing any services for which the EMT-I (AEMT) has not been trained.		
4765-16-06	AMEND	<i>Advanced emergency medical technician curriculum.</i>
Rule 4765-16-06 sets forth the Advanced Emergency Medical Technician (AEMT) curriculum effective September 1, 2012, which was developed in accordance with "National EMS Education Standards" approved by the NHTSA, the "Ohio Approved EMS Curriculum Standards" approved by the EMFTS board, and the scope of practice set forth in OAC 4765-16-04. The rule sets forth guidelines for evaluation of student performance and achievement. This rule refers readers to the incorporated by reference rule.		
Rule 4765-16-06 is amended to simplify the comment related to the incorporated by reference rule and to revise paragraph (B) to establish core and discretionary competencies in the scope of practice curriculum, as approved by the EMFTS Board in April 2022.		
4765-17-01	AMEND	<i>Paramedic curriculum prior to September 2012.</i>
Rule 4765-17-01 sets forth the paramedic curriculum prior to September 1, 2012, which was developed in accordance with division (E) of section 4765.16 of the Revised Code and the U.S. Department of Transportation (USDOT) "1998 Emergency Medical Technician Paramedic: National Standard Curriculum." The paramedic refresher course was consistent with the "Ohio EMT-Paramedic Refresher Curriculum" objectives approved by the EMFTS Board. The rule sets forth guidelines for evaluation of student performance and achievement. This rule refers readers to the incorporated by reference rule.		
Rule 4765-17-01 is amended to simplify the comment related to the incorporated by reference rule.		

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4765-17-02	AMEND	<i>Paramedic continuing education.</i>
Rule 4765-17-02 sets forth the continuing education (CE) standards for paramedics, including the number of hours required in the areas of pediatric, geriatric, and trauma issues; refresher program requirements; the use of national registry registration and trauma triage training for complying with CE requirements; examination requirements; and the renewal application. This rule refers readers to the incorporated by reference rule.		
Rule 4765-17-02 is amended to simplify the comment related to the incorporated by reference rule.		
4765-17-03	AMEND	<i>Paramedic scope of practice.</i>
Rule 4765-17-03 sets forth the scope of practice for paramedics. The rule states that a medical director for an emergency medical organization may limit the scope of practice for paramedics within the organization. The rule requires paramedics performing emergency medical services within the scope of practice to have received training as part of their initial certification course or through subsequent training approved by the EMFTS board, or in certain emergency medical services, after having received training approved by the local medical director.		
Rule 4765-17-03 is amended to delete paragraph (B)(15) "carotid massage" from the paramedic scope of practice, as approved by the EMFTS Board in April 2022.		
4765-17-04	AMEND	<i>Paramedic curriculum.</i>
Rule 4765-17-04 sets forth the paramedic curriculum effective September 1, 2012, which was developed in accordance with "National EMS Education Standards" approved by the NHTSA, the "Ohio Approved EMS Curriculum Standards" approved by the EMFTS board, and the scope of practice set forth in OAC 4765-17-03. The rule sets forth guidelines for evaluation of student performance and achievement and the paramedic refresher program. This rule refers readers to the incorporated by reference rule.		
Rule 4765-17-04 is amended to simplify the comment related to the incorporated by reference rule and to revise paragraph (B) to establish core and discretionary competencies in the scope of practice curriculum, as approved by the EMFTS Board in April 2022.		

4765-19-01	NO CHANGE	<i>Continuing education for EMS providers.</i>
Rule 4765-19-01 sets forth criteria of continuing education credit, including subject matter, format, and eligible providers. The rule includes provisions for the consideration of CE obtained by the holder of a certificate to practice during military service.		
4765-19-02	NO CHANGE	<i>Examination alternative to continuing education.</i>
Rule 4765-19-02 sets forth the provisions available to renew a certificate to practice by examination rather than by completing a CE program. A passing score must be achieved within three attempts. The examination must be completed within the last six months prior to expiration of the certificate to practice.		
4765-19-03	AMEND	<i>Extension of continuing education requirement for EMS providers.</i>
Rule 4765-19-03 sets forth the provisions for granting an extension of time to comply with CE requirements to renew a certificate to practice, including the application to be submitted to request an extension and provisions for certificate holders whose certificates expired while they served in the military. The rule refers readers to the incorporated by reference rule.		
Rule 4765-19-03 is amended to simplify the comment related to the incorporated by reference rule.		
4765-19-04	AMEND	<i>Exemption from continuing education requirements for EMS providers.</i>
Rule 4765-19-04 sets forth the provisions for obtaining a complete or partial exemption from compliance with CE requirements based on active duty service in the military, medical hardship, or unusual circumstances. The rule refers readers to the incorporated by reference rule.		
Rule 4765-19-04 is amended to simplify the comment related to the incorporated by reference rule.		

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3. Please list the Ohio statute(s) that authorize the agency, board or commission to adopt the rule(s) and the statute(s) that amplify that authority.

Rule Number	Authorizing Statute(s)	Amplifying Statute(s)
4765-7-01	4765.11	4765.17
4765-7-02	4765.11	4765.16, 4765.17
4765-7-03	4765.11	4765.17
4765-7-04	4765.11	4765.15
4765-7-05	4765.11	4765.16
4765-7-06	4765.11	4765.15, 4765.16
4765-7-07	4765.11	4765.17
4765-7-08	4765.11	4765.17
4765-7-09	4765.11	4765.15, 4765.16, 4765.17
4765-7-10	4765.11	4765.17, 4765.18
4765-7-11	4765.11, 4765.16	4765.24, 4765.31
4765-7-12	4765.11, 4765.17	4765.17
4765-7-13	4765.11	4765.16, 4765.17
4765-12-01	4765.11	4765.30
4765-12-02	4765.11	4765.16
4765-12-03	4765.11	4765.16, 4765.24, 4765.31
4765-12-04	4765.11, 4765.35	4765.35
4765-12-05	4765.11	4765.16

Rule Number	Authorizing Statute(s)	Amplifying Statute(s)
4765-15-01	4765.11	4765.16
4765-15-03	4765.11	4765.16, 4765.24, 4765.31
4765-15-04	4765.11, 4765.37	4765.37
4765-15-05	4765.11	4765.16
4765-16-01	4765.11	4765.16
4765-16-02	4765.11	4765.16
4765-16-03	4765.11	4765.16, 4765.24, 4765.31
4765-16-04	4765.11, 4765.38	1547.11, 4506.17, 4511.19, 4765.38
4765-16-05	4765.11	4765.16
4765-16-06	4765.11	765.16
4765-17-01	4765.11	4765.16
4765-17-02	4765.11	4765.16, 4765.24, 4765.31
4765-17-03	4765.11, 4765.39	1547.11, 4506.17, 4511.19, 4765.39, 4765.391
4765-17-04	4765.11	4765.16
4765-19-01	4765.11, 4765.16	4765.31, 4745.04
4765-19-02	4765.11	4765.30, 4765.31
4765-19-03	4765.11	4765.31, 5903.12
4765-19-04	4765.11, 4765.16	4765.31, 5903.10

4. 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.

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

5. If the regulation implements a federal requirement, but includes provisions not specifically required by the federal government, please explain the rationale for exceeding the federal requirement.

N/A

6. 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)?

OAC Chapter 4765-7: Pursuant to RC section 4765.11, the Board is directed to adopt rules that establish the standards and procedures under which the Board may issue, renew, suspend, or revoke certificates of accreditation and certificates of approval to operate EMS training and continuing education training programs and set forth the conditions under which accredited and approved institutions may operate these programs. Consistent, statewide, EMS training will help ensure well-trained EMS providers efficiently and effectively deliver pre-hospital patient care, improved response in emergencies, and increased safety while delivering emergency medical services. In addition, the proposed regulations also protect Ohio paramedic students by ensuring the students' education and eligibility for certification, through national standard testing, are not jeopardized.

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OAC chapters 4765-12, 4765-15, 4765-16, and 4765-17: Pursuant to section 4765.11 of the Revised Code, the EMS board is directed to adopt rules that establish the standards for the performance of emergency medical services by EMS providers. The EMS board is directed to adopt rules that establish the EMS curricula and the hours and materials used in adult and pediatric continuing education programs and courses.

Pursuant to section 4765.11 of the Revised Code, the EMS board is directed to adopt procedures for approving additional emergency medical services the providers are authorized to perform under sections 4765.35, 4765.37, 4765.38, and 4765.39 of the Revised Code. As set forth in rule 4765-6-01 of the OAC, additional services are posted on the EMS scope of practice matrix upon approval by the EMFTS Board and added to the respective EMS provider rules pertaining to scope of practice.

OAC Chapter 4765-19: Pursuant to RC section 4765.11, the EMFTS Board is directed to adopt rules that establish the standards and procedures under which the Board may issue, renew, suspend, or revoke certificates of approval to operate EMS continuing education training programs. RC section 4765.11 sets forth the criteria for and EMS CE course, how “relevant education, training, or service” may be used to fulfill required CE. In addition, the chapter sets forth meeting CE requirements by examination and options to request an exemption from or an extension of time to complete required CE. The purpose is to provide consistent, statewide, EMS training to help ensure well-trained EMS providers efficiently and effectively deliver pre-hospital patient care, improved response in emergencies, and increased safety while delivering emergency medical services.

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

OAC Chapter 4765-7: Success will be measured by an increase in the number of institutions in compliance with the standards set forth in OAC Chapter 4765-7. In addition, the Division of EMS will track first attempt and cumulative attempt passing percentages on the certification examinations, student complaints, and complaints regarding EMS providers that lead to investigations. Success will also be measured by the successful completion of recertification continuing education requirements by the certified providers.

OAC chapters 4765-12, 4765-15, 4765-16, and 4765-17: Success of the regulation will be measured by the increase in pass rates of Ohio candidates who attempt the National Registry certification examination. In addition, success of the regulation will be measured utilizing data collected in the Emergency Medical Services Reporting System (EMSIRS). EMSIRS can be analyzed to determine the duration of EMS responses and transports, the emergency medical services performed by EMS providers, the frequency in which EMS providers perform the services, the success of emergency medical services performed, and the impact on patient care. The number of students attempting the examination, pass rates for the exams, and the various EMSIRS reports are reviewed annually to measure the success of this regulation.

OAC Chapter 4765-19: Success will be measured through the current certification audit process, which randomly audits ten percent of all certification renewals every month and audits all certificates renewed subsequent to an extension. The audits are to ensure that the certificate holders have completed the required continuing education for the previous certification period. Complaints, including those regarding patient care, are monitored as part of the administrative investigations conducted by the Division and State Board of EMFTS.

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8. Are any of the proposed rules contained in this rule package being submitted pursuant to R.C. 101.352, 101.353, 106.032, 121.93, or 121.931?

If yes, please specify the rule number(s), the specific R.C. section requiring this submission, and a detailed explanation.

No, none of the proposed rules contained in this rule package are being submitted pursuant to RC 101.352, 101.353, 106.032, 121.93, or 121.931.

Development of the Regulation

9. 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.

The Ohio State Board of Emergency Medical, Fire, and Transportation Services (EMFTS) is a twenty-one member board. The director of the Ohio Department of Public Safety designates a member of the Ohio Department of Public Safety as a member of the Board. Twenty members who each have “background or experience in emergency medical services or trauma care” are appointed by the Governor with the advice and consent of the Ohio Senate. The Governor attempts “to include members representing urban and rural areas, various geographical regions of the state, and various schools of training” in making appointments to the Ohio State Board of EMFTS. The appointees to the board 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 institutions, and ODPS. Members of the EMFTS Board and individuals with similar backgrounds and experiences make up the committees, subcommittees, and workgroups of the EMFTS Board.

Scope of practice issues, including rules, are an agenda item at the bi-monthly meetings of the Medical Oversight Committee (MOC) and frequently appear on the bi-monthly meeting agendas of the Education Committee. Other committees may participate in the development of amendments to rules and to the EMS scope of practice.

In February 2019, the Scope of Practice Ad Hoc Committee was established to address issues and concerns related specifically to the Ohio EMS Scope of Practice and to revise rules to meet the changing roles and environments in which EMS providers function, now and in the foreseeable future. The Committee held its first meeting on May 22, 2019. In the minutes of the first meeting, the Committee recorded its intention to include members who also serve on the Medical Oversight Committee (MOC), a standing committee that addresses issues pertaining to quality assurance, medical control, scope of practice, medical standards of curricula or other related issues assigned by the EMFTS Board.

In addition, the state medical director, EMS education coordinators, and other staff of the Ohio Division of EMS, and legal staff of the Ohio Department of Public Safety participate in revisions to administrative rules and the scope of practice. The Division of EMS uses [govdelivery](#) to send subscribers information about proposed rules and solicit stakeholder comments during the rule-review process. Proposed rules and related information are also posted at the DPS [“Administrative Rules”](#) Website.

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

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As part of the February 13, 2019 Board retreat, participants reviewed a document entitled *Impact of Scope of Practice Changes*. The document describes the Board's authority to revise the scope of practice (SOP) and notes the following:

Once an additional service is included in rule, all accredited programs must immediately include the service in the initial certification course.

During the retreat, the group discussed a process that would permit revising the SOP and allowing programs to implement revisions to the course curriculum in the first classes held after the effective date of the rule.

Amendments to the scope of practice rules in OAC chapters 4765-12, 4765-15, 4765-16, and 4765-17 were proposed and approved by members of the Scope of Practice Ad Hoc Committee at its February 22, 2022 meeting. The committee worked with the Department of Public Safety legal office to develop the following language added in paragraph (B) of each of the EMS curriculum rules (4765-12-05, 4765-15-05, 4765-16-06, and 4765-17-04):

... EMS training program shall be conducted in accordance with the "National EMS Education Standards" approved by NHTSA, the "Ohio Approved EMS Curriculum Standards" approved by the board, and consistent with the scope of practice set forth in...the Administrative Code. The above referenced national and Ohio approved standards are required core competencies for instruction in an EMS training program. Elements of the scope of practice not referenced in the "National EMS Education Standards" or the "Ohio Approved EMS Curriculum" are added competencies that may be taught at the discretion of the EMS training program.

The amendments were developed to increase flexibility for EMS training programs, which are now required to train EMS students to "...meet all knowledge and skill standards set forth in rules 4765-12-05, 4765-15-05, 4765-16-06, and 4765-17-04" of the OAC, as set forth in rule 4765-6-02, the general provisions chapter of the EMS curriculum rules. The proposed revisions will require schools to teach a core curriculum and permit schools to teach, at their discretion, items from a list of additional curriculum topics.

In addition, the Scope of Practice Ad Hoc Committee approved a motion at its February 22, 2022 meeting to delete three items not included in the current "National EMS Education Standards" from the scope of practice rules. The three deletions are:

- 4765-15-04 (B) (11) Pneumatic anti-shock garment;
- 4765-15-04 (B) (15) Administration of activated charcoal; and
- 4765-17-03 (A) (15) Carotid massage.

The Scope of Practice Ad Hoc Committee presented its motions to the State Board of EMFTS at the Board's April 2, 2022 meeting, where they were approved.

In preparation for the five-year review of OAC chapters 4765-7, 4765-19, and the four scope of practice chapters, EMS staff reviewed and amended the rules with the scope of practice revisions and to correct

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spelling and grammar, to simplify comments related to the incorporated by reference rule, to update the titles of documents incorporated by reference, and to clarify rules that have proved to be confusing to training programs and their students. Drafts were reviewed by DPS legal staff and provided to members of the State Board of EMFTS prior to the Board October and December 2022 meetings.

When the rules are filed with CSI, govdelivery.com will be used to notify subscribers to user groups including EMS agencies, EMS instructors, EMS general bulletins, and EMS for children about the filing and stakeholder comment period. Notification about the filing and comment period will also be placed on the EMS.Ohio.gov website.

11. 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?

4765-7: As set forth in the four EMS curriculum rules—4765-12-05, 4765-15-05, 4765-16-06, and 4765-17-04—EMS training programs are conducted in accordance with the ["National EMS Education Standards,"](#) a systems approach approved by National Highway Traffic Safety Administration (NHTSA), and the "Ohio Approved EMS Curriculum Standards" and the [scope of practice](#) approved by the Board. Updated NHTSA standards were published in 2021. "Ohio Approved EMS Curriculum Standards" can be viewed at the EMS ["Forms & Applications"](#) Webpage at the "EMS Training Program Curriculum & Education Standards" tab.

The Scope of Practice Ad Hoc Committee is using two other resources as they work to update Ohio's scope of practice and curriculum. ["EMS Agenda 2050: A People-Centered Vision for the Future of Emergency Medical Services"](#) is compiled by a panel of experts working with the EMS community "...to develop a new vision for the future of EMS." ["National EMS Scope of Practice Model 2019"](#) is a publication distributed by the NHTSA. The executive summary of the SOP model states that it is "...a work product commissioned by the NHTSA as a continuation of the commitment of the NHTSA and the Health Resources and Services Administration (HRSA) to the implementation of the EMS Agenda for the Future ("EMS Agenda").

The "EMS Agenda 2050" vision for the future of medical services is developed using [six guidelines for proposed changes](#): inherently safe and effective, integrated and seamless, sustainable and efficient, reliable and prepared, socially equitable, and adaptable and innovative.

The measurable outcomes are recorded and identified by the staff of the Division of EMS monitoring pass/fail certification testing from each EMS accredited training institute. The Division of EMS staff also monitor the number of successful renewals, new and ended EMS accredited training institutes, as well as those which add or delete certification levels to their existing accreditation.

