

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-18-02

Rule Type: Amendment

Rule Title/Tagline: 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? 5/22/2025

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? 4765.23

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.

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

Rule 4765-18-02 sets forth the conditions under which fire and emergency services instructors, or EMS continuing education instructors may be used to teach EMS and continuing education training courses. This rule is amended to account for changes in instructor titles, and to follow similar changes in fire rules.

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?

Applicants for accreditation are required to submit an 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. Adverse impacts could include the cost of instructional materials, instructor time, and equipment as the program deems necessary. Those institutions adding additional certification levels will see cost increases, as they may need to add additional instructional, administrative, and equipment resources.

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
EMS training programs must be accredited, and EMS continuing education (CE) programs must be accredited or approved.
 - 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
This rule does not impose a sanction or penalty, however, OAC rule 4765-10-03 sets forth the sanctions the EMFTS Board may levy against an EMS provider, an EMS instructor, or EMS training institution for violating Chapter 4765. of the Revised and Chapter 4765 of the Ohio Administrative Code. Sanctions include issuance of a written reprimand, limiting of a certificate, denial of issuance of a certificate, denial of renewal of a certificate, suspension of a certificate, revocation of a certificate, and the imposition of a fine not to exceed one thousand dollars.
 - C. Does this rule require specific expenditures or the report of information as a condition of compliance? Yes

Applicants for accreditation are required to submit an 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. Adverse impacts could include the cost of instructional materials, instructor time, and equipment as the program deems necessary. Those institutions adding additional certification levels will see cost increases, as

they may need to add additional instructional, administrative, and equipment resources.

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

4765-18-02

General provisions.

- (A) Each EMS training program shall be taught through an accredited institution and shall be taught by a certified ~~EMS~~ fire and emergency services instructor or assistant EMS instructor as provided in this chapter.
- (B) Each EMS continuing education program shall be taught through an accredited or approved institution and shall be taught by a certified ~~EMS~~ fire and emergency services instructor, assistant EMS instructor, or a continuing education instructor.
- (C) A person who serves as a guest lecturer in an EMS training program shall not be required to hold a certificate to teach provided ~~an EMS~~ a fire and emergency services instructor or ~~assistant EMS instructor~~ is present and monitoring the program. A guest lecturer may assist in the lab, skills and practicals of an EMS training program.
- (D) A person who serves as a guest lecturer in an EMS continuing education program shall not be required to hold a certificate to teach provided ~~an EMS~~ a fire and emergency services instructor, assistant EMS instructor, or continuing education instructor is present and monitoring the program. A guest lecturer may assist in the lab, skills and practicals of an EMS continuing education program.
- (E) ~~An EMS~~ A fire and emergency services instructor or assistant EMS instructor may teach an EMS training or EMS continuing education program at or below the level of the instructor's certificate or license to practice.
- (F) A continuing education instructor may teach an EMS continuing education program at or below the level of the instructor's certificate or license to practice.
- (G) An individual who chooses to voluntarily surrender, or not renew, their provider certification(s) may retain their certificate to teach but may only provide methodology instruction in fire and emergency services instructor courses.
- (H) ~~A person who holds a certificate to teach as an EMS instructor, assistant EMS instructor, or continuing education instructor shall maintain a current and valid certificate or license to practice as an EMS provider, registered nurse, physician assistant or physician. If an individual's certificate to practice or license is revoked, or is voluntarily surrendered, the certificate to teach shall be revoked or be voluntarily surrendered.~~
- (I) A certificate to teach shall be issued in accordance with rule 4765-8-06 of the Administrative Code.

Effective:

Five Year Review (FYR) Dates: 5/22/2025

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4765.11
Rule Amplifies: 4765.23
Prior Effective Dates: 01/01/1996, 02/22/1999, 06/29/2001, 10/02/2003,
02/01/2009, 01/01/2011, 02/06/2012, 08/01/2014,
04/01/2019

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-18-03

Rule Type: Amendment

Rule Title/Tagline: EMS instructor training program requirements for 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?** 5/22/2025

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?** 4765.23

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.