4765-12, 4765-15, 4765-16, and 4765-17: Changes to EMS curriculum and scope of practice rules are based on evidence based research. The research studies and results are acquired from national EMS organizations, national publications, and research funded through Division of EMS grants, thus representing the best practices. The core competencies for Ohio approved curriculum for EMS mirror the competencies set forth in the "National EMS Education Standards" published by the NHTSA.

4765-19: There was no scientific data available to be considered.

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12. 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? *Alternative regulations may include performance-based regulations, which define the required outcome, but do not dictate the process the regulated stakeholders must use to comply.*

OAC Chapter 4765-7: It was determined that alternative regulations may not meet the purpose of the rules to assure safe, effective, and efficient EMS response. This regulation aligns with the NHTSA's systems approach for national EMS education standards, scope of practice model, accreditation, and standard testing. In addition, NHTSA's systems approach facilitates the transfer of training from state-to-state.

OAC chapters 4765-12, 4765-15, 4765-16, and 4765-17: No alternative regulations were considered. Pursuant to section 4765.11 of the Revised Code, the EMFTS board is directed to adopt rules that establish the standards for the performance of emergency medical services and the procedures for approving the additional emergency medical services authorized by sections 4765.35, 4765.37, 4765.38, and 4765.39 of the RC.

OAC chapter 4765-19: The rules in OAC Chapter 4765-19 provide several methods to obtain required CE credits, including an examination alternative, requesting an extension of time to complete CE credits, and requesting an exemption from the CE requirements.

13. 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 ORC and agency 4765 of the OAC was completed. Additionally, a review was conducted using RegExplorer to make sure there was no duplication of regulations.

14. 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 Web site EMS.ohio.gov and the gov.delivery.com user groups, the division will provide stakeholders with final rules, rule summaries, and amendments to chapters 4765-7, 4765-12, 4765-15, 4765-16, 4765-17, and 4765-19 of the OAC. Access to approved Ohio EMS curriculum is published at [Forms & Applications | Emergency Medical Services \(ohio.gov\)](#) under "EMS Training Program Curriculum & Education Standards." CE requirements are published to the EMS web site at the following link: [Continuing Education Requirements | Emergency Medical Services \(ohio.gov\)](#). DEMS Staff will notify the EMS accredited and approved sites' program directors about the approved Ohio EMS curriculum and rule revisions via email and through information published on the ["Program Directors"](#) Webpages.

Division of EMS staff are available via telephone and/or face-to-face meetings to assist institutions and practitioners with the application process or with questions about the scopes of practice or continuing

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education. Questions may be submitted via email to “Ask EMS” (<https://ems.ohio.gov/help-center/ask-ems>) or directly to the Division’s staff using the “Agency Directory” (<https://ems.ohio.gov/help-center/agency-directory/agency-directory>).

The Division of EMS posts information about the rule review process, including those rules scheduled for review, drafts open for public comment, and proposed rule public hearing notices at its “EMS Laws & Rules” Web site (<https://ems.ohio.gov/laws-and-rules>). The “EMS Laws & Rules” Web site includes links to chapters 4765. and 4766. of the Ohio Revised Code and links to the Ohio Administrative Code chapters and rules associated with each EMS section. Access to rules filed with CSI and with the Joint Committee on Agency Rule Review (JCARR), as well as other filing documents is provided at the “EMS Laws & Rules” Web site through links with the “Register of Ohio” (<https://registerofohio.state.oh.us/>) and the Ohio Department of Public Safety “Administrative Rules” Web site (<https://publicsafety.ohio.gov/what-we-do/administrative-rules-reviews>).

The Division of EMS uses the EMS gov.delivery.com system and its user lists to distribute the final rules, when they become effective, to stakeholders. Division of EMS staff will receive email notification of the rule changes and attend section briefings regarding the implementation of policy and procedures. During its meetings, the EMFTS Board receives 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.

Adverse Impact to Business

15. Provide a summary of the estimated cost of compliance with the rule(s). Specifically, please do the following:

a. Identify the scope of the impacted business community, and

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

- 1,580 EMS organizations;
- 41,312 EMS providers;
- 5,820 EMS Instructors;
- 266 EMS registered medical directors;
- 89 EMS accredited institutions, which include 38 paramedic training programs; and
- 571 approved EMS continuing education institutions.

[Source: DEMS 11/09/2022 “Ohio EMS Agency List”; DEMS November 2022 report of active certifications; DEMS 11/09/2022 “Ohio EMS & Fire Training Facilities” Web site; and 12/28/2022 report of DEMS Research & Analysis staff.]

Annually, fewer than 100 providers request an exemption from completing the required continuing education. From January 1 through December 23, 2022, seven exemption requests were received.

b. Quantify and identify the nature of all adverse impact (e.g., fees, fines, employer time for compliance, etc.).

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

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representative business. Please include the source for your information/estimated impact.

Chapter 4765-7

OAC Chapter 4765-7, 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 Board under ORC section 4765.11 and the curricula areas set forth in ORC section 4765.16 and in agency 4765 of the OAC. Adverse impacts could include the cost of instructional materials, instructor time, and equipment as the program deems necessary. OAC Chapter 4765-7 does not require any EMS accredited Institution to provide a specific certification level training; each level of training is provided at the discretion of the accredited institution.

The costs incurred by the EMS accredited institutions will vary depending on the affiliations of the EMS accredited institution and the levels of training being offered. Those institutions not changing any certification levels will see minimal if any additional costs, except for natural increases in administrative costs. Those institutions adding additional certification levels will see cost increases, as they may need to add additional instructional, administrative, and equipment resources.

Adverse impact may result from seeking and maintaining certificates of accreditation, national accreditation, and approval to operate EMS initial and continuing education training programs. These regulations require the EMS training institutions to retain written or electronic documentation that demonstrates compliance with curriculum standards and evaluation of student performance and achievement.

These regulations do not require an institution to provide specific levels of EMS training programs. Each institution applies to provide levels of training at its own discretion. Costs vary depending on the levels of training provided, typical class size, instructor salaries, supplies, equipment, and affiliations, as the institution deems appropriate. The institutions have the ability to dictate the tuition costs of their programs based on budgetary needs.

Significant costs could be associated with institutions requesting to become a paramedic training center due to the costs associated with the application process for Committee on Accreditation of Educational Programs for the Emergency Medical Services Professions (CoAEMSP) and Commission on Accreditation of Allied Health Education Programs (CAAHEP) credentials. However, graduation from a CAAHEP accredited program is a requirement for paramedic candidates who take the National Registry examination to be certified as a paramedic.

OAC Chapter 4765-7 does require institutions to gain CAAHEP national accreditation for the paramedic level of training. Costs include the Committee on CoAEMSP-related fees and the staff time and resources required to apply for the accreditation, prepare reports, acquire technology, and participate in required site visits. Some of the program fees are listed below.

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Description of Fee	CoAEMSP Letter of Review (LoR) (no status – entering the accreditation system)	CAAHEP Initial Accreditation (currently holds CoAEMSP LoR)	CAAHEP Continuing Accreditation (currently holds CAAHEP accreditation)
Annual	\$1700		
LoR Application	\$1950	\$0 not applicable	
Satellite	\$500 per satellite location per year		
LoR Application Re-evaluation and/or Self Study Report Evaluation/Re-evaluation	\$750 paid with the submission of the SSR		
Preliminary/Regular Site Visit	\$1350 paid with the submission of the LoR Application	\$2700 paid with the submission of the ISSR and CSSR for a regular site visit	

Source: Excerpt of costs obtained from CoAEMSP at <http://www.coaemsp.org/Fees.htm>, reviewed on December 21, 2022. See the Website for additional information.

Chapters 4765-12, 4765-15, 4765-16, and 4765-17

The Division of EMS staff determined that the changes to chapters 4765-12, 4765-15, 4765-16, and 4765-17 will enhance patient care with minimal costs of compliance to the provider. Cost increases to the EMS accredited institutions and continuing education sites may include new equipment and resources and additional instructor hours to meet curriculum standards.

The nature of the adverse impact which may result from changes to OAC chapters 4765-12, 4765-15, 4765-16, and 4765-17 would be the expense of providing or obtaining training that meets the medical standard of care established by the EMFTS Board. The costs of compliance for the EMS training institutions will vary depending on the level of EMS training and the number of training hours required for each level of certification provided. The costs of compliance to the EMS student will also vary depending on the level of EMS certification and number of training hours required.

Tuition costs range from:

- \$300 - \$700 for EMR Training,
- \$500-\$1200 for EMT training,
- \$1000-\$2000 for AEMT training, and
- \$4000-\$10,000 for paramedic training.

These regulations do not require an institution to provide specific levels of EMS training programs, only those that the institution has voluntarily applied to provide. Costs vary depending on the levels of training provided, typical class size, instructor salaries, supplies, equipment, and affiliations as the institution deems appropriate. The institutions have the sole ability to dictate the tuition costs of their programs based on budgetary needs.

The variance in costs for continuing education may also be dependent upon whether or not an individual's department provides in-service training and the extent to which the scope of practice is

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adopted into local protocol by the responder's EMS organization and medical director. EMS organizations and their medical directors determine the level of emergency medical services that responders perform.

The amendments to paragraph (B) of each of the EMS curriculum rules (4765-12-05, 4765-15-05, 4765-16-06, and 4765-17-04) are designed to increase flexibility for EMS training programs. The training programs will be required to provide training for a set of core competencies and may add competencies from a separate list at their own discretion.

Source: The information was updated in December 2022 by DEMS staff.

Chapter 4765-19

Annually, fewer than 100 providers request an exemption from completing the required continuing education. From January 1 through December 23, 2022, seven exemption requests were received.

Typically, thirty to fifty certificate holders per month request an extension to meet continuing education requirements for renewal. From January 1 through December 23, 2022, 405 extension requests were received.

SOURCE: Division of Emergency Medical Services, Certifications Section, December 2022

The holder of a certificate to practice is required to complete emergency medical services continuing education as set forth in chapters 4765-12, 4765-15, 4765-16, and 4765-17 of the OAC. This chapter provides alternative provisions for compliance; however, the certificate holder must submit written requests to obtain these options. Failure to submit the appropriate documents in a timely manner may result in denial of the request for an alternative provision and ultimately result in the loss of the certificate to practice. Any cost associated with obtaining the required continuing education or an alternative provision would be determined by the type, provision, and location of the continuing education. The Division of EMS does not regulate or dictate any costs.

This rule, in and of itself, does not impose a penalty or sanction. However, the process for the State Board of EMFTS, pursuant to an adjudicatory hearing under Chapter 119. of the Revised Code, is described in rule 4765-10-03 of the Administrative Code. The board may impose sanctions up to and including revocation of any certificate issued by the board and may impose a fine not to exceed \$1,000 for violations of specific provisions of Chapter 4765. of the Revised Code and specific sections of the Administrative Code.

16. Are there any proposed changes to the rules that will reduce a regulatory burden imposed on the business community? Please identify. (*Reductions in regulatory burden may include streamlining reporting processes, simplifying rules to improve readability, eliminating requirements, reducing compliance time or fees, or other related factors*).

Amendments to paragraph (4) of rule 4765-7-02 replace the requirement to "submit a report" with entering data into the division's course management system database.

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Revisions to curriculum rules 4765-12-05, 4765-15-05, 4765-16-06, and 4765-17-04 will result in a core curriculum and an additional set of competencies, over and above the core curriculum, that may be approved by the local medical director.

Current scope of practice rules authorize local medical directors to meet but not exceed the scope of practice approved by the Board. Proposed revisions to the rules authorize local medical directors, at their discretion, to provide train EMS personnel on competencies that are within the scope of practice but beyond the core skills required to be taught in initial training by an accredited program. The objective is to provide emergency medical services to best meet the needs of Ohio's local communities.

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

4765-7: Pursuant to RC 4765.11, the Board is statutorily required to adopt rules that establish the standards and procedure under which the Board may issue, renew, suspend, or revoke certificates of accreditation to operate training programs and certificates of approval to operated EMS continuing education training programs. Ensuring professional standards from the training programs and in EMS providers' professional conduct, delivery of emergency medical services, and patient care justifies the minimal adverse impact to the business community.

The rules are developed using research recommendations from the "[*EMS Agenda 2050: A People-Centered Vision for the Future of Emergency Medical Services*](#)," which includes a set of national education standards, national accreditation, and national standard testing to ensure consistent performance outcomes for EMS providers. National Registry certification is required for all levels of initial EMS certification in Ohio; CAAHEP accreditation is required for the paramedic level training. CAAHEP is the national accreditation that has been approved by forty-seven states including those bordering Ohio.

4765-12, 4765-15, 4765-16, and 4765-17: Revisions to the scope of practice rules are made pursuant to sections 4765.11, 4765.37, 4765.38, and 4765.39 of the Revised Code. The EMFTS Board is statutorily required to promulgate rules in regard to establishing the curricula, procedures, and standards for the performance of EMS providers, training institutions, and instructors. EMS providers respond to medical and traumatic emergencies in the pre-hospital setting and function without direct oversight. It is critical that the EMS workforce maintain an acceptable knowledge and skill level to provide quality care before and during transport to a medical facility. EMS agencies utilizing EMS providers depend upon the EMFTS Board and the Division of EMS to ensure individuals issued a certificate to practice have met a recognized standard. The Division of EMS' intent to ensure high standards in a provider's professional conduct, delivery of emergency medical services, and safe patient care justifies the minimal adverse impact to the impacted community.

The amendments to the scopes of practice proposed for rules 4765-15-04, 4765-16-04, and 4765-17-03 created a minimal need for additions to EMS provider training. A five-year lead time was scheduled to allow EMS training institutions to revise curricula over time, and the EMFTS Board, MOC, and state medical director provided training assistance at no cost. EMS organizations used the EMS training and assistance grant funds to purchase waveform capnography equipment.

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The Division of EMS staff determined that the amendments to rules 4765-15-04, 4765-16-04, and 4765-17-03 will enhance patient care with minimal costs of compliance to the provider.

4765-19: EMS providers respond to medical and traumatic emergencies in the pre-hospital setting and function without direct oversight. It is critical that the EMS workforce maintain an acceptable knowledge and skill level to provide quality care before and during transport to a medical facility. EMS agencies utilizing EMS providers depend upon the EMFTS Board and the Division of EMS to ensure individuals issued a certificate to practice have met a recognized standard. Ohio is one of forty-six states that use the NREMT certification as a basis for licensure/certification. The NREMT EMS certification provides “a validated and legally defensible attestation of competency.”

Additionally, EMS agencies can apply to the EMFTS Board each year for grant money to offset the cost of continuing education renewal requirements for their personnel. EMS agencies can also apply for a Certificate of Approval to offer continuing education in-house, at no cost, to ensure their providers obtain sufficient training and CE to meet the requirements to renew.

Regulatory Flexibility

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

The regulations do not mandate an EMS organization to operate a training program or purchase any equipment. In addition, an EMS organization issued a certificate of accreditation or certificate of approval is not required to operate all levels of EMS training. Organizations holding certificates of accreditation and certificates of approval may borrow equipment or any educational resources necessary to meet the curriculum standards. Organizations holding certificates of accreditation may form a consortium to operate paramedic training programs under a single national certificate. Rule 4765-7-12 permits EMS training programs to offer online and/or distance learning delivery systems. Rule 4765-7-10 provides instructions for applying for reinstatement of a certificate of accreditation or certificate of approval that has been revoked.

Rule 4765-7-08 provides a process for the reinstatement of an expired certificate of accreditation or approval or provisional certificate of accreditation or approval that has been expired for less than three years.

Amendments to the scope of practice curriculum rules 4765-12-05, 4765-15-05, 4765-16-06, and 4765-17-04 were proposed by the Scope of Practice Ad Hoc Committee and approved by the Board to provide more flexibility in planning and delivering courses to EMS training programs. As set forth in the general provisions rule for EMT curriculum--rule 4765-6-02--an EMS training program for a certificate to practice as an emergency medical responder (EMR), emergency medical technician (EMT), advanced emergency medical technician (AEMT) is required to meet all knowledge and skill standards set forth in the corresponding curriculum rules. The amendment to the curriculum rules will establish required core competencies in each scope of practice and a set of additional competencies that may be taught at the discretion of each EMS training program.

Rule 4765-19-02 provides examination alternatives for providers in lieu of completing continuing education courses. Rule 4765-19-03 provides information for certificate-holders to request extension of time to comply with the CE required for renewal of a certificate. Rule 4765-19-04 provides information

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for certificate-holders to request a complete or partial exemption from compliance from the CE requirements for renewal of a certificate.

19. 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 chapters 4765-7, 4765-12, 4765-15, 4765-16, 4765-17, and 4765-19 do not directly impose penalties or sanctions. However, provisions in the RC section establish that the Board may investigate allegations of violation of RC 4765. and the rules adopted thereunder (RC 4765.101) and impose administrative sanctions up to and including:

- suspension and/or revocation of and other disciplinary actions against a certificate to practice or a certificate to teach (RC 4765.112, 4765.114, 4765.115, 4765.116, 4765.18, 4765.23, and 4765.33);
- revocation of a certificate of accreditation and certificate of approval for violations of Chapter 4765. of the ORC or any rule adopted under it (RC 4765.18).

If disciplinary action is considered, each case is submitted first to the Board's Assistant Attorney General to ensure compliance with Chapter 119. of the Revised Code. The Board reviews each situation on a case-by-case and may consider all information relevant to the requirements of agency 4765 of the OAC and Chapter 4765. Of the RC.

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

As set forth in OAC rule 4765-7-07, the Division of EMS notifies each accredited institution no later than ninety days prior to its certificate expiration of its scheduled expiration date and the mechanism for renewal. It is the practice of the Division of EMS to notify all accredited and approved programs 120 days prior to their certificate expiration.

As set forth in rule 4765-7-03 of the OAC, the board may issue provisional certificates of accreditation or approval for initial applicants that are in substantial compliance with requirements of the ORC.

The Board administers grant awards set forth in RC section 4765.07, and as defined in section 4513.263 of the RC. First priority includes awards to EMS organizations for the training of personnel, the purchase of equipment, and to improve accessibility and quality of emergency medical services in this state. 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: <https://ems.ohio.gov/programs-services/ems-grants>.

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 ([Ohio EMS & Fire Training Facilities](#)). Other Webpages include: [certifications](#), [medical direction](#), [scope of practice questions and answers](#), [education and testing](#), and a [help center](#). The "[Agency Directory](#)" includes a toll free number, the names and titles of EMS staff, and the names and email addresses of the Division of EMS sections.

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The Division of EMS staff members also attend and present information at various conferences, seminars, and symposiums 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, Ohio State Fire Instructors Society, and the Ohio Fire & Rescue Officer Development Conference (Ohio Fire Chiefs Conference).

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](#)" or directly to the [Division's education staff](#).

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Common Sense Initiative

Mike DeWine, Governor
Jon Husted, Lt. Governor

Joseph Baker, Director

MEMORANDUM

TO: Joe Kirk, Ohio Department of Public Safety

FROM: Jacob Ritzenthaler, Business Advocate

DATE: April 6, 2023

RE: **CSI Review – EMS Accreditation, Scope of Practice, and Continuing Education (OAC 4765-7-01 through 4765-7-13, 4765-12-01 through 4765-12-05, 4765-15-01, 4765-15-03, 4765-15-04, 4765-15-05, 4765-16-01 through 4765-16-06, 4765-17-01, 4765-17-02, 4765-17-03, 4765-17-04, 4765-19-01, 4765-19-02, 4765-19-03, and 4765-19-04)**

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 twenty-seven amended rules and nine no-change rules proposed by the Ohio Department of Public Safety's (DPS) Division of Emergency Medical Services (Division). This rule package was submitted to the CSI Office on February 2, 2023, and the public comment period was held open through February 24, 2023. Unless otherwise noted below, this recommendation reflects the version of the proposed rules filed with the CSI Office on February 2, 2023.

Ohio Administrative Code (OAC) Chapter 4765-7 establishes requirements for the accreditation of emergency medical services (EMS) training programs. OAC 4765-7-01 sets forth general provisions and requirements for merging certificates of accreditation and is amended to clarify rule references and requirements. OAC 4765-7-02 establishes the accreditation process for EMS training programs and includes amendments that require information submission through the Division's course

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management system and to update references and discrimination categories. OAC 4765-7-03 concerns the criteria for issuing provisional certificates and is proposed without changes. OAC 4765-7-04 and 4765-7-05 set forth requirements for accreditation application and offsite locations for training programs and include amendments that require the submission of a “Request for EMS Training Offsite” form and make updates to references. OAC 4765-7-06 establishes requirements for notifying the Division within ten days of a change in information, such as mailing address or personnel, and is amended to correct errors, clarify requirements, and unify requirements to similar rules for fire charters. OAC 4765-7-07 and 4765-7-08 set forth requirements for renewing and reinstating certificates of accreditation and approval and are amended to update the titles of referenced forms. OAC 4765-7-09 concerns the approval of EMS continuing education programs and is amended to clarify the differences between initial and renewal certificates of approval. OAC 4765-7-10 establishes the process of reinstating a revoked certificate and is proposed without changes. OAC 4765-7-11 and 4765-7-12 set forth requirements for continuing education courses, and online education and distance learning delivery systems. The rules are amended to update rule references. OAC 4765-7-13 concerns national accreditation of EMS training programs and is proposed without changes.

OAC Chapter 4765-12 establishes requirements for emergency medical responder certification. OAC 4765-12-01 lists general provisions, including criteria for waiving requirements for volunteer status. The rule is proposed without changes. OAC 4765-12-02 and 4765-12-03 set forth requirements for curriculum prior to September 1, 2012, and continuing education for emergency medical responders and are amended to update rule references. OAC 4765-12-04 establishes the scope of practice and is proposed without changes. OAC 4765-12-05 establishes the curriculum requirements and is amended to establish the difference between core competencies and discretionary competencies, which may be taught at the discretion of an EMS training program. OAC 4765-15-01, 4765-15-03, 4765-15-04, and 4765-15-05 establish requirements for emergency medical technician training programs, including curriculum, continuing education, and scope of practice. Amendments to these rules include removing pneumatic anti-shock garments and administration of activated charcoal from the scope of practice, establishing the difference between core competencies and discretionary competencies, and clarifying the required locations and hours for clinical experience.

OAC 4765-16-01 through 4765-16-06 set forth requirements for advanced emergency medical technicians/EMT-I, including curriculum, continuing education, scope of practice, and special requirements for certificate renewal. The rules include amendments that establish the difference between core competencies and discretionary competencies and update referenced rules. OAC 4765-17-01 through 4765-17-04 establish curriculum, continuing education, and scope of practice requirements for paramedics. These rules include amendments that remove carotid massage from

the scope of practice and establish the difference between core competencies and discretionary competencies. OAC 4765-19-01 through 4765-19-04 set forth requirements for EMS providers, including continuing education examination alternatives, extensions, and exemptions. The rules include amendments that update referenced rules.

During early stakeholder outreach, proposed changes to the rules were discussed during meetings of the Scope of Practice Ad Hoc Committee of the Ohio State Board of Emergency Medical, Fire and Transportation Services (EMFTS Board). During that time, DPS made changes in response to feedback that clarified the distinction between core and discretionary competencies, as well as updates to the scopes of practice for EMS personnel. During the CSI public comment period, DPS received comments from ten stakeholders. Several stakeholders expressed concern regarding changes due to House Bill 509 of the 134th General Assembly. DPS assured these stakeholders that none of the amendments present in this rule package are the result of HB 509 and that any changes to rule language would be monitored in the future. Two stakeholders suggested including additional techniques within the scope of practice for EMS providers. DPS stated that the inclusion of new practices requires review by the Scope of Practice Ad Hoc Committee and that their suggestions will be submitted for future consideration.

The business community impacted by the rules includes approximately 1,580 EMS organizations, 41,312 EMS providers, 5,820 EMS instructors, 266 medical directors, eighty-nine EMS accredited institutions, and 571 approved EMS continuing education institutions. The adverse impacts created by the rules include the cost for providers and training programs to complete training that meets standards set by the EMFTS Board, fees for letters of review and accreditation, and submitting requests for exemption or extension of continuing education requirements. DPS states that the costs of tuition for licensees can range between \$300 and \$700 for emergency medical responders, \$500 and \$1,200 for emergency medical technicians, \$1,000 and \$2,000 for advanced emergency medical technicians, and \$4,000 and \$10,000 for paramedics. Fees for training institutions include a \$1,950 application fee to receive a letter of review, a \$1,700 fee for annual accreditation, a \$500 annual fee for each satellite training location, \$750 for a self-study report evaluation, and fees for site visits, which cost \$1,350 for the letter of review application and \$2,700 for a regular site visit. DPS states that these adverse impacts are necessary to comply with statutory requirements to establish the framework for industry scope of practice, accreditation, and training and continuing education.

Recommendations

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

Conclusion

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

**Department of
Public Safety**

Mike DeWine, Governor
Jon Husted, Lt. Governor

Andy Wilson, Director
Robert L. Wagoner, Executive Director



April 13, 2023

Jacob Ritzenthaler
Business Advocate
Common Sense Initiative Office
77 South High Street, 30th Floor
Columbus, Ohio 43215-6117

Dear Mr. Ritzenthaler:

Thank you for your review of the business impact analysis for Ohio Administrative Code (O.A.C.) chapters 4765-7 (*Accreditation of Training Programs*); 4765-12 (*First Responder Certification*); 4765-15 (*EMT-Basics*); 4765-16 (*EMT-Intermediates*); 4765-17 (*EMT-Paramedics*); and 4765-19 (*Emergency Medical Services Continuing Education*). The Ohio Department of Public Safety (ODPS), Division of Emergency Medical Services (EMS) has received and read your reviews, recommendations, and conclusions.

In June 2023, the Division of EMS intends to formally file the rules and all required materials with the Joint Committee on Agency Rule Review (JCARR), the Ohio Legislative Service Commission (LSC), and the Secretary of State. When the rules are filed with JCARR, one additional amendment will be made to paragraph (A)(7) of rule 4765-7-02 (*Accreditation of Ohio EMS training programs*):

(7) Has a sufficient number of EMS instructors ~~or assistant EMS instructors~~ to ensure the ratio of instructors to students in all practical skills components of the EMS training program does not exceed one to ten;

The additional amendment will be included due to the provisions of House Bill (HB) 52 (*Reverse H.B. 509/134th GA changes to EMS training, continuing ed*), which became effective on April 6, 2023. The provisions in HB 509 that eliminated the emergency medical services assistant instructor certificate were not reversed by HB 52. The emergency medical services assistant instructor certificate was eliminated effective April 6, 2023.

The Division of EMS plans to conduct a public hearing pursuant to Revised Code 119.03 in August 2023. The Division of EMS anticipates final-filing the rules with an effective date in October 2023.

Regards,

Robert L. Wagoner
Executive Director
Ohio Department of Public Safety
Division of Emergency Medical Services

cc: Joseph Baker, Director, Common Sense Initiative Office
Joseph A. Kirk, ODPS Rules Coordinator
Michael Wise, ODPS Associate Legal Counsel

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-7-02

Rule Type: Amendment

Rule Title/Tagline: Accreditation of Ohio EMS training programs.

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

Division:

Address: 1970 West Broad Street PO box 182081 Columbus OH 43218-2081

Contact: Joseph Kirk **Phone:** 614-466-5605

Email: jakirk@dps.ohio.gov

I. Rule Summary

1. Is this a five year rule review? Yes
 - A. What is the rule's five year review date? 8/29/2023
2. Is this rule the result of recent legislation? No
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? 4765.16, 4765.17
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 according to a R.C. 106.03 periodic rule review, and to simplify the comment related to the incorporated by reference rule, revise the title of a form, update the categories of discrimination prohibited as a basis for accepting students, add to program requirements, and update to current electronic reporting standards.

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

Rule 4765-7-02 sets forth the provisions for issuing a certificate of accreditation and includes information about the application to be submitted. The rule sets forth requirements for Commission on Accreditation of Allied Health Education Programs (CAAHEP) accreditation for Ohio accredited institutions seeking to provide paramedic training programs. The rule refers readers to the incorporated by reference rule. Rule 4765-7-02 is amended to simplify the comment related to the incorporated by reference rule, revise the title of a form, update the categories of discrimination prohibited as a basis for accepting students, correct the spelling of "prehospital," and add "deadlines" for obtaining a certificate to practice" as information a training program must provide to a student. The rule also amends paragraph (D)(4) to replace submitting a report with entering required data into the Division of EMS course management system.

9. Does the rule incorporate material by reference? Yes

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.

OAC rule 4765-7-02 incorporates the form "Certificate of Accreditation Application" (February, 2014) or form EMS 1652. To comply with sections 121.71 to 121.74 of the Revised Code, this rule refers readers to OAC rule 4765-1-03, which provides the editions and dates of the materials and the website addresses where the information may be accessed.

"Certificate of Accreditation Application" is published at the EMS "Forms & Applications" website at: <http://www.ems.ohio.gov/forms.aspx>.

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?

The costs incurred by the EMS accredited institutions (stakeholders) will vary depending on the affiliations of the EMS accredited institution and the levels of training being offered. Those institutions not changing any certification levels will see minimal if any additional costs, except for natural increases in administrative costs. Those institutions adding additional certification levels will see cost increases, as they may need to add additional instructional, administrative, and equipment resources.

*Significant costs could be associated with institutions requesting to become a paramedic training center due to the costs associated with the national accreditation application process. The estimated annual cost to an accredited institution for continued compliance is an annual fee of \$1,700 and approximately \$3,450 in additional costs every five years to complete the CAAHEP reaccreditation process. These costs are charged and collected by CoAEMSP.

SOURCE: Ohio Division of EMS Education & Testing section

*Costs obtained from CoAEMSP at <http://www.coaemsp.org/Fees.htm>

The CoAEMSP website was reviewed on May 4, 2023 to determine the initial and renewal costs of compliance.

- 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? Yes**
- 18. Does this rule have an adverse impact on business? Yes**

- A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? Yes**

This rule requires a certification of accreditation authorized by the State Board of Emergency medical, Fire, and Transportation Services (EMFTS) for entities operating EMS training programs.

- 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? Yes**

Entities seeking to operate EMS training programs are required to submit a "Certificate of Accreditation Application."

Entities seeking accreditation as a new paramedic training program after January 1, 2018, are required to provide additional information, including an application submitted to Committee on Accreditation of Educational Programs for the Emergency Medical Services Professions (CoAEMSP) for a letter of review and an application to the board for provisional status as accredited.

The costs incurred by the EMS accredited institutions (stakeholders) will vary depending on the affiliations of the EMS accredited institution and the levels of training being offered. Those institutions not changing any certification levels will see minimal if any additional costs, except for natural increases in administrative costs. Those institutions adding additional certification levels will see cost increases, as they may need to add additional instructional, administrative, and equipment resources. *Significant costs could be associated with institutions requesting to become a paramedic training center due to the costs associated with the national accreditation application process. The estimated annual cost to an accredited institution for continued compliance is an annual fee of \$1,700 and approximately \$3,450 in additional costs every five years to complete the CAAHEP reaccreditation process. These costs are charged and collected by CoAEMSP.

SOURCE: Ohio Division of EMS Education & Testing section

*Costs obtained from CoAEMSP at <http://www.coaemsp.org/Fees.htm>.

The CoAEMSP website was reviewed on May 4, 2023 to determine the initial and renewal costs of compliance.

- 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? No

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

Not Applicable

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

Not Applicable

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

Not Applicable

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

Not Applicable

4765-7-02

Accreditation of Ohio EMS training programs.

[Comment: For dates and availability of material incorporated by reference in this chapter and ~~Chapters 4765-01 to 4765-10 and 4765-12 to 4765-19 of the Administrative Code~~, see rule 4765-1-03 of the Administrative Code.]

(A) The board shall issue a certificate of accreditation pursuant to section 4765.17 of the Revised Code and this chapter, to any applicant who is of good reputation and demonstrates that the EMS training program for which the applicant seeks accreditation meets the following requirements:

- (1) Has submitted a complete "Initial Certification of Accreditation Application";
- (2) Has an authorizing official with good reputation who assumes responsibility for the following:
 - (a) Serves as program director or designates a person of good reputation to serve as program director;
 - (b) Administers and operates the EMS training program;
 - (c) Complies with all rules and laws applicable to EMS training and the EMS training program;
 - (d) Performs ongoing review and maintains written evaluation of the program content and instructors;
 - (e) Maintains written documentation of regular evaluations of student performance and achievement throughout the course;
 - (f) Assigns faculty responsibilities and scheduling of program courses;
 - (g) Defines the role and objectives of student preceptors;
 - (h) Assures courses offered within an EMS training program are developed under the direction of a physician who specializes in emergency medicine and each course that deals with trauma care is developed in consultation with a physician who specializes in trauma surgery pursuant to section 4765.16 of the Revised Code;
 - (i) Prepares or approves all documents required to be submitted for accreditation pursuant to section 4765.15 of the Revised Code and this chapter;

- (j) Issues a certificate of completion, pursuant to section 4765.24 of the Revised Code, to each student who successfully completes the EMS training program and passes the course final written and practical examinations. Such certificate ~~shall include~~ includes, but is not limited to the following information:
 - (i) Certificate of accreditation number;
 - (ii) Program director's signature;
 - (iii) Student's name;
 - (iv) Date course completed;
 - (v) Number of hours completed;
 - (vi) Course title.
 - (k) Performs ongoing review and maintains written evaluation of clinical and prehospital internship sites.
- (3) Has a program medical director who assists in the development of the medical components of the training program;
 - (4) Meets the curriculum requirements for certification as an emergency medical responder, emergency medical technician, advanced emergency medical technician, or paramedic as set forth in section 4765.16 of the Revised Code and Chapters 4765-12, 4765-15, 4765-16, and 4765-17 of the Administrative Code;
 - (5) Utilizes individuals who hold a valid and current certificate to teach in accordance with Chapter 4765-18 of the Administrative Code;
 - (6) Ensures any instructor who holds a certificate to teach is assigned to teach in training programs at or below the level of the holders' certificates to practice;
 - (7) Has a sufficient number of ~~EMS-fire and emergency services~~ EMS instructors or assistant EMS instructors to ensure the ratio of instructors to students in all practical skills components of the EMS training program does not exceed one to ten;
 - (8) Has established an advisory committee consisting of the program director, program medical director, clinical experience and prehospital internship preceptors, instructors, and EMS providers that meets at least once each year, based on the accreditation cycle;