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

Rule 4765-18-03 sets forth the entrance requirements into a fire and emergency services instructor training program. Requirements include possession of a current and valid EMS certificate to practice or license to practice as a registered nurse or physician assistant. Additionally, a candidate must pass the knowledge and practical skills examinations within the timeframes set forth in the rule and have been certified or licensed for at least five of the preceding seven years. The rule sets forth relevant education, training, or service that shall be considered when determining the experience and education requirements met by the holder of a certificate to practice seeking a certificate to teach. The rule is amended to incorporate changes to instructor titles and to closely match similar changes to fire rules.

- 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?**

Certification to practice (tuition fees range from \$300 - \$10,000, depending on level) is required before acceptance into a fire and emergency services instructor training program. An EMS provider could incur tuition costs of up to \$1,000 dollars to complete an initial fire and emergency services instructor training program. Required knowledge

examinations and practical skill examinations may cost from \$75 - \$125 through the National Registry of Emergency Medical Technicians (NREMT); costs vary for testing provided by schools. Accredited institutions are required to maintain documentation of compliance with OAC rule 4765-18-02, which are a minimal portion of the costs of operating an accredited institution.

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
EMS training programs must be accredited.
 - 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
This rule does not impose a sanction or penalty, however, OAC rule 4765-10-03 sets forth the sanctions the EMFTS Board may levy against an EMS provider, an EMS instructor, or EMS training institution for violating Chapter 4765. of the Revised and Chapter 4765 of the Ohio Administrative Code. Sanctions include issuance of a written reprimand, limiting of a certificate, denial of issuance of a certificate, denial of renewal of a certificate, suspension of a certificate, revocation of a certificate, and the imposition of a fine not to exceed one thousand dollars.
 - C. **Does this rule require specific expenditures or the report of information as a condition of compliance?** Yes

This rule requires candidates to fire and emergency services instructor training programs to pass the knowledge and practical skills examinations, within the past three years, at their certificate to practice classification. The cost ranges from \$75 to \$125, which is dependent on the certificate to practice classification. Stakeholders indicated that the amendment to the rule will not result in any costs of compliance. Accredited institutions are required to maintain documentation of compliance with OAC Chapter 4765-18 and make it available to the division upon request.

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

4765-18-03

EMS Fire and emergency services instructor training program requirements for an accredited institution.

(A) ~~Prior to admission into an EMS instructor training program, an accredited institution shall ensure that an individual meets all of the following requirements:~~

(1) ~~Possesses a current and valid certificate to practice as an EMS provider issued under section 4765.30 of the Revised Code or holds a current and valid Ohio license to practice as a registered nurse or a physician assistant;~~

(2) ~~In the preceding seven years, has been certified or licensed for at least five years as an EMS provider, registered nurse or physician assistant.~~

(B) ~~In addition to meeting the requirements set forth in paragraph (A) of this rule, the accredited institution shall ensure that the student, prior to receiving the eight hour instruction specific to emergency medical services as required in rule 4765-18-04 of the Administrative Code, has completed the following:~~

(1) ~~Passes a knowledge examination that demonstrates a level of knowledge in emergency medical services that is consistent with the level of the individual's certificate to practice, within the preceding three years;~~

(a) ~~If the individual is unable to pass the knowledge examination within three attempts, the applicant must wait for a time period of six months and complete a board approved course at the appropriate level before attempting the examination again;~~

(b) ~~An individual who is a registered nurse or physician assistant must pass the knowledge examination at the paramedic level.~~

(2) ~~Passes the practical examination for the individual's level of certification, within the preceding three years. The practical examination shall be administered under the auspices of an accredited institution. The program coordinator of the accredited institution sponsoring the EMS instructor training program may require the practical examination to be conducted by the sponsoring agency or may accept practical examinations performed by another accredited institution.~~

(A) An applicant for a fire and emergency services instructor I certificate to teach shall meet all the following requirements:

(1) In the preceding seven years, an applicant shall have been certified for at least five years as a firefighter, fire safety inspector, or EMS provider;

(2) Possess a current and valid fire and/or EMS certificate to practice;

(3) Complete a fire and emergency services instructor I training course meeting the requirements listed in the "Fire and Emergency Services Instructor Course Packet;"

(4) Pass the fire and emergency services instructor I instructional methods examination:

(a) A passing score of at least seventy per cent on the instructional methods examination is required for certification;

(b) The instructional methods examination required for certification shall be passed within three attempts;

(c) If an applicant is unable to pass the instructional methods examination within one hundred eighty days of course completion, the applicant shall complete a new fire and emergency services instructor training course as set forth in rule 4765-24 of the Administrative Code and meet all criteria for a fire and emergency services instructor as set forth in this rule.