- (9) Maintains financial resources adequate for the satisfactory delivery of the EMS training program as set forth in section 4765.16 of the Revised Code and Chapters 4765-12, 4765-15, 4765-16 and 4765-17 of the Administrative Code;
- (10) Has and maintains one fixed geographic location where an EMS accredited institution operates and where EMS training is conducted, and one office in a fixed geographic location where records are maintained except as provided in rule 4765-7-05 of the Administrative Code. ~~Such location shall not consist of~~ Unacceptable locations include, but are not limited to, a house trailer, residence, tent, temporary stand, rooming house, apartment, post office box, or a room in a hotel or motel;
- (11) Has adequate classroom and laboratory facilities to accommodate the number of students participating in the program;
- (12) Provides classroom environments that are safe, sanitary and conducive to learning;
- (13) Possesses, or has affiliation agreements for use of, equipment to adequately train EMS students to meet the course requirements of section 4765.16 of the Revised Code and Chapters 4765-12, 4765-15, 4765-16, and 4765-17 of the Administrative Code;
- (14) Possesses current and valid written affiliation agreements with each organization that provides an EMS student a clinical experience and/or prehospital internship required by the EMS training program;
- (15) Possesses current and valid written affiliation agreements with clinical and/or prehospital organizations to assure sufficient training opportunities for EMS students to meet the course requirements of section 4765.16 of the Revised Code and the curriculum requirements of Chapters 4765-12, 4765-15, 4765-16 and 4765-17 of the Administrative Code;
- (16) Utilizes a sufficient number of preceptors to provide appropriate supervision and written evaluation of students in both the clinical experience and or prehospital internship components of the EMS training program;
- (17) Has an established office area for use by program faculty and instructors;
- (18) Has informational resources available to all students and faculty that contain comprehensive, current publications, media materials, and electronic resources relating to emergency medical services;

- (19) Requires a student to possess and maintain a current and valid Ohio certificate to practice as an emergency medical technician, at a minimum, prior to the start of any advanced emergency medical technician, or paramedic training program;
- (20) Shall allow a student who is at least seventeen years old, who is enrolled in the twelfth or final grade in a secondary school program and who otherwise meets the requirements for admission into the EMS training program to be admitted and to complete the emergency medical technician training program;
- (21) Has written policies that are made available to students identifying all of the following:
 - (a) Admission requirements;
 - (b) Prohibition of discrimination in acceptance of students on the basis of race, color, religion, sex, sexual orientation, military status, or national origin;
 - (c) Costs associated with the training program, including tuition, materials, and fees;
 - (d) Refund of tuition payments;
 - (e) Information regarding course schedules, subject areas content, and objectives approved by the board;
 - (f) Criteria for successful completion of each component of the curriculum;
 - (g) Criteria for successful completion of the full training program;
 - (h) Methodology used in determining grades;
 - (i) Attendance requirements;
 - (j) Requirements or restrictions regarding student attire;
 - (k) Procedures for voluntary student withdrawal from the program;
 - (l) Grounds for dismissal from the program;
 - (m) Disciplinary and grievance procedures including mechanism for appeals;
 - (n) Health care services available to students by or through the accredited institution;

- (o) Requirement that students are not used to meet minimum staffing requirements or in substitution for essential personnel in a clinical experience or ~~prehospital~~prehospital internship setting;
 - (p) Requirement that all students are notified of the process and deadlines for obtaining a certificate to practice under section 4765.30 of the Revised Code and Chapter 4765-8 of the Administrative Code, and that an Ohio certificate to practice may not be granted if the individual fails to meet the qualifications for a certificate to practice set forth in rule 4765-8-01 of the Administrative Code;
 - (q) Requirement that all students are notified of the process for renewing a certificate to practice under section 4765.30 of the Revised Code and Chapter 4765-8 of the Administrative Code;
 - ~~(q)~~(r) Security parameters protecting the students' financial and personal information in accordance with state and federal laws.
- (B) In addition to meeting the requirements set forth in this rule, an EMS accredited institution authorized by the board to operate a paramedic training program shall, except as provided in paragraph (C) of this rule, meet all of the following:
- (1) Has been accredited by CAAHEP or issued a letter of review from CoAEMSP no later than January 1, 2018;
 - (2) The requirements as set forth in sections 4765.16 and 4765.17 of the Revised Code and rule 4765-7-13 of the Administrative Code and this chapter;
 - (3) Provide written notification to current and prospective students that applicants who graduate from a non-CAAHEP accredited paramedic training program that began on or after January 1, 2013, and who successfully pass the national standard paramedic examination, may not be eligible for national certification, but will be eligible for an Ohio certificate to practice provided the applicant meets the requirements under section 4765.30 of the Revised Code and Chapter 4765-8 of the Administrative Code.
- (C) To be accredited as a new EMS paramedic training program, an institution shall apply for a provisional status and ~~shall~~ meet all of the following:
- (1) The requirements as set forth in sections 4765.16 and 4765.17 of the Revised Code and rule 4765-7-13 of the Administrative Code and this chapter;
 - (2) Concurrently submit an application to CoAEMSP for a letter of review and an application to the board for provisional status;

- (3) Receive provisional status from the board;
- (4) The program may not promote or initiate a course until the letter of review from CoAEMSP is received;
- (5) Provide written notification to prospective students that applicants who graduate from a non-CAAHEP accredited paramedic training program that began on or after January 1, 2013, and who successfully pass the national standard paramedic examination, may not be eligible for national certification, but will be eligible for an Ohio certificate to practice provided the applicant meets the requirements under section 4765.30 of the Revised Code and Chapter 4765-8 of the Administrative Code; and
- (6) Upon completion of the first class, the program may petition the board for Ohio accredited status if the program remains compliant with sections 4765.16 and 4765.17 of the Revised Code and rules 4765-7-02 and 4765-7-03 of the Administrative Code and if the program maintains a valid CoAEMSP letter of review until the final disposition of the CAAHEP accreditation is determined.

(D) An EMS accredited institution or applicant for a certificate of accreditation shall:

- (1) Allow access by the division, during regular business hours and at all other reasonable times, to conduct an inspection of students' EMS training records and all ~~EMS~~ instructor records for accreditation purposes;
- (2) Allow the division to review the program materials and monitor the testing process utilized by the EMS training program;
- (3) Maintain written documentation, to include documentation of compliance with this chapter, of all EMS training programs including the following:
 - (a) EMS continuing education programs;
 - (b) ~~EMS instructor~~ Instructor training programs, to include documentation of all requirements set forth in Chapter 4765-18 of the Administrative Code;
 - (c) EMS courses taught at an offsite location.
- (4) Must submit a course request in the division's course management system database prior to conducting any certification training courses, and the request must be approved by the division;
- ~~(4)(5) Submit a report each year beginning one year from the date the initial certificate of accreditation was issued by the board. Enter all data for each course in the~~

timelines required by the division into the division's course management system database, including but not limited to the following:

- (a) Course level;
- (b) Course start date;
- (c) Course projected end date;
- (d) Course total hours;
- (e) Course location;
- (f) Course lead instructor;
- (g) Required course documents;
- (h) "National Incident Management System Course IS-100" and "National Incident Management System Course IS-700" results for each student;
- (i) Course practical exam pass/fail results for each student;
- (j) Course written exam pass/fail results for each student;
- (k) Course completion date for each student;
- (l) State/national registry of emergency medical technicians (NREMT) practicals pass/fail results for each student;
- (m) NREMT written examination pass/fail results for each student;
- (n) Program director attestation for each student.

(E) An EMS accredited institution shall retain written or electronic files in a secure location with the following documentation for each course offered by the institution:

- (1) Course schedules, lesson plans, and policies in compliance with this rule;
- (2) Record of a valid and current certificate to practice or license and valid and current certificate to teach for each instructor utilized in the EMS training program;
- (3) Written affiliation agreements as outlined in this rule and documentation of compliance with terms therein;

- (4) Minutes of advisory committee meetings including an agenda and attendance record for each meeting that is conducted in accordance with this rule;
 - (5) Attendance records for each EMS training course conducted by an EMS accredited institution which demonstrate completion of the required hours and standards by the EMS training program in accordance with written policies that are made available to students;
 - (6) Evaluations of student cognitive performance;
 - (7) Evaluations of student in-class and final practical skills performance;
 - (8) Preceptor evaluations of student performance;
 - (9) Records of clinical skills requirements;
 - (10) Documentation of program director and program medical director approval and credit given to a student for previous training by an advanced emergency medical technician or paramedic training program in accordance with rule 4765-6-02 of the Administrative Code;
 - (11) Student evaluations of course and instructors;
 - (12) A summary of student evaluations of course content, facility, and instructor(s);
 - ~~(12)~~(13) Accident and injury reports.
- (F) A certificate of accreditation issued under paragraph (A) of this rule shall be valid for up to five years pursuant to section 4765.17 of the Revised Code and may be renewed pursuant to rule 4765-7-07 of the Administrative Code.
- (G) The EMS accredited institution shall maintain all documentation required in this rule for the duration of the current accreditation cycle and for the previous accreditation cycle.
- (H) An accredited institution that provides an EMS training program or EMS continuing education program through the online or distance learning delivery systems shall comply with all requirements set forth in rules 4765-7-11 and 4765-7-12 of the Administrative Code and maintain documentation of compliance.
- (I) An accredited institution shall only provide an EMS training program through online education or distance learning delivery systems when first approved by the board and compliant with all requirements set forth in rule 4765-7-12 of the Administrative Code.

Effective:

Five Year Review (FYR) Dates: 8/29/2023

Certification

Date

Promulgated Under:	119.03
Statutory Authority:	4765.11
Rule Amplifies:	4765.16, 4765.17
Prior Effective Dates:	01/01/1996, 02/22/1999, 03/23/2003, 11/29/2007, 02/01/2009, 01/01/2013, 08/12/2014, 06/15/2018

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-7-03

Rule Type: Amendment

Rule Title/Tagline: Provisional certificates.

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

Division:

Address: 1970 West Broad Street PO box 182081 Columbus OH 43218-2081

Contact: Joseph Kirk **Phone:** 614-466-5605

Email: jakirk@dps.ohio.gov

I. Rule Summary

1. Is this a five year rule review? Yes
 - A. What is the rule's five year review date? 8/29/2023
2. Is this rule the result of recent legislation? No
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? 4765.17
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 according to a R.C. 106.03 periodic rule review, and to change the valid period of provisional certificates.
8. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

Rule 4765-7-03 sets forth the criteria for issuance of a provisional certificate of accreditation or certificate of approval for previously certified institutions seeking renewal. Criteria include substantial compliance with Revised Code (RC) and OAC standards of record keeping and passage rates. The rule sets forth time frames for applying for, issuing, and the expiration of provisional certificates, which are not renewable but may be extended by the EMFTS Board.

O.A.C. Rule 4756-7-03 is being amended to change the defined period of a provisional certificate from a maximum of two years to a minimum of two years.

- 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.

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Not Applicable

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

It is estimated that this rule will not result in any costs of compliance for stakeholders above the accreditation costs reported under OAC rules 4765-7-02 and 4765-7-04.

- 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? Yes
18. Does this rule have an adverse impact on business? Yes
- 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? Yes
- Obtaining a provisional certificate of accreditation or provisional certificate of approval to an initial or renewal applicant requires substantial compliance with the requirements of section 4765.16 of the Revised Code.
- 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? No
- A. How many new regulatory restrictions do you propose adding to this rule?

Not Applicable

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

Not Applicable

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

Not Applicable

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

Not Applicable

4765-7-03

Provisional certificates.

- (A) The board may issue a provisional certificate of accreditation or provisional certificate of approval to an initial applicant or renewal applicant that is in substantial compliance with the requirements of section 4765.16 of the Revised Code and this chapter.
- (B) An applicant for a certificate of accreditation may be deemed to be in substantial compliance if it has only minor violations of section 4765.16 of the Revised Code or rules 4765-7-02 and 4765-7-07 of the Administrative Code, examples including but not limited to: incomplete records, a lack of certain policies, or failure to meet the required passage rate.
- (C) An applicant for a certificate of approval may be deemed to be in substantial compliance if it has only minor violations of section 4765.16 of the Revised Code or rule 4765-7-09 of the Administrative Code, examples including but not limited to: incomplete records, a lack of summary evaluations, or failure to submit a renewal application in accordance with this chapter.
- (D) Provisional certificates will have a ~~maximum~~-minimum expiration date of two years. The board shall inform the applicant, in writing, of the conditions that must be met, and any applicable timelines, in order for the institution to obtain the appropriate certificate.
- (E) If the institution meets the specified conditions, the board will grant the appropriate certificate with an expiration date of three years from the expiration date of the prior certificate of accreditation or certificate of approval, whichever is applicable.
- (F) If the institution does not meet the specified conditions, the provisional certificate will expire and the institution will no longer be authorized to operate an EMS training program or EMS continuing education program. The institution must then apply for reinstatement of its provisional certificate in accordance with rule 4765-7-08 of the Administrative Code.
- (G) A provisional certificate is not renewable but may be extended for exigent circumstances, as determined by the board. An applicant wishing to request an extension must submit a written, signed request to the division, prior to the certificate's expiration date, which specifies a justification and requested length of time for the extension.

Effective:

Five Year Review (FYR) Dates: 8/29/2023

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4765.11
Rule Amplifies: 4765.17
Prior Effective Dates: 07/30/2010, 06/15/2018

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-7-04

Rule Type: Amendment

Rule Title/Tagline: Application for accreditation.

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

Division:

Address: 1970 West Broad Street PO box 182081 Columbus OH 43218-2081

Contact: Joseph Kirk **Phone:** 614-466-5605

Email: jakirk@dps.ohio.gov

I. Rule Summary

1. Is this a five year rule review? Yes
 - A. What is the rule's five year review date? 8/29/2023
2. Is this rule the result of recent legislation? No
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? 4765.15
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 is being filed according to a R.C. 106.03 periodic rule review, and to simplify the comment related to the incorporated by reference rule and revise the title of a form.
8. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

Rule 4765-7-04 sets forth the application standards for a certificate of accreditation. The rule refers readers to the incorporated by reference rule. Rule 4765-7-04 is amended to simplify the comment related to the incorporated by reference rule and revise the title of a form.

- 9. Does the rule incorporate material by reference? Yes**
- 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.**

OAC rule 4765-7-04 incorporates the form "Certificate of Accreditation Application" (February, 2014) or form EMS 1652. To comply with sections 121.71 to 121.74 of the Revised Code, this rule refers readers to OAC rule 4765-1-03, which provides the editions and dates of the materials and the website addresses where the information may be accessed.

"Certificate of Accreditation Application" is published at the EMS "Forms & Applications" website at: <http://https://ems.ohio.gov/forms-and-applications>.

- 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?**

The costs incurred by the EMS accredited institutions will vary depending on the affiliations of the EMS accredited institution and the levels of training being offered. Those institutions not changing any certification levels will see minimal if any additional costs, except for natural increases in administrative costs. Those institutions

adding additional certification levels will see cost increases, as they may need to add additional instructional, administrative, and equipment resources. *Significant costs could be associated with institutions requesting to become a paramedic training center due to the costs associated with the national accreditation application process. The estimated annual cost to an accredited institution for continued compliance is an annual fee of \$1,700 and approximately \$3,450 in additional costs every five years to complete the CAAHEP reaccreditation process. These costs are charged and collected by CoAEMSP.

SOURCE: Ohio Division of EMS Education & Testing section

*Costs obtained from CoAEMSP at <http://www.coaemsp.org/Fees.htm>

The CoAEMSP website was reviewed on May 4, 2023 to determine the initial and renewal costs of compliance.

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? Yes**
18. **Does this rule have an adverse impact on business? Yes**
 - A. **Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? Yes**

This rule requires a certification of accreditation authorized by the State Board of Emergency Medical, Fire, and Transportation Services (EMFTS) for entities operating EMS training programs.
 - 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? Yes

Accredited institutions seeking to operate additional EMS training programs are required to submit a "Certificate of Accreditation Application."

The costs incurred by the EMS accredited institutions will vary depending on the affiliations of the EMS accredited institution and the levels of training being offered. Those institutions not changing any certification levels will see minimal if any additional costs, except for natural increases in administrative costs. Those institutions adding additional certification levels will see cost increases, as they may need to add additional instructional, administrative, and equipment resources. *Significant costs could be associated with institutions requesting to become a paramedic training center due to the costs associated with the national accreditation application process. The estimated annual cost to an accredited institution for continued compliance is an annual fee of \$1,700 and approximately \$3,450 in additional costs every five years to complete the CAAHEP reaccreditation process. These costs are charged and collected by CoAEMSP.

SOURCE: Ohio Division of EMS Education & Testing section

*Costs obtained from CoAEMSP at <http://www.coaemsp.org/Fees.htm>

The CoAEMSP website was reviewed on May 4, 2023 to determine the initial and renewal costs of compliance.

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? No

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

Not Applicable

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

Not Applicable

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

Not Applicable

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

Not Applicable

4765-7-04

Application for accreditation.

[Comment: For dates and availability of material incorporated by reference in this chapter and Chapters ~~4765-01 to 4765-10 and 4765-12 to 4765-19~~ of the Administrative Code, see rule 4765-1-03 of the Administrative Code.]

(A) An applicant for a certificate of initial accreditation shall submit ~~an~~ "Initial Certificate of Accreditation Application."

(B) ~~A~~ An "Initial Certificate of Accreditation Application" that is not filled out in the manner as specified on the application will be deemed incomplete. Incomplete applications will not be considered and will be returned to the applicant with the notation that the application is incomplete.

Effective:

Five Year Review (FYR) Dates: 8/29/2023

Certification

Date

Promulgated Under: 119.03

Statutory Authority: 4765.11

Rule Amplifies: 4765.15

Prior Effective Dates: 01/01/1996, 02/22/1999, 11/29/2007, 08/12/2014,
06/15/2018

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-7-05

Rule Type: Amendment

Rule Title/Tagline: Offsite locations.

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

Division:

Address: 1970 West Broad Street PO box 182081 Columbus OH 43218-2081

Contact: Joseph Kirk **Phone:** 614-466-5605

Email: jakirk@dps.ohio.gov

I. Rule Summary

1. Is this a five year rule review? Yes
 - A. What is the rule's five year review date? 8/29/2023
2. Is this rule the result of recent legislation? No
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? 4765.16
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 is being filed according to a R.C. 106.03 periodic rule review, and to add the comment related to the incorporated by reference rule and to add reference to a form.
8. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

Rule 4765-7-05 sets forth the provisions required of an EMS accredited institution or EMS approved institution offering courses at locations other than those submitted in applications. Rule 4765-7-05 is amended to add the comment related to the incorporated by reference rule and add paragraph (A)(3) regarding the "Request for EMS Offsite Training Offsite Location" form.

9. **Does the rule incorporate material by reference?** Yes
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.**

OAC rule 4765-7-05 incorporates the form "Request for EMS Offsite Training Location" (August 2022), or form EMS 1269. To comply with sections 121.71 to 121.74 of the Revised Code, this rule refers readers to OAC rule 4765-1-03, which provides the editions and dates of the materials and the website addresses where the information may be accessed.

"Request for EMS Offsite Training Location" is published at the EMS "Forms & Applications" website at:
<https://ems.ohio.gov/forms-and-applications>.

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? Yes
18. Does this rule have an adverse impact on business? Yes
 - 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? Yes

An accredited institution or approved institution under disciplinary action by the EMFTS Board is required to obtain board approval before offering courses at a new offsite location.
 - 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? No
 - A. How many new regulatory restrictions do you propose adding to this rule?

Not Applicable

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

Not Applicable

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

Not Applicable

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

Not Applicable

4765-7-05

Offsite locations.

[Comment: For dates and availability of material incorporated by reference in this chapter see rule 4765-1-03 of the Administrative Code.]

- (A) Pursuant to division (E) of section 4765.17 of the Revised Code, an EMS accredited institution or EMS approved institution may offer courses at different locations from the location listed in the application for accreditation or the application for approval provided that all of the following apply:
- (1) The accredited institution or approved institution continues to operate at the location identified in the application for certificate of accreditation or certificate of approval;
 - (2) Each offsite location where the program is offered meets the minimum standards for either accreditation, set forth in rule 4765-7-02 of the Administrative Code, or approval, set forth in rule 4765-7-09 of the Administrative Code.
 - (3) The accredited institution or approved institution submits a "Request for EMS Training Offsite Location" form and receives division approval.
- (B) Files and records of students enrolled in an EMS training program or EMS continuing education program course may be maintained in a secure area at the offsite location until the course is completed, at which time all student files and records must be maintained at the site of the accredited institution or approved institution. The records shall be surrendered to the accredited or approved institution no later than ninety days after the final day of the course.
- (C) The accredited institution or approved institution shall maintain a current, valid certificate of accreditation or certificate of approval, respectively, in order to offer courses at an offsite location.
- (D) If an accredited institution or approved institution is under disciplinary action by the board, such institution shall obtain board approval before offering courses at a new offsite location.

Effective:

Five Year Review (FYR) Dates: 8/29/2023

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4765.11
Rule Amplifies: 4765.16
Prior Effective Dates: 01/01/1996, 02/22/1999, 11/29/2007

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-7-06

Rule Type: Amendment

Rule Title/Tagline: Notification to the board.

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

Division:

Address: 1970 West Broad Street PO box 182081 Columbus OH 43218-2081

Contact: Joseph Kirk **Phone:** 614-466-5605

Email: jakirk@dps.ohio.gov

I. Rule Summary

1. Is this a five year rule review? Yes
 - A. What is the rule's five year review date? 8/29/2023
2. Is this rule the result of recent legislation? No
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? 4765.15, 4756.16
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 is being filed according to a R.C. 106.03 periodic rule review, and to make typographic corrections and to bring the rule in line with existing rules affecting fire charters.
8. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

Rule 4765-7-06 requires an EMS accredited institution or EMS approved institution to provide to the Division of EMS within ten days written notification of a change of mailing address or physical location and name or contact information of the authorizing official, program director, or program medical director. In addition, the institutions must notify the EMFTS Board in writing of an increase in the number of hours included in an EMS training program. Rule 4765-7-06 is amended to correct spelling errors, simplify the language, and make the rule more similar to rule 4765-24-06 (Notification to the executive director.), which applies to fire charters.

- 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? Yes

18. Does this rule have an adverse impact on business? Yes

- 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? Yes

This rule requires written notification to the EMFTS Board from accredited institutions of changes in mailing address and/or physical location; authorizing official name and/or contact information; program director name and/or contact information; program medical director name and or contact information; and any increase in hours included in the EMS training program.

It is estimated that this rule will not result in any costs of compliance for stakeholders beyond minimal costs to notify the EMFTS Board of changes.

- 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? No

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

Not Applicable

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

Not Applicable

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

Not Applicable

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

Not Applicable

4765-7-06

Notification to the board.

(A) An EMS accredited ~~institution~~ or EMS approved ~~institution~~program shall provide written notice to the division no later than ten days after ~~any of the following changes occur in the institution for which the certificate of accreditation or certificate of approval was issued~~a change in any of the following:

- (1) Mailing address ~~and or~~and/or physical location;
- (2) Authorizing official name ~~and or~~and/or contact information;
- (3) Program director name and/or contact information;
- (4) Program medical director name and/or contact information;
- (5) Email address;
- (6) Instructor trainers; or
- (7) Test proctors.

(B) ~~An~~Prior to implementation, each EMS accredited ~~institution~~ or EMS approved ~~institution~~ ~~may not increase the number of hours included in the EMS training program without first providing written notice of the proposed changes to the board~~program shall submit a written request to, and receive approval from, the division of proposed changes in any of the following:

- (1) Offsite locations;
- (2) "Written Testing Agreement EMS Accredited Institutions," when it involves a change in location, facilities, program director, or authorizing official; or
- (3) Program name.

Effective:

Five Year Review (FYR) Dates: 8/29/2023

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4765.11
Rule Amplifies: 4765.15, 4756.16
Prior Effective Dates: 01/01/1996, 02/22/1999, 11/29/2007

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-7-07

Rule Type: Amendment

Rule Title/Tagline: Renewal of a certificate of accreditation.

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

Division:

Address: 1970 West Broad Street PO box 182081 Columbus OH 43218-2081

Contact: Joseph Kirk **Phone:** 614-466-5605

Email: jakirk@dps.ohio.gov

I. Rule Summary

1. Is this a five year rule review? Yes
 - A. What is the rule's five year review date? 8/29/2023
2. Is this rule the result of recent legislation? No
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? 4765.17
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 is being filed according to a R.C. 106.03 periodic rule review, to simplify the comment related to the incorporated by reference rule and revise the title of a form, and to add a renewal requirement.
8. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

Rule 4765-7-07 sets forth the provisions for renewing a certificate of accreditation. The Division of EMS is required to notify each holder of a certificate of accreditation no later than ninety days prior to its expiration of the expiration date, mechanism for renewal, and due date for receipt of application. The rule sets a schedule for the EMFTS Board to review the passing percentages set forth in the rule. The rule refers readers to the incorporated by reference rule. Rule 4765-7-07 is amended to simplify the comment related to the incorporated by reference rule, to revise the title of a form, and to add a requirement that a program conduct at least one course for each authorized classification level during their most recent accreditation cycle.

- 9. Does the rule incorporate material by reference? Yes**
- 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.**

OAC rule 4765-7-07 incorporates the form "Certificate of Accreditation Application" (September, 2022) or form EMS 1652. To comply with sections 121.71 to 121.74 of the Revised Code, this rule refers readers to OAC rule 4765-1-03, which provides the editions and dates of the materials and the website addresses where the information may be accessed.

"Certificate of Accreditation Application" is published at the EMS "Forms & Applications" website at: <https://ems.ohio.gov/forms-and-applications>.

- 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?

Renewal of accreditation costs are similar to initial application costs. EMS accredited institution and the levels of training being offered. Those institutions not changing any certification levels will see minimal if any additional costs, except for natural increases in administrative costs. Those institutions adding additional certification levels will see cost increases, as they may need to add additional instructional, administrative, and equipment resources. *Significant costs could be associated with institutions requesting to become a paramedic training center due to the costs associated with the national accreditation application process. The estimated annual cost to an accredited institution for continued compliance is an annual fee of \$1,700 and approximately \$3,450 in additional costs every five years to complete the CAAHEP reaccreditation process. These costs are charged and collected by CoAEMSP.

SOURCE: Ohio Division of EMS Education & Testing section

*Costs obtained from CoAEMSP at <http://www.coaemsp.org/Fees.htm>

The CoAEMSP website was reviewed on May 4, 2023 to determine the initial and renewal costs of compliance.

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? Yes

18. Does this rule have an adverse impact on business? Yes

A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? Yes

This rule requires renewal of a certification of accreditation authorized by the State Board of Emergency Medical, Fire, and Transportation Services (EMFTS) for entities operating EMS training programs.

- 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? Yes**

Accredited institutions seeking renewal as providers of EMS training programs are required to submit a "Certificate of Accreditation Application."

Renewal of accreditation costs are similar to initial application costs. Those institutions not changing any certification levels will see minimal if any additional costs, except for natural increases in administrative costs. Those institutions adding additional certification levels will see cost increases, as they may need to add additional instructional, administrative, and equipment resources. *Significant costs could be associated with institutions requesting to become a paramedic training center due to the costs associated with the national accreditation application process. The estimated annual cost to an accredited institution for continued compliance is an annual fee of \$1,700 and approximately \$3,450 in additional costs every five years to complete the CAAHEP reaccreditation process. These costs are charged and collected by CoAEMSP.

SOURCE: Ohio Division of EMS Education & Testing section

*Costs obtained from CoAEMSP at <http://www.coaemsp.org/Fees.htm>

The CoAEMSP website was reviewed on May 4, 2023 to determine the initial and renewal costs of compliance.

- 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? No**

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

Not Applicable

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

Not Applicable

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

Not Applicable

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

Not Applicable

4765-7-07

Renewal of a certificate of accreditation.

[Comment: For dates and availability of material incorporated by reference in this chapter and Chapters ~~4765-01 to 4765-10 and 4765-12 to 4765-19~~ of the Administrative Code, see rule 4765-1-03 of the Administrative Code.]

- (A) No later than ninety days prior to its expiration, the division shall notify each holder of a certificate of accreditation of the certificate's scheduled expiration date and a mechanism for renewal.
- (B) The notification shall clearly indicate the date by which the "Certificate of Accreditation Renewal Application" must be completed and received by the division.
- (C) The board shall renew a certificate of accreditation if all of the following apply:
- (1) The "Certificate of Accreditation Renewal Application" is completed and submitted to the division no later than the thirtieth day prior to expiration of the current certificate;
 - (2) The ~~institution-program~~ remains in compliance with the requirements for accreditation as set forth in section 4765.16 of the Revised Code and this chapter;
 - (3) The program has conducted at least one course at each authorized classification level in the most recent accreditation cycle:
 - (a) Conducting an EMS provider course at the highest approved classification level fulfills the requirement to teach EMS courses at lower classification levels;
 - (b) Conducting a fire and emergency services instructor II course fulfills the requirement to teach a fire and emergency services instructor I course;
 - ~~(3)~~(4) During the accreditation cycle for the certificate of accreditation being renewed, each EMS training program meets one of the following:
 - (a) Not less than sixty-five per cent of the EMS training program's students who took the written portion of the initial certification examination received a passing score in their first attempt to pass the examination.
 - (b) Not less than eighty per cent of the EMS training program's students who took the written portion of the initial certification examination received a passing score within three attempts.

- (D) Every twenty-four months ~~after February 1, 2009,~~ the board shall review the passing percentage requirement established in this rule to determine whether the requirement needs to be amended.

Effective:

Five Year Review (FYR) Dates: 8/29/2023

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4765.11
Rule Amplifies: 4765.17
Prior Effective Dates: 01/01/1996, 02/22/1999, 03/08/2007, 02/01/2009,
07/30/2010, 08/12/2014, 06/15/2018

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-7-08

Rule Type: Amendment

Rule Title/Tagline: Reinstatement of a certificate of accreditation or approval, or provisional certificate of accreditation or approval.

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

Division:

Address: 1970 West Broad Street PO box 182081 Columbus OH 43218-2081

Contact: Joseph Kirk **Phone:** 614-466-5605

Email: jakirk@dps.ohio.gov

I. Rule Summary

1. Is this a five year rule review? Yes
 - A. What is the rule's five year review date? 8/29/2023
2. Is this rule the result of recent legislation? No
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? 4765.17
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 is being filed according to a R.C. 106.03 periodic rule review, and to simplify the comment related to the incorporated by reference rule and revise the title of a form.

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

Rule 4765-7-08 sets forth the provisions for reinstatement of a certificate of accreditation or approval or provisional certificate of accreditation or approval. Applicants whose certificate expires within the time period for reinstatement are not eligible for a new certificate. The rule refers readers to the incorporated by reference rule. Rule 4765-7-08 is amended to simplify the comment related to the incorporated by reference rule and revise the title of a form.

- 9. Does the rule incorporate material by reference? Yes**
- 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.**

OAC rule 4765-7-08 incorporates the forms "Certificate of Accreditation Application" (February, 2014) or form EMS 1652 and "Certificate of Approval - Renewal Application" (April, 2015) or form EMS 1651. To comply with sections 121.71 to 121.74 of the Revised Code, this rule refers readers to OAC rule 4765-1-03, which provides the editions and dates of the materials and the website addresses where the information may be accessed.

"Certificate of Accreditation Application" and "Certificate of Approval - Renewal Application" are published at the EMS "Forms & Applications" website at: <https://ems.ohio.gov/forms-and-applications>.

- 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?

Reinstatement costs are similar to application costs. Those institutions not changing any certification levels will see minimal if any additional costs, except for natural increases in administrative costs. Those institutions adding additional certification levels will see cost increases, as they may need to add additional instructional, administrative, and equipment resources. *Significant costs could be associated with institutions requesting to become a paramedic training center due to the costs associated with the national accreditation application process. The estimated annual cost to an accredited institution for continued compliance is an annual fee of \$1,700 and approximately \$3,450 in additional costs every five years to complete the CAAHEP reaccreditation process. These costs are charged and collected by CoAEMSP.

SOURCE: Ohio Division of EMS Education & Testing section

*Costs obtained from CoAEMSP at <http://www.coaemsp.org/Fees.htm>

The CoAEMSP website was reviewed on May 4, 2023 to determine the initial and renewal costs of compliance.

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? Yes

18. Does this rule have an adverse impact on business? Yes

A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? Yes

This rule requires reinstatement of an expired certification of accreditation or certification of approval for entities operating EMS training or continuing education programs.

- 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? Yes**

Approval of a certificate of accreditation or approval requires a determination by the EMFTS Board that the applicant is in compliance with the requirements of sections 4765.16 and 4765.17 of the Revised Code OAC Chapter 4765-7.

- C. Does this rule require specific expenditures or the report of information as a condition of compliance? Yes**

Application for renewal of a certificate of accreditation or approval requires submission of a "Certificate of Accreditation Application" or "Certificate of Approval - Renewal Application."

Reinstatement costs are similar to application costs. Those institutions not changing any certification levels will see minimal if any additional costs, except for natural increases in administrative costs. Those institutions adding additional certification levels will see cost increases, as they may need to add additional instructional, administrative, and equipment resources. *Significant costs could be associated with institutions requesting to become a paramedic training center due to the costs associated with the national accreditation application process. The estimated annual cost to an accredited institution for continued compliance is an annual fee of \$1,700 and approximately \$3,450 in additional costs every five years to complete the CAAHEP reaccreditation process. These costs are charged and collected by CoAEMSP.

SOURCE: Ohio Division of EMS Education & Testing section

*Costs obtained from CoAEMSP at <http://www.coaemsp.org/Fees.htm>

The CoAEMSP website was reviewed on May 4, 2023 to determine the initial and renewal costs of compliance.

- 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? No**

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

Not Applicable

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

Not Applicable

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

Not Applicable

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

Not Applicable

4765-7-08

Reinstatement of a certificate of accreditation or approval, or provisional certificate of accreditation or approval.

[Comment: For dates and availability of material incorporated by reference in this chapter and Chapters 4765-01 to 4765-10 and 4765-12 to 4765-19 of the Administrative Code, see rule 4765-1-03 of the Administrative Code.]

- (A) A certificate of accreditation or approval, or provisional certificate of accreditation or approval, that has expired may be reinstated by the board if all of the following apply:
- (1) ~~A~~An "Initial Certificate of Accreditation Application" or ~~an~~ "Initial Certificate of Approval – Renewal Application for Certificate of Approval" is made no later than three years after the certificate has expired;
 - (2) The board determines that the applicant is in compliance with the requirements of sections 4765.16 and 4765.17 of the Revised Code and this chapter;
 - (3) The applicable certificate was not under investigation or disciplinary action for violations of Chapter 4765. of the Revised Code or this chapter at the time the certificate expired.
- (B) An applicant whose certificate is expired within the time period for reinstatement is not eligible for a new certificate under rule 4765-7-02 of the Administrative Code.