(5) Submit a completed "Fire and Emergency Services Instructor Initial Application" no later than ninety days after passing the instructional methods examination.

An applicant for a fire and emergency services instructor II certificate to teach shall meet all the following requirements:

(1) In the preceding seven years, an applicant shall have been certified for at least five years as a firefighter, fire safety inspector, or EMS provider;

(2) Possess a current and valid firefighter and fire and emergency services instructor I certificate, unless completing a fire and emergency services instructor I & II course;

(3) Complete a fire and emergency services instructor II training course meeting the requirements listed in the "Fire and Emergency Services Instructor Course Packet;"

(4) Pass the fire and emergency services instructor II instructional methods examination:

(a) A passing score of at least seventy per cent on the instructional methods examination is required for certification;

(b) The instructional methods examination required for certification shall be passed within three attempts;

(c) If an applicant is unable to pass the instructional methods examination within one hundred eighty days of course completion, the applicant shall complete a new fire and emergency services instructor training course as set forth in rule 4765-24 of the Administrative Code and meet all criteria for a fire and emergency services instructor as set forth in rule 4765-21 of the Administrative Code.

(5) Submit a completed "Fire and Emergency Services Instructor Initial Application" no later than ninety days after passing the instructional methods examination.

(C) Once certified, instructor applicants must be designated as subject matter instructors by a program director based on the provider certification(s) held, knowledge expertise, experience, and any other program criteria.

~~(C)~~(D) An accredited institution shall maintain documentation of compliance with this chapter.

~~(D)~~(E) 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, the Ohio national guard, the Ohio military reserve, the Ohio naval militia, or the national guard of any other state or a reserve component of the armed forces of the United States; in determining whether the holder of a certificate to practice has met the experience and educational requirements for a certificate to teach as set forth in this chapter.

Effective:

Five Year Review (FYR) Dates: 5/22/2025

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4765.11
Rule Amplifies: 4765.23
Prior Effective Dates: 01/01/1996, 02/22/1999, 06/29/2001, 10/02/2003,
02/01/2009, 02/06/2012, 08/01/2014

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-18-04

Rule Type: Amendment

Rule Title/Tagline: EMS instructor training program curriculum.

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? 5/22/2025

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? 4765.23

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.

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

Rule 4765-18-04 sets forth the course hours and the content requirements for the fire and emergency services instructor training program. The rule sets forth the terms of a mentorship program that may be used in lieu of the instructor training program. The rule sets forth relevant education, training, or service that shall be considered when determining the experience and education requirements met by the holder of a certificate to practice seeking a certificate to teach. This rule refers readers to the incorporated by reference rule; the comment is revised. The rule is amended to reflect changes in instructor titles and to closely match changes in fire rules.

- 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 4765-18-04 incorporates the "Ohio Fire and EMS Instructor Curriculum." 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 the website addresses where the information may be accessed.

The 4/18 "Ohio Fire and EMS Instructor Curriculum" or form EMS 0122 is available at the EMS forms and application website at <https://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 rule does not require specific expenditures. However, some provisions in these regulations require EMS training to be conducted in accordance with the standards

adopted by the State Board of EMFTS under RC section 4765.11, which would include the cost of instructional materials, instructor time, and equipment as the program deems necessary.

- 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

A fire and emergency services instructor training program must be offered through an accredited institution.
 - 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

This rule does not impose a sanction or penalty, however, OAC rule 4765-10-03 sets forth the sanctions the EMFTS Board may levy against an EMS provider, a fire and emergency services instructor, or EMS training institution for violating Chapter 4765. of the Revised and Chapter 4765 of the Ohio Administrative Code. Sanctions include issuance of a written reprimand, limiting of a certificate, denial of issuance of a certificate, denial of renewal of a certificate, suspension of a certificate, revocation of a certificate, and the imposition of a fine not to exceed one thousand dollars.
 - C. Does this rule require specific expenditures or the report of information as a condition of compliance?** No

However, accredited institutions are required to maintain documentation of compliance with OAC Chapter 4765-18 regarding its mentorship program and make it available to the division upon request.