Effective:

Five Year Review (FYR) Dates: 8/29/2023

Certification

Date

Promulgated Under: 119.03

Statutory Authority: 4765.11

Rule Amplifies: 4765.17

Prior Effective Dates: 01/01/1996, 02/22/1999, 11/29/2007, 07/30/2010,
08/12/2014, 06/15/2018

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-7-09

Rule Type: Amendment

Rule Title/Tagline: Approval of Ohio EMS continuing education programs.

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

Division:

Address: 1970 West Broad Street PO box 182081 Columbus OH 43218-2081

Contact: Joseph Kirk **Phone:** 614-466-5605

Email: jakirk@dps.ohio.gov

I. Rule Summary

1. Is this a five year rule review? Yes
 - A. What is the rule's five year review date? 8/29/2023
2. Is this rule the result of recent legislation? No
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? 4765.15, 4765.16, 4756.17
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 is being filed according to a R.C. 106.03 periodic rule review. In addition, Rule 4765-7-09 is amended to simplify the comment related to the incorporated by reference rule, revise the title of a form, and update the categories of discrimination prohibited as a basis for accepting students. In addition, paragraphs

(E) and (F) are amended and paragraph (G) is added to distinguish between "initial" and "renewal" certificates of approval.

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

Rule 4765-7-09 sets forth the requirements for EMFTS Board approval of an EMS CE program offered by an EMS approved institution. Certificates of approval are valid for up to five years. EMS approved institutions are required to maintain documentation as set forth in the rule. The rule refers readers to the incorporated by reference rule. Rule 4765-7-09 is amended to simplify the comment related to the incorporated by reference rule, revise the title of a form, and update the categories of discrimination prohibited as a basis for accepting students. In addition, paragraphs (E) and (F) are amended and paragraph (G) is added to distinguish between "initial" and "renewal" certificates of approval.

9. Does the rule incorporate material by reference? Yes

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.

OAC rule 4765-7-09 incorporates the forms "Application for Certificate of Approval" (April, 2015) or EMS form 1650 and Certificate of Approval - Renewal Application" (April, 2015) or form EMS 1651). To comply with sections 121.71 to 121.74 of the Revised Code, this rule refers readers to OAC rule 4765-1-03, which provides the editions and dates of the materials and the website addresses where the information may be accessed.

"Application for Certificate of Approval" and "Certificate of Approval - Renewal Application" are published at the EMS "Forms & Applications" website at: <https://ems.ohio.gov/forms-and-applications>.

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?

Costs of compliance for stakeholders could include the cost of instructional materials, instructor time, and equipment as the program deems necessary. OAC Chapter 4765-7 does not require any EMS approved institution to provide specific continuing education training; the CE training is provided at the discretion of the approved institution. The costs incurred by the EMS approved institutions will vary depending on the affiliations of the institution, the CE training being offered, and increases in administrative costs. Institutions adding additional CE training may see cost increases based on the need to add additional instructional, administrative, and equipment resources.

SOURCE: Division of EMS Education & Training Section

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? Yes

18. Does this rule have an adverse impact on business? Yes

A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? Yes

Entities seeking to operate an EMS continuing education program are required to obtain and maintain a certificate of approval.

- 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? Yes**

Renewal of a certificate of approval requires compliance with requirements set forth in section 4765.16 of the Revised Code.

- C. Does this rule require specific expenditures or the report of information as a condition of compliance? Yes**

Applicants seeking to obtain or renew a certificate of approval to operate EMS continuing education programs are required to submit an "Application for Certificate of Approval" or a "Certificate of Approval - Renewal Application."

Costs of compliance for stakeholders could include the cost of instructional materials, instructor time, and equipment as the program deems necessary. OAC Chapter 4765-7 does not require any EMS approved institution to provide specific continuing education training; the CE training is provided at the discretion of the approved institution. The costs incurred by the EMS approved institutions will vary depending on the affiliations of the institution, the CE training being offered, and increases in administrative costs. Institutions adding additional CE training may see cost increases based on the need to add additional instructional, administrative, and equipment resources.

SOURCE: Division of EMS Education & Training Section

- 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? No**

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

Not Applicable

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

Not Applicable

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

Not Applicable

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

Not Applicable

4765-7-09

Approval of Ohio EMS continuing education programs.

[Comment: For dates and availability of material incorporated by reference in this chapter and Chapters ~~4765-01 to 4765-10 and 4765-12 to 4765-19~~ of the Administrative Code, see rule 4765-1-03 of the Administrative Code.]

(A) The board shall issue a certificate of approval, pursuant to section 4765.17 of the Revised Code and this chapter, to any applicant who is of good reputation and demonstrates that the EMS continuing education program for which the applicant seeks approval meets the following requirements:

- (1) Has submitted a completed "Initial Application for Certificate of Approval."
- (2) Has an authorizing official with good reputation who assumes responsibility for the following:
 - (a) Serves as program director or designates a person of good reputation to serve as program director;
 - (b) Administers and operates the EMS continuing education training program;
 - (c) Complies with all rules and laws applicable to EMS continuing education training and the holding of a certificate of approval;
 - (d) Continuously monitors the program content and the instructor(s) for all course offerings;
 - (e) Approves all course offerings, location(s) of training and instructors prior to the start of the course;
 - (f) Assures that courses are developed under the direction of a physician who specializes in emergency medicine and that each course that deals with trauma care is developed in consultation with a physician who specializes in trauma surgery;
 - (g) Prepares or approves all documents required to be submitted for the certificate of approval;
 - (h) Issues a certificate of completion, in accordance with rule 4765-7-11 of the Administrative Code, to each student who successfully completes the EMS continuing education program;
 - (i) Performs ongoing review of all class locations to ensure an environment conducive to learning, except online education or distance learning provided in accordance with rule 4765-7-11 of the Administrative Code;

- (j) Ensures a refresher course is conducted in accordance with rule 4765-7-11 of the Administrative Code and is in compliance with the standards, topics, hours and evaluation process as outlined in Chapters 4765-12, 4765-15, 4765-16, and 4765-17 of the Administrative Code.
- (3) Has a program medical director who assists in the development of the medical components of the training program and determines the appropriateness of the continuing education course offering(s);
- (4) Utilizes individuals who hold a valid and current certificate to teach in accordance with Chapter 4765-18 of the Administrative Code;
- (5) Ensures any instructor who holds a certificate to teach is assigned to teach courses at or below the level of the holders' certificate to practice;
- (6) Maintains financial resources adequate for the satisfactory delivery of the courses of study;
- (7) Maintains and ensures access to training equipment adequate for the satisfactory delivery of the courses of study or maintains written agreements for the training equipment;
- (8) Has and maintains one fixed geographic location where an EMS approved institution operates and where EMS continuing education training is conducted:
 - (a) The fixed geographic location where the EMS approved institution operates or where EMS continuing education training is conducted shall not consist of a house trailer, tent, temporary stand, rooming house, apartment, post office box or in a room in a hotel or motel;
 - (b) The fixed geographic location where an EMS approved institution operates shall not be in a residence, except those utilizing online or distance learning delivery systems as provide in this chapter. A residence shall not be used to offer EMS continuing education in a traditional classroom environment or seminar setting, nor shall it be used to permit any students to gather or meet.
- (9) Has and maintains an office in a fixed geographic location where records are maintained:
 - (a) The fixed geographic location of the office shall not consist of a house trailer, tent, temporary stand, post office box, rooming house, apartment or in a room in a hotel or motel;

- (b) The fixed geographic location of the office shall not be within a residence except those provided through online education or distance learning in accordance with this chapter. The office in a residence cannot be utilized to meet with any students, conduct training, or meet with division staff.
 - (10) Ensures adequate classroom and laboratory facilities to accommodate the number of students participating in the continuing education programs, except those programs provided through online education or distance learning in accordance with rule 4765-7-11 of the Administrative Code;
 - (11) Ensures classroom environments that are safe, sanitary and conducive to learning, except those programs provided through online education or distance learning in accordance with rule 4765-7-11 of the Administrative Code;
 - (12) Advises students of all costs associated with the continuing education course offering and the fee refund policy;
 - (13) Does not discriminate in the acceptance of students on the basis of race, color, religion, sex, sexual orientation, military status, or national origin;
 - (14) Requires all attendees at each course offering to complete an evaluation addressing course content, facility and instructor(s);
 - (15) Has security parameters set forth protecting the students' financial and personal information in accordance with state and federal laws.
- (B) An EMS approved institution or applicant for a certificate of approval shall allow access by the division, during regular business hours and at all other reasonable times, to conduct an inspection of EMS continuing education training records and all EMS instructor records except as listed in paragraph (C) of this rule.
- (C) An EMS approved institution conducting online education or distance learning, as provided in this chapter, at a residence shall make records available to the division at a government agency or facility in the proximity of the residence, as approved by the division.
- (D) An EMS approved institution shall retain written or electronic files, in a secure location, with the following documentation for each course offered by the institution:
- (1) Title and date(s) of course;
 - (2) Course starting and ending times, except those programs provided through online education or distance learning in accordance with this chapter;

- (3) Lesson materials and a copy of each knowledge and/or skill evaluation instrument utilized to evaluate student performance and achievement;
 - (4) Physician approval of course medical content in compliance with this rule;
 - (5) Course attendance records with the following information:
 - (a) Course title, date, location and time offered;
 - (b) Students' signatures documenting the hours of attendance;
 - (c) Name of the holder of the certificate to teach. If a guest lecturer is utilized, the record shall document names of both the guest lecturer and the EMS instructor of record present in the classroom during the presentation.
 - (6) Test records as required in paragraph (B) of rule 4765-19-01 of the Administrative Code;
 - (7) Regular evaluation of student performance and achievement in a refresher course through written and practical testing administered prior to the issuance of a certificate of completion;
 - (8) A summary of student evaluations of course content, facility and instructor(s);
 - (9) Written documentation of a current and valid certificate to practice or license and current and valid certificate to teach for each holder of a certificate to teach utilized in the EMS training program;
 - (10) Written agreements with each organization that provides equipment, clinical and/or prehospital experiences to adequately train EMS personnel.
- (E) A certificate of approval shall be valid for three years. ~~However, if the approved institution meets all of the following requirements, the board shall issue the institution a certificate of approval that shall be valid for five years:~~
- ~~(1) The certificate holder is of good reputation;~~
 - ~~(2) The approved institution is in compliance with all the requirements in this rule;~~
 - ~~(3) The approved institution has held a certificate of approval for the preceding six years;~~
 - ~~(4) The previous certificate of approval was issued without any contingencies;~~

- ~~(5) The approved institution has not been issued a provisional certificate of approval during the preceding six years;~~
- ~~(6) The approved institution has not received any disciplinary action by the board during the preceding six years.~~
- (F) The board shall renew a certificate of approval for three years if both of the following apply:
- (1) The "Certificate of Approval - Renewal Application" is completed and submitted to the division no later than the thirtieth day prior to expiration of the current certificate; and
 - (2) The program remains in compliance with the requirements for approval as set forth in section 4765.16 of the Revised Code and this chapter.
- (G) If the approved institution meets the requirements in paragraph (F) of this rule and all of the requirements in this rule, the board shall renew a certificate of approval for five years. The additional requirements are:
- (1) The certificate holder is of good reputation;
 - (2) The approved institution is in compliance with all the requirements in this rule;
 - (3) The approved institution has held a certificate of approval for the preceding six years;
 - (4) The previous certificate of approval was issued without any contingencies;
 - (5) The approved institution has not been issued a provisional certificate of approval during the preceding six years;
 - (6) The approved institution has not received any disciplinary action by the board during the preceding six years.
- ~~(G)~~(H) The EMS approved institution shall maintain all documentation required in this rule for the duration of the current approval cycle and for the previous approval cycle.
- ~~(H)~~(I) If the EMS approved institution is utilizing online or distance learning delivery systems, it shall meet all requirements set forth in this chapter and maintain documentation of such compliance.

Effective:

Five Year Review (FYR) Dates: 8/29/2023

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4765.11
Rule Amplifies: 4765.15, 4765.16, 4756.17
Prior Effective Dates: 01/01/1996, 02/22/1999, 02/01/2009, 07/30/2010,
08/12/2014, 06/15/2018

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-7-11

Rule Type: Amendment

Rule Title/Tagline: Continuing education course requirements for Ohio EMS accredited and approved institutions.

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

Division:

Address: 1970 West Broad Street PO box 182081 Columbus OH 43218-2081

Contact: Joseph Kirk **Phone:** 614-466-5605

Email: jakirk@dps.ohio.gov

I. Rule Summary

1. Is this a five year rule review? Yes
 - A. What is the rule's five year review date? 8/29/2023
2. Is this rule the result of recent legislation? No
3. What statute is this rule being promulgated under? 119.03
4. What statute(s) grant rule writing authority? 4765.11, 4765.16
5. What statute(s) does the rule implement or amplify? 4765.24, 4765.31
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 is being filed according to a R.C. 106.03 periodic rule review, to update references to other rules, and to remove specification for instructors.
8. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

Rule 4765-7-11 sets forth the requirements for CE courses offered by EMS accredited and approved institutions, including record keeping requirements. Rule 4765-7-11 is amended to update references to other rules in paragraph (K), and to remove the specification of "EMS Instructor" from the rule.

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?**

Costs of compliance for stakeholders could include the cost of instructional materials, instructor time, and equipment as the program deems necessary. OAC Chapter 4765-7 does not require any EMS approved institution to provide specific continuing education training; the CE training is provided at the discretion of the approved institution. The costs incurred by the EMS approved institutions will vary depending on the affiliations of the institution, the CE training being offered, and increases in administrative costs. Institutions adding additional CE training may see cost increases based on the need to add additional instructional, administrative, and equipment resources.

SOURCE: Division of EMS Education & Training Section

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? Yes
18. Does this rule have an adverse impact on business? Yes
 - 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? Yes

An accredited or approved institution is required to provide written documentation of clear objectives, course content, and method of delivery for each continuing education course.

Costs of compliance for stakeholders could include the cost of instructional materials, instructor time, and equipment as the program deems necessary. OAC Chapter 4765-7 does not require any EMS approved institution to provide specific continuing education training; the CE training is provided at the discretion of the approved institution. The costs incurred by the EMS approved institutions will vary depending on the affiliations of the institution, the CE training being offered, and increases in administrative costs. Institutions adding additional CE training may see cost increases based on the need to add additional instructional, administrative, and equipment resources.

SOURCE: Division of EMS Education & Training Section

- 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? No

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

Not Applicable

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

Not Applicable

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

Not Applicable

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

Not Applicable

4765-7-11

Continuing education course requirements for Ohio EMS accredited and approved institutions.

- (A) When an accredited and approved institution provides courses for continuing education credit, the institution shall meet all of the requirements set forth in this rule, this chapter, and rule 4765-19-01 of the Administrative Code.
- (B) Each course shall be related to EMS operations or patient care.
- (C) Each EMS continuing education course shall be taught by a holder of a certificate to teach, in accordance with Chapter 4765-18 of the Administrative Code except as provided in paragraphs (H)(2), (H)(4) and (H)(7) of this rule.
- (D) The accredited or approved institution shall issue a certificate of completion to each student upon successful completion of the course. The certificate of completion shall include the following information:
 - (1) Certificate of accreditation or certificate of approval number;
 - (2) Program director's signature;
 - (3) Student's name;
 - (4) Date on which the course was completed;
 - (5) Number of total hours completed, to include subject area hours as denoted in Chapters 4765-12, 4765-15, 4765-16 and 4765-17 of the Administrative Code;
 - (6) Course title reflecting the subject matter of the course offering.
- (E) A single session of continuing education shall be at least one-half contact hour.
- (F) The accredited or approved institution shall provide and maintain written documentation of clear objectives, course content and method of delivery for each continuing education course.
- (G) The approved or accredited institution shall assign continuing education credit to a course according to a formula whereby fifty to sixty minutes of training will equal one contact hour and twenty-five to thirty minutes will equal one-half contact hour.
- (H) In accordance with rule 4765-19-01 of the Administrative Code, accredited or approved institutions may provide continuing education courses in any of the following formats:
 - (1) Instruction in a traditional classroom environment or a seminar setting;

- (2) Online education, as defined in rule 4765-1-01 of the Administrative Code. Each online education program shall include all of the following:
 - (a) Prior written approval of medical content from the program medical director;
 - (b) Written documentation of clear objectives, course content and method of delivery;
 - (c) Prior approval from the program director;
 - (d) Course content developed by an ~~EMS~~-instructor and facilitation of the program by an ~~EMS~~-instructor;
 - (e) A testing process which shall be completed prior to the issuance of a certificate of completion.
- (3) Distance learning, as defined in rule 4765-1-01 of the Administrative Code. Each distance learning course shall consist of all of the following:
 - (a) Prior written approval of medical content from the program medical director;
 - (b) Written documentation of clear objectives, course content and method of delivery;
 - (c) Prior approval from the program director;
 - (d) Developed by an ~~EMS~~-instructor;
 - (e) A testing process which shall be completed prior to the issuance of a certificate of completion.
- (4) Journals, publications or electronic media formats including compact discs, digital video discs, video home system tapes, or other technological media as approved by board, and which shall include a testing process;
- (5) A skills practicum course, which shall include an evaluation of skills performance;
- (6) Other formats as approved by the board;
- (7) Independent study, as set forth in this rule, shall only be conducted through an EMS accredited or EMS approved institution. Each independent study course shall include all of the following:

- (a) Prior written approval of medical content from the program medical director;
 - (b) Written documentation of clear objectives, course content and method of delivery;
 - (c) Prior approval from the program director;
 - (d) Developed by an ~~EMS~~ instructor;
 - (e) A testing process, which shall be completed prior to the issuance of a certificate of completion.
- (I) The accredited or approved institution shall maintain documentation of each continuing education course in accordance with rules 4765-7-02 and 4765-7-09 of the Administrative Code, respectively.
- (J) The accredited or approved institution shall maintain documentation of compliance with all requirements set forth in rules 4765-7-02 and 4765-7-09 of the Administrative Code, respectively.
- (K) The didactic portion of the Ohio EMS provider refresher courses, as outlined in rules ~~4765-12-02, 4765-15-01, 4765-16-01 and 4765-17-01~~4765-12, 4765-15, 4765-16 and 4765-17 of the Administrative Code, may be taught through the online or distance learning formats, however the skills practical and testing shall be conducted in a traditional classroom environment.