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

4765-18-04

EMS Fire and emergency services instructor training program curriculum.

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

~~(A) An EMS instructor training program shall consist of a minimum of sixty hours and shall be allocated as follows:~~

- ~~(1) Forty hours in instruction of adult students and basic teaching techniques as set forth in the "Ohio Fire and EMS Instructor Curriculum";~~
- ~~(2) Eight hours in instruction specific to the field of emergency medical services;~~
- ~~(3) Ten hours of supervised teaching in the presence of an EMS instructor and under the auspices of an accredited institution. The supervised teaching may not occur until the student has received the forty hours of instruction as required in this rule;~~
- ~~(4) The accredited institution may grant two hours credit towards the total program hours when the student successfully passes the instructional methods examination.~~

(A) Fire and emergency service instructor courses, as set forth in rule 4765-18 or 4765-24 of the Administrative Code, shall be provided under the auspices of an accredited or chartered training program and be taught by a fire and emergency services instructor II appointed by the program director in accordance with this rule.

(B) The program director shall ensure that the fire and emergency instructor II meets all of the following:

- (1) Holds a valid fire and emergency services instructor II certificate, that is in good standing, issued under rule 4765-21 of the Administrative Code;
- (2) Has at least three years of educational experience that includes demonstrable ability in teaching, developing lesson plans and course materials, managing classroom resources, and managing and evaluating students;
- (3) Demonstrates effective oral and written communication skills;
- (4) Has completed an orientation by the program director.

(C) A training course for Fire and emergency services instructor I & II shall meet the objectives set forth in the "Fire and Emergency Services Instructor Course Packet," and be taught under the auspices of a chartered or accredited training program;

- (1) Shall be taught by a fire and emergency services instructor II designated by the program director as an instructor trainer;
- (2) A chartered or accredited training program shall admit into a "Fire and Emergency Services Instructor Course" only those individuals who meet the admission requirements as set forth in the "Fire and Emergency Services Instructor Course Packet".

(D) Applicants seeking only fire and emergency services instructor I certification shall:

- (1) Complete all course requirements for fire and emergency services instructor I as set forth in the "Fire and Emergency Services Instructor Course Packet;"
- (2) Pass the fire and emergency services instructor I certification exam.

(E) A person seeking certification as a fire and emergency services instructor who holds at least a baccalaureate degree in education may be granted credit for the course if they:

- (1) Submit a written request to the division;
- (2) Provide copy of their diploma and transcript;
- (3) Receive written approval to test from the division;
- (4) Submit copy of approval letter to program director prior to testing;
- (5) Pass the fire and emergency services instructor II certification exam within three attempts and within ninety days of approval.

(F) 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, the Ohio national guard, the Ohio military reserve, the Ohio naval militia, or the national guard of any other state or a reserve component of the armed forces of the United States; in determining whether the holder of a certificate to practice has met the experience and educational requirements for a certificate to teach as a fire and emergency services instructor set forth in paragraphs (B) or (C) of this rule.

(G) A person seeking certification as an EMS a fire and emergency services instructor who holds at least a baccalaureate degree in education may receive credit for the forty hours of instruction required in paragraph (A)(1)-(C) of this rule.

(H) An EMS A fire and emergency services instructor training program shall be taught by an EMS instructor trainer, appointed by the program director, under the auspices of an accredited institution.

(D) ~~In lieu of the requirement set forth in paragraph (A)(1) of this rule, an accredited institution may utilize a mentorship program that covers the objectives of the forty hours of instruction required in paragraph (A)(1) of this rule.~~

(1) ~~The mentorship program may only be utilized with a certified assistant EMS instructor;~~

(2) ~~The accredited institution shall maintain documentation that all of the objectives of the forty hours of instruction are met;~~

(3) ~~The mentorship must be instructed by certified EMS instructors under the auspices of an accredited institution.~~

(E) ~~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, the Ohio national guard, the Ohio military reserve, the Ohio naval militia, or the national guard of any other state or a reserve component of the armed forces of the United States; in determining whether the holder of a certificate to practice has met the experience and educational requirements for a certificate to teach as an EMS instructor set forth in paragraph (A) of this rule.~~

Effective:

Five Year Review (FYR) Dates: 5/22/2025

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4765.11
Rule Amplifies: 4765.23
Prior Effective Dates: 01/01/1996, 02/22/1999, 06/29/2001, 10/02/2003,
02/01/2009, 08/01/2014, 04/01/2019

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-18-05

Rule Type: Rescission

Rule Title/Tagline: Qualifications for a certificate to teach as an EMS instructor.