Effective:

Five Year Review (FYR) Dates: 8/29/2023

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4765.11, 4765.16
Rule Amplifies: 4765.24, 4765.31
Prior Effective Dates: 12/27/2007, 02/01/2009, 02/06/2012, 08/12/2014

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-7-12

Rule Type: Amendment

Rule Title/Tagline: Online education and distance learning delivery systems for EMS training programs offered through an accredited institution.

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

Division:

Address: 1970 West Broad Street PO box 182081 Columbus OH 43218-2081

Contact: Joseph Kirk **Phone:** 614-466-5605

Email: jakirk@dps.ohio.gov

I. Rule Summary

1. Is this a five year rule review? Yes
 - A. What is the rule's five year review date? 8/29/2023
2. Is this rule the result of recent legislation? No
3. What statute is this rule being promulgated under? 119.03
4. What statute(s) grant rule writing authority? 4765.11, 4765.17
5. What statute(s) does the rule implement or amplify? 4765.17
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 is being filed according to a R.C. 106.03 periodic rule review, to update references to other rules, to remove reference to specific instructor type, and to remove reporting requirements for providing online education.

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

Rule 4765-7-12 sets forth the provisions for EMFTS Board approval of online and distance learning offered by EMS accredited and approved institutions. Rule 4765-7-12 is amended to update references to other rules in paragraphs (A)(10)(d) and (D), to remove the specific "EMS Instructor" from requirements, and to delete paragraph (C) requiring institutions offering online education to report additional information than required of other institutions.

- 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? Yes
18. Does this rule have an adverse impact on business? Yes
 - A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? Yes

This rule imposes prior authorization requirements that must be complied with in order to offer online or distance learning. Requirements include those set forth in rule OAC 4765-7-02; possession of a certificate of accreditation for the preceding three years, at minimum; and completion of at least one traditional classroom EMS training program at or above the level of EMS training program to be offered via an on-line or distance learning system.

- 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? Yes

Approval of online education and/or distance learning to offer EMS training may be denied to an applicant who fails to meet the requirements set forth in OAC 4765-7-12.

- 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? No

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

Not Applicable

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

Not Applicable

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

Not Applicable

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

Not Applicable

4765-7-12

Online education and distance learning delivery systems for EMS training programs offered through an accredited institution.

- (A) The board shall approve an accredited institution to provide an EMS training program through online education and/or distance learning delivery system(s), as defined in rule 4765-1-01 of the Administrative Code, if the institution is of good reputation and meets the following requirements:
- (1) Meets all requirements for accreditation as set forth in rule 4765-7-02 of the Administrative Code and currently possesses a certificate of accreditation at the level of the EMS training program for which the institution seeks to provide the online and/or distance learning delivery systems;
 - (2) Submits, to the board, a written request to offer EMS training via alternative delivery systems. Such a request shall indicate the level(s) of EMS training program(s) proposed to be offered and shall include documentation of how the accredited institution meets the requirements set forth in this rule;
 - (3) Has maintained a certificate of accreditation for at least the preceding three full years at or above the level of the EMS training program for which the institution seeks to provide the online and/or distance learning delivery systems for at least the preceding three full years from the date of accreditation;
 - (4) Has completed at least one EMS training program in the traditional classroom setting at or above the level of the EMS training program for which the institution seeks to provide the online and/or distance learning delivery systems;
 - (5) It is in good standing as defined in rule 4765-1-01 of the Administrative Code;
 - (6) Has written policies, which will be made available to each student, regarding all of the following:
 - (a) Admission requirements;
 - (b) Minimum requirements for technological needs for students enrolling in an EMS training program utilizing online education or distance learning to include, but not limited to, hardware, software, and internet connection speed;
 - (c) Technological support that will be provided by the accredited institution to include at a minimum, the hours of support and the method(s) in which the support will be provided;

- (d) A schedule identifying weekly access to the ~~EMS~~ instructors while the EMS training program is in session to allow for direct communication between ~~EMS~~ instructors and students. This should include, but not be limited to, telephone numbers, email addresses and office hours;
 - (e) Security parameters protecting the students' financial and personal information in accordance with state and federal laws;
 - (f) Online procedures for course administration and completion;
 - (g) Method(s) to transition from the online education and distance learning EMS training program into the classroom version for the same program in order to complete the required training. This policy shall include a reasonable time frame in which the transition process must be completed.
- (7) Develops and maintains the following for all EMS training programs utilizing online education or distance learning:
- (a) A technology infrastructure that facilitates sound security, including user authentication and authorization procedures and technologies;
 - (b) Access control procedures and technology that supports EMS training programs utilizing the online education or distance learning systems;
 - (c) Technological support to meet student needs;
 - (d) An appropriate security solution to ensure course and systems integrity, especially financial and personal information, in transit and at rest;
 - (e) A risk management plan to include identification of foreseen risks, continuity and disaster recovery, and incidence response;
 - (f) Assurance that course data are is readily, securely, and reliably available by electronic or printed means to the division and the division's authorized recipients;
 - (g) A means to access student and program information to facilitate state audits to verify compliance with rules approved by the board. If the technical support, application server host, or data storage facilities are located outside the state of Ohio, the accredited institution shall submit, upon request of the division, a report encompassing the rules of this chapter to meet the audit requirements. The accredited institution shall provide the division with an audit amendment describing any significant system changes within thirty days of enabling those changes. An enterprise shall

make student records available to the division online, in a password-protected environment, upon request.

- (8) Creates and maintains a complete student course data file to demonstrate student activity and ensure that the following information, at a minimum, is collected and retained:
 - (a) Student's name;
 - (b) Dates and times of student activity in the EMS training program and verification of the amount of total time spent utilizing the online education and/or distance learning portion of the program;
 - (c) The reason a student was suspended or failed to complete the EMS training program utilizing online education or distance learning;
 - (d) Name or identity number of an accredited institution staff member accessing or entering student records.
- (9) Ensures that the EMS training program's final written and psychomotor exams are administered and scored in a traditional classroom setting;
- (10) Ensures that an initial EMS training program taught utilizing an online education and/or distance learning delivery system meets all of the following:
 - (a) Obtains approval from the accredited institution program director and medical director prior to instruction utilizing online education and/or distance learning systems;
 - (b) Obtains prior written approval of medical content from the program medical director;
 - (c) Has been developed and is facilitated by an ~~EMS~~-instructor under the auspices of an accredited institution;
 - (d) Possesses written documentation of clear objectives, course content and method of delivery that meet all curricula requirements as set forth in rules ~~4765-12-02, 4765-15-01, 4765-16-01, and 4765-17-01~~ 4765-12, 4765-15, 4765-16, and 4765-17 of the Administrative Code;
 - (e) Ensures that the didactic portions of each EMS training program curriculum may be taught utilizing online education, distance learning delivery, or traditional classroom settings;

- (f) Ensures that the skills practicum instruction, laboratory sessions, and testing portions of each EMS training program curriculum utilize traditional classroom settings under the auspices of an accredited institution;
 - (g) Ensures that clinical experience and prehospital internships shall be conducted at sites in accordance with affiliation agreements with clinical and/or prehospital organizations.
- (11) Requires written evaluations, completed by each student, of each EMS training program offered through an online and/or distance learning delivery system. The evaluation shall include, but is not limited to, the following:
- (a) Clarity of written policies associated with the training program;
 - (b) Course content;
 - (c) Means of delivery and systems availability;
 - (d) Availability of ~~EMS~~ instructors.
- (B) An accredited institution approved to utilize the online education and/or distance learning delivery system may do so in conjunction with traditional classroom-based instruction.
- ~~(C) An accredited institution approved to utilize online education and/or distance learning systems shall annually provide the division with information, statistics and data specific to the EMS training programs offered through online and/or distance learning as set forth in rule 4765-7-02 of the Administrative Code.~~
- ~~(D)~~(C) An accredited institution approved to utilize online education and/or distance learning systems shall maintain documentation that demonstrated compliance with the hours and curricula requirements set forth in rules ~~4765-12-02, 4765-15-01, 4765-16-01 and 4765-17-01~~4765-12, 4765-15, 4765-16, and 4765-17 of the Administrative Code.
- ~~(E)~~(D) An accredited institution approved to utilize online education and/or distance learning systems shall ensure contact hours in the EMS training programs are equal to the hours in the same EMS training program conducted in a traditional classroom environment.
- ~~(F)~~(E) Approval to conduct training utilizing online and/or distance learning delivery systems is specific to the EMS training program level and type of delivery system.

~~(G)~~(F) An accredited institution approved by the board to utilize online training and/or distance learning delivery systems, which subsequently receives board approval to operate an advanced level of EMS training, shall teach at least one EMS training program in the traditional classroom at that level before becoming eligible to request to teach such program through online or distance learning. The accredited institution must meet all requirements in paragraph (A) of this rule in order to conduct online and/or distance learning formats at the higher level.

Effective:

Five Year Review (FYR) Dates: 8/29/2023

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4765.11, 4765.17
Rule Amplifies: 4765.17
Prior Effective Dates: 02/01/2009, 08/12/2014, 06/15/2018

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-7-13

Rule Type: Amendment

Rule Title/Tagline: National accreditation of paramedic programs.

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

Division:

Address: 1970 West Broad Street PO box 182081 Columbus OH 43218-2081

Contact: Joseph Kirk **Phone:** 614-466-5605

Email: jakirk@dps.ohio.gov

I. Rule Summary

1. Is this a five year rule review? Yes
 - A. What is the rule's five year review date? 8/29/2023
2. Is this rule the result of recent legislation? No
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? 4765.16, 4765.17
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 according to a R.C. 106.03 periodic rule review, and to remove language referring to previous deadlines.
8. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

Rule 4765-7-13 sets forth the qualifications, which became effective on January 1, 2018, for institutions offering an EMS training program at the paramedic level. This rule is being amended by deleting paragraphs (B) and (C), and (E) subparagraphs (1) and (2), to remove language referring to requirements prior to January 1, 2018.

- 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?**

Costs of compliance for institutions (stakeholders) requesting to become a paramedic training include the costs associated with the national accreditation application process. The estimated annual cost to an accredited institution for continued compliance is an annual fee of \$1,700 and approximately \$3,450 in additional costs every five years to complete the CAAHEP reaccreditation process. These costs are charged and collected by CoAEMSP. The State of Ohio received a five-year extension to complete national accreditation, making the deadline for accreditation 1/1/2018. The Division made grant funding available through the FY 2017 funding cycle to assist institutions with the costs of obtaining the CAAHEP accreditation. The estimated cost of CoAEMSP-related fees was reduced substantially when using the \$5,000 grant

award available as set forth in RC section 4765.07. Other costs of compliance vary depending on the affiliations of the EMS accredited institution and may include administrative and instructional costs and the costs of equipment and other resources.

SOURCE: Costs obtained from CoAEMSP at <http://www.coaemsp.org/Fees.htm>
The CoAEMSP website was reviewed on May 4, 2023 to determine the initial and renewal costs of compliance.

Division of EMS Education & Training Section

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.**

All costs for obtaining and renewing CAAHEP accreditation are charged and collected by CoAEMSP. None of these funds are charged by the Division of EMS.

III. Common Sense Initiative (CSI) Questions

17. **Was this rule filed with the Common Sense Initiative Office? Yes**
18. **Does this rule have an adverse impact on business? Yes**

- A. **Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? Yes**

This rule requires a certification of accreditation authorized by the State Board of Emergency medical, Fire, and Transportation Services (EMFTS) for entities operating EMS training programs.

- 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? Yes**

Approval to operate an institution offering a paramedic training program in Ohio may be denied to an applicant the fails to meet the requirements set forth in OAC rule 4765-7-13.

- C. **Does this rule require specific expenditures or the report of information as a condition of compliance? Yes**

An institution operating a paramedic training program in Ohio is required to provide written notice to the Division of EMS no later than ten days after any of the following: (1) Adverse decision affecting its accreditation status with the Commission on Accreditation of Allied Health Education Programs (CAAHEP); (2) Adverse decision affecting its letter of review by Committee on Accreditation of Educational Programs for the Emergency Medical Services Professions (CoAEMSP); or (3) Disciplinary action imposed by CAAHEP or CoAEMSP. Beginning on January 1, 2018, an institution operating a paramedic training program in Ohio is required to submit to the Division of EMS proof of compliance with the accreditation standards developed by CAAHEP.

Costs of compliance for institutions (stakeholders) requesting to become a paramedic training include the costs associated with the national accreditation application process. The estimated annual cost to an accredited institution for continued compliance is an annual fee of \$1,700 and approximately \$3,450 in additional costs every five years to complete the CAAHEP reaccreditation process. These costs are charged and collected by CoAEMSP. The State of Ohio received a five-year extension to complete national accreditation, making the deadline for accreditation 1/1/2018. The Division made grant funding available through the FY 2017 funding cycle to assist institutions with the costs of obtaining the CAAHEP accreditation. The estimated cost of CoAEMSP related fees was reduced substantially when using the \$5,000 grant award available as set forth in RC section 4765.07. Other costs of compliance vary depending on the affiliations of the EMS accredited institution and may include administrative and instructional costs and the costs of equipment and other resources.

SOURCE: Costs obtained from CoAEMSP at <http://www.coaemsp.org/Fees.htm>

The CoAEMSP website was reviewed on May 4, 2023 to determine the initial and renewal costs of compliance.

Division of EMS Education & Training Section

- 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? No

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

Not Applicable

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

Not Applicable

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

Not Applicable

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

Not Applicable

4765-7-13

National accreditation of paramedic programs.

(A) Beginning January 1, 2018, an institution operating an EMS training program at the paramedic level shall meet all of the following:

- (1) Hold a current and valid certificate of accreditation issued by the board to operate an EMS training program at the paramedic level;
- (2) Hold a current and valid certificate of accreditation issued by CAAHEP or a letter of review issued by CoAEMSP;
- (3) Comply with the requirements of sections 4765.16 and 4765.17 of the Revised Code and this chapter.

~~(B) A certificate of accreditation to operate an EMS training program at the paramedic level issued to an institution that is not accredited by CAAHEP or issued a letter of review by CoAEMSP shall expire December 31, 2017.~~

~~(C) An institution issued a certificate of accreditation by the board, but not accredited by CAAHEP or issued a letter of review by CoAEMSP shall not begin an EMS training program at the paramedic level on or after December 15, 2016.~~

~~(D)~~(B) Beginning January 1, 2018, an institution operating a paramedic training program in Ohio shall submit to the division proof of compliance with the accreditation standards developed by CAAHEP. At minimum, an institution operating a paramedic training program shall provide the following:

- (1) A copy of the certificate of accreditation issued by CAAHEP or the letter of review issued by CoAEMSP, whichever is applicable;
- (2) A copy of the annual report submitted to CoAEMSP;
- (3) A copy of the CoAEMSP response letter;
- (4) A copy of any plan of corrective action for deficiencies identified by CoAEMSP.

~~(E)~~(C) Each institution operating a paramedic training program in Ohio shall provide written notice to the division no later than ten days after any of the following:

- (1) Adverse decision affecting its accreditation status with CAAHEP;
- (2) Adverse decision affecting its letter of review by CoAEMSP;
- (3) Disciplinary action imposed by CAAHEP or CoAEMSP.

~~(F)~~(D) An institution operating a paramedic training program in Ohio shall cease the paramedic training program upon the effective date of a withholding or withdrawal of accreditation notice issued by CAAHEP or CoAEMSP.

~~(G)~~(E) An institution operating a paramedic training program shall provide a written notification to current and prospective students indicating its status as CAAHEP accredited or seeking accreditation with a CoAEMSP letter of review.~~satisfy the following:~~

~~(1) Provide a written notification to current and prospective students indicating its status as CAAHEP accredited, non-CAAHEP accredited, or seeking accreditation with a CoAEMSP letter of review;~~

~~(2) Provide a written notification to current and prospective students that applicants who graduate from a non-CAAHEP accredited paramedic training program that began on or after January 1, 2013, and who successfully pass the national standard paramedic examination, may not be eligible for national certification, but will be eligible for an Ohio certificate to practice provided the applicant meets the requirements under section 4765.30 of the Revised Code and Chapter 4765-8 of the Administrative Code.~~

Effective:

Five Year Review (FYR) Dates: 8/29/2023

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4765.11
Rule Amplifies: 4765.16, 4765.17
Prior Effective Dates: 01/01/2013, 08/12/2014

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-19-01

Rule Type: Amendment

Rule Title/Tagline: Continuing education for EMS providers.

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

Division:

Address: 1970 West Broad Street PO box 182081 Columbus OH 43218-2081

Contact: Joseph Kirk **Phone:** 614-466-5605

Email: jakirk@dps.ohio.gov

I. Rule Summary

1. Is this a five year rule review? Yes
 - A. What is the rule's five year review date? 8/29/2023
2. Is this rule the result of recent legislation? No
3. What statute is this rule being promulgated under? 119.03
4. What statute(s) grant rule writing authority? 4765.11, 4765.16
5. What statute(s) does the rule implement or amplify? 4765.31, 4745.04
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 is being filed according to a R.C. 106.03 periodic rule review, and to establish limits for earning training hours.
8. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

Rule 4765-19-01 sets forth criteria of continuing education credit, including subject matter, format, and eligible providers. The rule includes provisions for the consideration of CE obtained by the holder of a certificate to practice during military service. The rule has been amended to limit to twelve the number of hours per day a certificate holder may receive for credit, and to limit to once per year for any online course for credit.

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?**

An EMS provider (stakeholder) typically incurs continuing education course fees of \$0 to \$750 in order to meet the rule requirements to renew an EMS provider certificate to practice. The variance in costs is dependent upon whether or not an individual's department provides in-service training, approved on-line programs, conferences, or other sources of continuing education.

SOURCE: Division of Emergency Medical Services, Education & Testing Section

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? Yes
18. Does this rule have an adverse impact on business? Yes
 - 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? Yes

An EMS provider (stakeholder) typically incurs continuing education course fees of \$0 to \$750 in order to meet the rule requirements to renew an EMS provider certificate to practice. The variance in costs is dependent upon whether or not an individual's department provides in-service training, approved on-line programs, conferences, or other sources of continuing education.

SOURCE: Division of Emergency Medical Services, Education & Testing Section

- 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? No

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

Not Applicable

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

Not Applicable

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

Not Applicable

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

Not Applicable

4765-19-01

Continuing education for EMS providers.

(A) Unless the holder of a certificate to practice elects to take an examination approved or administered by the board in accordance with rule 4765-19-02 of the Administrative Code, or is granted an exemption under rule 4765-19-04 of the Administrative Code, the holder shall complete emergency medical services continuing education of such length and in such subject areas as set forth in Chapters 4765-12, 4765-15, 4765-16, and 4765-17 of the Administrative Code.

(B) In order to count for continuing education credit, an EMS continuing education course shall meet all of the following criteria:

- (1) Each course shall be related to EMS operations or patient care;
- (2) Written documentation of successful completion of the course shall be issued to the student by the sponsoring agency upon successful completion of the course;
- (3) A single session of continuing education shall be at least one-half contact hour;
- (4) No more than twelve hours of continuing education training in any one calendar day shall be accepted for credit;
- (5) No online training class, taken more than once per calendar year, shall be accepted for credit;
- ~~(4)~~(6) Each EMS continuing education course shall be provided or approved by one of the following entities:
 - (a) An EMS accredited institution or EMS approved institution;
 - (b) An EMS licensing agency in another state;
 - (c) A branch of the armed forces of the United States or a reserve component of the armed forces of the United States, including the Ohio national guard, the Ohio military reserve, the Ohio naval militia, or the national guard of any other state;
 - (d) A medical or nursing board of this state or another state;
 - (e) Federal, national, or state entities, as follows:
 - (i) Emergency management agency;
 - (ii) Homeland security;

- (iii) American red cross;
- (iv) American heart association;
- (v) American safety and health institute;
- (vi) Any other agency or organization as approved by the board.

(f) CAPCE- or CECBEMS-approved courses.

~~(5)~~(7) The provision of patient care shall not be considered as continuing education except as set forth in section 4745.04 of the Revised Code and paragraph (G) of this rule.

(C) Each EMS continuing education course shall be provided in one of the following formats:

- (1) Instruction in a traditional classroom environment or a seminar setting;
- (2) Online education, as defined in rule 4765-1-01 of the Administrative Code, which shall include a testing process;
- (3) Distance learning, as defined in rule 4765-1-01 of the Administrative Code, which shall include a testing process;
- (4) Journals, publications or electronic media formats including compact discs, digital video discs, or other technological media as approved by the board, which shall include a testing process;
- (5) A skills practicum course which shall include an evaluation of skills performance;
- (6) Independent study, as set forth in rule 4765-7-11 of the Administrative Code, shall only be conducted through an EMS accredited or EMS approved institution;
- (7) Other formats as approved by the board.

(D) Portions of an initial certification or licensing course that meet the requirements set forth in paragraphs (B) and (C) of this rule, may be counted towards continuing education credit when the sponsoring entity issues written documentation of the continuing education credit.

(E) Continuing education credit for EMS providers may be obtained from teaching EMS continuing education through an EMS accredited or EMS approved institution provided that:

- (1) The continuing education course has received prior approval from the program director;
 - (2) An EMS provider counts a presentation for continuing education credit only once during a twelve month period;
 - (3) The number of contact hours awarded to the holder of a certificate to teach or guest lecturer for a presentation shall not exceed the total number of contact hours established for the course.
 - (a) Contact hours can only be awarded for that portion of the course presented by the holder of a certificate to teach or guest lecturer.
 - (b) Continuing education contact hours may be awarded for additional portions of the activity the holder of a certificate to teach or guest lecturer attends.
 - (c) Contact hours shall not be awarded for time spent in the development or preparation of a course or presentation.
- (F) Notwithstanding the requirements set forth in paragraph (B) of this rule, the division shall consider relevant education, training, or service completed by the holder of a certificate to practice as a member of the armed forces of the United States or reserve components thereof, the Ohio national guard, the Ohio military reserve, the Ohio naval militia, or the national guard of any other state in determining whether the holder of a certificate to practice has fulfilled required continuing education.
- (G) As set forth in section 4745.04 of the Revised Code and this rule:
- (1) A holder of a certificate to practice as an EMT, AEMT, or paramedic may satisfy up to one third of continuing education requirements, excluding hours in the areas of pediatrics, geriatrics, trauma, and cardiac, if the certificate holder:
 - (a) Provides health care services to an indigent and uninsured person;
 - (b) Provides the health care services as a volunteer;
 - (c) Satisfies the requirements of section 2305.234 of the Revised Code to qualify for the immunity from liability granted under that section;
 - (d) Provides health care services within the scope of practice of the certificate held and authorized by a physician who meets qualifications for a medical director established by the board as set forth in rule 4765-3-05 of the Administrative Code; and

- (e) Provides required documentation with attestation by the certificate holder and medical director overseeing the patient care.
- (2) A certificate holder at the request of the division shall report continuing education claimed under this paragraph on a form approved by the division to include at minimum:
 - (a) Medical direction/authorization from a physician who meets the qualifications established by the board as set forth in rule 4765-3-05 of the Administrative Code;
 - (b) The time spent as a volunteer in provision of patient care;
 - (c) The name, location, and telephone number of the facility where care was provided;
 - (d) The description of the care provided; and
 - (e) The patient contact times for which continuing education is claimed, expressed as date and beginning and ending time, in minutes, for each hour of credit claimed.
- (3) Credit hours of continuing education earned by providing health care services to an indigent and uninsured person shall meet all of the following criteria:
 - (a) One credit hour of continuing education is equal to sixty minutes spent providing health care services to an indigent and uninsured person.
 - (b) Credit for continuing education for specialty hours, including but not limited to pediatrics, geriatrics, trauma, and cardiac, is excluded.
 - (c) Credit is earned based in the time spent providing actual patient care and not for time scheduled.

Effective:

Five Year Review (FYR) Dates: 8/29/2023

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4765.11, 4765.16
Rule Amplifies: 4765.31, 4745.04
Prior Effective Dates: 01/01/1996, 02/22/1999, 03/23/2003, 12/27/2007,
02/01/2009, 02/06/2012, 07/31/2014, 06/15/2018

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-19-03

Rule Type: Amendment

Rule Title/Tagline: Extension of continuing education requirement for EMS providers.

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

Division:

Address: 1970 West Broad Street PO box 182081 Columbus OH 43218-2081

Contact: Joseph Kirk **Phone:** 614-466-5605

Email: jakirk@dps.ohio.gov

I. Rule Summary

1. Is this a five year rule review? Yes
 - A. What is the rule's five year review date? 8/29/2023
2. Is this rule the result of recent legislation? No
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? 4765.31, 5903.12
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 according to a R.C. 106.03 periodic rule review, and to simplify the comment related to the incorporated by reference rule.
8. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

Rule 4765-19-03 sets forth the provisions for granting an extension of time to comply with CE requirements to renew a certificate to practice, including the application to be submitted to request an extension and provisions for certificate holders whose certificates expired while they served in the military. The rule refers readers to the incorporated by reference rule. Rule 4765-19-03 is amended to simplify the comment related to the incorporated by reference rule.

- 9. Does the rule incorporate material by reference? Yes**
- 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.**

OAC rule 4765-19-03 incorporates the forms "Request for Extension of EMS Certificates," and "EMS Renewal Application." To comply with sections 121.71 to 121.74 of the Revised Code, this rule refers readers to OAC rule 4765-1-03, which provides the editions and dates of the materials and the website addresses where the information may be accessed.

"Request for Extension of EMS Certificates" or EMS form 0084 is published at the EMS "Forms & Applications" website at: <https://ems.ohio.gov/forms-and-applications>. "EMS Renewal Application" is made available to a holder of an EMS provider certificate who wishes to renew the certificate and can be accessed at the division's renewal website at <https://services.dps.ohio.gov/EMSProviders>.

- 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?

The time required of a stakeholder completing paperwork associated with a request for an extension of time to complete CE will be dependent on the reason for the request and the support documentation needed to substantiate the request. The time required to complete the paperwork is expected to be minimal.

SOURCE: Division of Emergency Medical Services, Education & Testing Section

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? Yes

18. Does this rule have an adverse impact on business? Yes

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? Yes

Applicants requesting an extension of time to comply with CE requirements are required to submit a written request (EMS form 0084) including information provided in paragraph (D) of this rule.

The time required of a stakeholder completing paperwork associated with a request for an extension of time to complete CE will be dependent on the reason for the request and the support documentation needed to substantiate the request. The time required to complete the paperwork is expected to be minimal.

- 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? No

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

Not Applicable

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

Not Applicable

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

Not Applicable

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

Not Applicable

4765-19-03

Extension of continuing education requirement for EMS providers.

[Comment: For dates and availability of material incorporated by reference in this chapter and Chapters 4765-01 to 4765-10 and 4765-12 to 4765-19 of the Administrative Code, see rule 4765-1-03 of the Administrative Code.]

- (A) Pursuant to section 4765.31 of the Revised Code, the holder of a certificate to practice may be granted an extension of time to comply with the continuing education required for renewal of the certificate to practice.
- (B) A ninety-day functioning extension may be granted by the division, as delegated by the board, to the holder of a certificate to practice that submits a "Request for Extension of EMS Certificates," if either of the following conditions are met:
- (1) The request is received prior to the expiration date of the certificate to practice;
 - (2) The request is received no more than ninety days after the expiration date of the certificate to practice and there are extenuating circumstances, deemed acceptable by the board, that prevented the submission of the request for an extension prior to the expiration of the certificate to practice.
- (C) The board may grant an extension for a period of greater than ninety days if it determines there are extenuating circumstances affecting the ability of the certificate holder to comply with the continuing education requirement within ninety days of the expiration of the certificate to practice. The board ~~shall have~~has full discretion in determining the length of the extension and whether, or to what extent, the holder of the lapsed certificate may engage in activities for which a certificate to practice is otherwise required.
- (D) A holder of a certificate to practice seeking an extension for a period of greater than ninety days shall submit a written request to the division which ~~shall include~~includes all of the following:
- (1) Length of extension requested;
 - (2) Justification for the extension;
 - (3) The amount and type of continuing education needed to comply with the requirement for renewal of the certificate to practice;
 - (4) A specific plan for completion of the continuing education requirement within the length of time requested;
 - (5) Certification number of the certificate to practice;

(6) Signature of the certificate holder.

- (E) The holder of a certificate to practice that is granted an extension pursuant to this rule shall complete the continuing education requirement and submit an "EMS Renewal Application" no later than the expiration date of the granted extension.
- (F) If the holder of an expired certificate failed to meet the continuing education requirements because of the holder's service in the armed forces or a reserve component of the armed forces of the United States, including the Ohio national guard or the national guard of any other state, the certificate holder may submit an application requesting an extension, which shall be approved in accordance with section 5903.12 of the Revised Code.

Effective:

Five Year Review (FYR) Dates: 8/29/2023

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4765.11
Rule Amplifies: 4765.31, 5903.12
Prior Effective Dates: 06/15/1995 (Emer.), 10/01/1995, 02/22/1999,
03/23/2003, 07/02/2009, 07/31/2014, 06/15/2018

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-19-04

Rule Type: Amendment

Rule Title/Tagline: Exemption from continuing education requirements for EMS providers.

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? Yes
 - A. What is the rule's five year review date? 8/29/2023
2. Is this rule the result of recent legislation? No
3. What statute is this rule being promulgated under? 119.03
4. What statute(s) grant rule writing authority? 4765.11, 4765.16
5. What statute(s) does the rule implement or amplify? 4765.31, 5903.10
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 according to a R.C. 106.03 periodic rule review, and to simplify the comment related to the incorporated by reference rule.
8. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

Rule 4765-19-04 sets forth the provisions for obtaining a complete or partial exemption from compliance with CE requirements based on active duty service in the military, medical hardship, or unusual circumstances. The rule refers readers to the incorporated by reference rule. Rule 4765-19-04 is amended to simplify the comment related to the incorporated by reference rule.

9. **Does the rule incorporate material by reference?** Yes
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.**

OAC rule 4765-19-04 incorporates the "Exemption Request for Continuing Education for EMS Certificates" form. To comply with sections 121.71 to 121.74 of the Revised Code, this rule refers readers to OAC rule 4765-1-03, which provides the editions and dates of the materials and the website addresses where the information may be accessed.

"Exemption Request for Continuing Education for EMS Certificates" (March 2015) or EMS form 5933 is available at the EMS "Forms & Applications" website at: <https://ems.ohio.gov/forms-and-applications>.

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?**

The time required of a stakeholder completing paperwork associated with a request for an exemption from CE requirements will be dependent on the reason for the

request and the support documentation needed to substantiate the request. The time required to complete the paperwork is expected to be minimal.

SOURCE: Division of Emergency Medical Services, Education & Testing Section

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? Yes**
18. **Does this rule have an adverse impact on business? Yes**
 - 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? Yes**

Applicants requesting an exemption from compliance with CE requirements are required to submit a request (EMS form 5933).

The time required of a stakeholder completing paperwork associated with a request for an exemption from CE requirements will be dependent on the reason for the request and the support documentation needed to substantiate the request. The time required to complete the paperwork is expected to be minimal.

- 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? No

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

Not Applicable

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

Not Applicable

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

Not Applicable

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

Not Applicable

4765-19-04

Exemption from continuing education requirements for EMS providers.

[Comment: For dates and availability of material incorporated by reference in this chapter and Chapters 4765-01 to 4765-10 and 4765-12 to 4765-19 of the Administrative Code, see rule 4765-1-03 of the Administrative Code.]

(A) Pursuant to section 4765.31 of the Revised Code, the board may grant an applicant for renewal of a certificate to practice a complete or partial exemption from compliance with the continuing education required for renewal, and in accordance with this rule.

(B) A complete or partial exemption may be granted for, but not limited to, the following reasons:

(1) The applicant is on active duty with any branch of the armed forces of the United States, or a reserve component of the armed forces of the United States, including the Ohio national guard or the national guard of any other state;

(a) The applicant shall submit a completed "Exemption Request for Continuing Education for EMS Certificates;" ~~The request shall include~~which includes the following:

(i) The continuing education requirements for which an exemption is sought;

(ii) Justification for the exemption;

(iii) Signature of the certificate holder;

(iv) Proof of active military service during the certification period for which the exemption is requested.

(b) A request for military exemption shall be submitted no later than six months from discharge of active service.

(2) The applicant has a medical hardship or unusual circumstances that impact the applicant's ability to comply with the continuing education requirements for renewal of the certificate to practice.

(a) The applicant shall submit a completed "Exemption Request for Continuing Education for EMS Certificates;" ~~The request shall include~~which includes the following:

(i) The continuing education requirements for which an exemption is sought;

(ii) Justification for the exemption;

(iii) Signature of the certificate holder.

(b) A request for exemption shall be submitted to the division prior to the expiration date of the certificate to practice.

(C) If a request for exemption is received after the expiration date of the certificate to practice, the board may consider the request if the board determines there are extenuating circumstances affecting either the submission of the request for exemption prior to the expiration of the certificate, or the ability of the certificate holder to comply with the continuing education requirements.

(D) As delegated by the board, the division may grant a functioning extension, not to exceed ninety days, to an applicant that submitted a request for an exemption prior to the expiration date of the certificate to practice.

Effective:

Five Year Review (FYR) Dates: 8/29/2023

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4765.11, 4765.16
Rule Amplifies: 4765.31, 5903.10
Prior Effective Dates: 01/01/1996, 04/28/2002, 03/23/2003, 07/31/2014