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

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A. What is the rule's five year review date? 5/22/2025

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? 4765.23

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.

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

Rule 4765-18-05 sets forth the qualifications that must be met by an individual seeking a certificate to teach as a fire and emergency services instructor, including the application to be submitted and possession of a current and valid certificate to practice as an EMS provider or license to practice as a registered nurse or physician assistant for at least five of the preceding seven years. The rule sets forth examination and training requirements and relevant education, training, or service that shall be considered when determining the experience and education requirements met by the holder of a certificate to practice seeking a certificate to teach. This rule refers readers to the incorporated by reference rule. This rule is being rescinded.

- 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 4765-18-05 incorporates the "Fire and Emergency Services Instructor Initial 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 the website addresses where the information may be accessed. The "Fire and Emergency Services Instructor Initial Application" or form EMS 0086 is available at the EMS forms and application website at <https://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?**

An applicant for a certificate to teach must complete and submit an application (no fee); have maintained a certificate or license as an EMS provider for the preceding five years (no fee for application) or a registered nurse or physician assistant (fee to apply for a registered nurse (registration and renewal fees from \$75 to \$150 [ORC 4723.08]) or physician assistant (\$400 application fee; \$200 renewal fee [ORC 4730.0]) . Required knowledge examinations and practical skill examinations may cost from \$75 to \$125 through the NREMT; costs vary for testing provided by schools.

- 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 that each fire and emergency services instructor candidate to possess a current and valid certificate to practice as an EMS provider and a certificate to teach as a fire and emergency services instructor prior to engaging in instruction.
 - 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

Failure to comply with the terms set forth in this rule may result in an application for a certificate to teach as a fire and emergency services instructor to be denied.
 - C. Does this rule require specific expenditures or the report of information as a condition of compliance?** Yes

Applicants to teach as a fire and emergency services instructor must submit a specific application; no application fee is required.

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

TO BE RESCINDED

4765-18-05

Qualifications for a certificate to teach as an EMS instructor.

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

(A) An applicant for a certificate to teach as an EMS instructor shall satisfy the following requirements:

- (1) Submits a completed "EMS Instructor Initial Application";
- (2) In the preceding seven years, has been certified or licensed for at least five years as an EMS provider, registered nurse or physician assistant;
- (3) Possesses a current and valid certificate to practice as an EMS provider or holds a current and valid Ohio license to practice as a registered nurse or a physician assistant;
- (4) Has passed the knowledge examination at the level of the individual's certificate to practice as an EMS provider, within the preceding three years;
- (5) Has passed the practical examination for the individual's level of certification, within the preceding three years;
- (6) Has successfully completed an EMS instructor training program as set forth in this chapter;
- (7) Has passed the instructional methods examination established by the board pursuant to section 4765.11 of the Revised Code within one year of completion of all of the other components of the EMS instructor training program, except as provided in rule 4765-18-13 of the Administrative Code. Failure to pass this examination within three attempts will require completion of a new EMS instructor training program;
- (8) Is in compliance with the requirements for a certificate to practice as set forth in paragraphs (A)(6) to (A)(12) of rule 4765-8-01 of the Administrative Code.

(B) 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, the Ohio national guard, the Ohio military reserve, the Ohio naval militia, or the national guard of any other state or a reserve component of the armed forces of the United States; in determining whether the holder of a certificate to practice has met the experience and educational requirements for a certificate to teach as an EMS instructor set forth in paragraph (A) of this rule.

- (C) There shall be no fee for an "EMS Instructor Initial Application."
- (D) Failure to meet any of the requirements in paragraph (A) of this rule may lead to board action under rule 4765-10-03 of the Administrative Code.

Effective:

Five Year Review (FYR) Dates: 5/22/2025

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4765.11
Rule Amplifies: 4765.23
Prior Effective Dates: 01/01/1996, 02/22/1999, 06/29/2001, 10/02/2003,
02/01/2009, 02/06/2012, 08/01/2014, 04/01/2019

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-18-06

Rule Type: Amendment

Rule Title/Tagline: Renewal of a certificate to teach as an EMS instructor.

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? 5/22/2025

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? 4765.23, 5903.10, 5903.121

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.

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

Rule 4765-18-06 sets forth the requirements to be met by an individual seeking to renew a certificate to teach as a fire and emergency services instructor and the division's obligations to notify renewal candidates. The rule sets forth continuing education and record keeping requirements and the name of the renewal application that must be submitted. This rule refers readers to the incorporated by reference rule; the comment is revised. OAC 4765-18-06 is amended to reflect changes in instructor titles and to closely match changes in fire rules.

- 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 4765-18-06 incorporates the "Fire and Emergency Services Instructor 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 the website addresses where the information may be accessed. A PDF of the "Fire and Emergency Services Instructor Renewal Application" or form EMS 1640 is available to certificate holders at a secure online portal at the division's renewal website at <https://services.dps.ohio.gov/EMSPublic>.

- 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?**

Applicants for renewal must submit the required application prior to the date a certification expires. No fee is required to apply for renewal of a certification.

- 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 sets forth the requirements that must be met to renew a fire and emergency services instructor certificate to teach, which pursuant to rule 4765-18-02, is required prior to engaging in EMS instruction.
 - 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**

Failure to comply with the terms set forth in this rule may result in a renewal application for a certificate to teach as a fire and emergency services instructor to be denied. Further, failure to comply with terms set forth in this rule may result in an administrative sanction, up to and including the revocation of a fire and emergency services instructor certificate, pursuant to O.A.C. rule 4765-10-3.
 - C. Does this rule require specific expenditures or the report of information as a condition of compliance? Yes**

This rule sets forth the requirements necessary to renew a certificate to teach as a fire and emergency services instructor. It is estimated that applicants typically incur continuing education course fees of approximately \$0-\$750. The variance in costs is dependent upon where the training is received.

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

4765-18-06

Renewal of a certificate to teach as an EMS instructor.

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

(A) ~~No later than sixty days prior to the expiration of a certificate to teach, the division shall notify each certificate holder of the certificate's scheduled expiration date and a mechanism for renewal.~~

(B) ~~An applicant for renewal of a certificate to teach as an EMS instructor must meet the following criteria:~~

- (1) ~~Submits a completed "EMS Instructor Renewal Application" on or before the expiration date of the current certificate;~~
- (2) ~~Continues to meet all standards for a certificate to teach as set forth in this chapter;~~
- (3) ~~Possesses a current and valid certificate to practice as an EMS provider or holds a current and valid Ohio license to practice as a registered nurse or a physician assistant;~~
- (4) ~~Satisfies the requirements for a certificate to practice as set forth in paragraphs (A)(6) to (A)(12) of rule 4765-8-01 of the Administrative Code;~~
- (5) ~~During the preceding certification cycle, has provided not less than twenty-four hours of instruction of an EMS training or continuing education program offered by an accredited institution, approved institution or while serving on active duty in the armed forces of the United States, including the Ohio national guard or the national guard of any other state;~~
- (6) ~~Satisfies one of the following:~~
 - (a) ~~During the preceding certification cycle, has completed six hours of continuing education related to the "Ohio Fire and EMS Instructor Curriculum" objectives; or~~
 - (b) ~~Successfully passes an instructional methods examination, as set forth in rule 4765-18-05 of the Administrative Code.~~
- (7) ~~Unless otherwise waived by the board, attends any mandatory instructor meetings held by the board.~~

(A) The board shall renew a fire and emergency services instructor certificate to teach, at the I or II level, issued under section 4765.23 and/or 4765.55 of the Revised Code and this chapter, to an applicant who meets the following criteria:

- (1) Possesses a current and valid fire or EMS certificate to practice that is in good standing:
- (2) Complies with the requirements for an EMS provider and/or a firefighter certificate as set forth in this chapter or chapter 4765-20 of the Administrative Code:
- (3) Satisfies one of the following:

 - (a) Obtains six hours of continuing education related to instructional methodology as approved by:

 - (i) The applicant's fire chief; or
 - (ii) A program director of:

 - (a) A chartered program, as defined in rule 4765-25-01 of the Administrative Code;
 - (b) An EMS accredited training program, as defined in rule 4765-25-01 of the Administrative Code; or
 - (b) Passes a fire and emergency services instructional methods examination at their level of certification.
- (4) Submits a completed "Fire and Emergency Services Instructor Renewal Application" on or before the expiration date of the current certificate.
- (5) An applicant who chooses not to renew their provider certification(s) may retain their certificate to teach but may only provide methodology instruction in fire and emergency services instructor courses, as approved by the program director.

~~(E)(B)~~ There shall be no fee for ~~an~~ a "EMS Fire and Emergency Services Instructor Renewal Application."

~~(D)(C)~~ Failure to meet any of the requirements in paragraph ~~(B)(A)~~ of this rule may lead to board action under rule 4765-10-03 of the Administrative Code.

~~(E)(D)~~ An applicant for renewal must maintain records relating to the requirements set forth in paragraphs ~~(B)(5) and (B)(6)~~ of this rule for the current and previous certification cycle. Such records are subject to audit by the division, as directed by the board and in accordance with rule 4765-9-02 of the Administrative Code.

~~(F)~~(E) A renewed certificate to teach as an ~~EMS~~ a fire and emergency services instructor does not become effective until the expiration of the current certificate.

Effective:

Five Year Review (FYR) Dates: 5/22/2025

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4765.11
Rule Amplifies: 4765.23, 5903.10, 5903.121
Prior Effective Dates: 01/01/1996, 02/22/1999, 06/29/2001, 10/02/2003,
02/01/2009, 01/01/2011, 02/06/2012, 08/01/2014,
04/01/2019

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-18-07

Rule Type: Amendment

Rule Title/Tagline: Extension and exemption from continuing education and/or instructional requirements for an individual holding a certificate to teach.

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?** 5/22/2025

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?** 4765.23, 5903.10, 5903.12, 5903.121

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.

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

Rule 4765-18-07 sets forth the process for an individual holding a certificate to teach to request an extension of time to complete the necessary continuing education or instructional hours required to renew the certificate or to request an exemption from continuing education or instructional requirements due to military service, medical hardship, or unusual hardship. This rule refers readers to the incorporated by reference rule; the comment is revised. OAC rule 475-18-07 is amended to reflect changes in instructor titles, to closely match changes in fire rules, and to emphasize that the extension request refers to the expiration of the instructor's certificate to teach.

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 4765-18-07 incorporates the "Request for Extension of EMS Certificates," "Exemption Request for Continuing Education for EMS Certificates," and "Fire and Emergency Services Instructor 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 the website addresses where the information may be accessed. A PDF of the "EMS Instructor Renewal Application" or form EMS 1640 is available to certificate holders at a secure online portal at the division's renewal website at <https://services.dps.ohio.gov/EMSPublic>. "Request for Extension of EMS Certificates" or form EMS 0084 and "Exemption Request for Continuing Education for EMS Certificates" or form EMS 5933 are available at the EMS forms and application website at <https://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?

Applicants for an extension of time to comply with CE and/or instructional requirements or an exemption from CE and/or instructional requirements must submit the required application within the time period set forth in the rule. No fee is required to request an extension or exemption. Applicants who receive an extension are subject to audit.

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 sets forth the requirements that must be met to renew a fire and emergency services instructor certificate to teach, which pursuant to rule 4765-18-02, is required prior to engaging in EMS instruction.

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

This rule does not impose a sanction or penalty, however, OAC rule 4765-10-03 sets forth the sanctions the EMFTS Board may levy against an EMS provider, a fire and emergency services instructor, or EMS training institution for violating

Chapter 4765. of the Revised and Chapter 4765 of the Ohio Administrative Code. Sanctions include issuance of a written reprimand, limiting of a certificate, denial of issuance of a certificate, denial of renewal of a certificate, suspension of a certificate, revocation of a certificate, and the imposition of a fine not to exceed one thousand dollars.

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

Applicants for an extension of time to complete continuing education or instructional requirements must submit a specific application and the documentation set forth in rule 4765-18-07.

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

4765-18-07

Extension and exemption from continuing education and/or instructional requirements for an individual holding a certificate to teach.

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

- (A) The holder of a certificate to teach may be granted an extension of time to comply with the continuing education and/or instructional requirements required for renewal of the certificate to teach.
- (B) A ninety-day functioning extension may be granted by the division, as delegated by the board, to the holder of a certificate to teach 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 ~~practiee~~teach;
 - (2) The request is received no more than ninety days after the expiration date of the certificate to ~~practiee~~teach 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 ~~practiee~~teach.
- (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 and/or instructional requirements within ninety days of the expiration of the certificate to teach. The board shall have 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 teach is otherwise required.
- (D) The holder of a certificate to teach seeking an extension for a period of greater than ninety days shall submit a written request to the division which shall include all of the following:
 - (1) Verification of a current and valid certificate to practice as an EMS or fire service provider or a current and valid Ohio license to practice as a registered nurse or a physician assistant;
 - (2) Length of extension requested;
 - (3) Justification for the extension;
 - (4) The amount of continuing education and/or instructional requirements needed to comply with the requirement for renewal of the certificate to teach;

- (5) A specific plan for completion of requirements within the length of time requested;
- (6) Signature of the certificate holder.

(E) The holder of a certificate to teach that is granted an extension pursuant to this rule shall complete the continuing education and/or instructional requirements and submit ~~an~~ a "EMS Fire and Emergency Services Instructor Renewal Application" no later than the expiration date of the granted extension.

(F) The board shall grant an extension, in accordance with 5903.12 of the Revised Code, upon receipt of a "Request for Extension of EMS Certificates," for one of the following:

- (1) The holder of an expired certificate failed to meet the continuing education and/or instructional requirements because the holder served on active duty, as a member of the armed forces of the United States, the Ohio national guard, the Ohio military reserve, the Ohio naval militia, the national guard of any other state or a reserve component of the armed forces of the United States; or
- (2) The holder of an expired certificate failed to meet the continuing education and/or instructional requirements because the holder's spouse served on active duty, as a member of the armed forces of the United States, the Ohio national guard, the Ohio military reserve, the Ohio naval militia, the national guard of any other state or a reserve component of the armed forces of the United States which resulted in the holder's absence from this state.

(G) The board may grant a complete or partial exemption from compliance with the continuing education and/or instructional requirements. The board may grant a complete or partial exemption for reasons including, but not limited to, the following:

- (1) The applicant, or applicant's spouse, served on active duty, as a member of the armed forces of the United States, the Ohio national guard, the Ohio military reserve, the Ohio naval militia, the national guard of any other state or a reserve component of the armed forces of the United States, for a period in excess of thirty-one days;
 - (a) The applicant shall submit a completed "Exemption Request for Continuing Education for EMS Certificates." The request shall include the following:
 - (i) The continuing education and/or instructional 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 and/or instructional requirements for renewal of the certificate to teach.

- (a) The applicant shall submit a completed "Exemption Request for Continuing Education for EMS Certificates." The request shall include the following:
 - (i) The continuing education and/or instructional 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.

(H) If a request for exemption is received after the expiration date of the certificate to teach, 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 and/or instructional requirements.

(I) The board has full discretion in determining whether to grant a request for exemption from the continuing education and/or instructional requirement.

(J) 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 teach.

Effective:

Five Year Review (FYR) Dates: 5/22/2025

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4765.11
Rule Amplifies: 4765.23, 5903.10, 5903.12, 5903.121
Prior Effective Dates: 01/01/1996, 02/22/1999, 06/29/2001, 10/02/2003,
02/01/2009, 08/01/2014, 04/01/2019

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-18-08

Rule Type: Amendment

Rule Title/Tagline: Reinstatement of a certificate to teach as an EMS instructor.

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? 5/22/2025

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? 4765.23, 5903.03, 5903.121

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.

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

Rule 4765-18-08 sets forth the requirements to be met by an individual seeking to reinstate a certificate to teach as an EMS instructor that has expired or becomes invalid due to voluntary surrender. This rule refers readers to the incorporated by reference rule; the comment is revised. The rule is revised to reflect changes in instructor titles and to closely match changes in fire rules.

- 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 4765-18-08 incorporates the "Fire and Emergency Services Instructor Reinstatement Application" and the "Exemption Request for Continuing Education for EMS Certificates." 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 the website addresses where the information may be accessed. "Fire and Emergency Services Instructor Reinstatement Application" or form EMS 5922 and "Exemption Request for Continuing Education for EMS Certificates" or form EMS 5933 are available at the EMS forms and application website at <https://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?**

Applicants for reinstatement must submit the required application within the time frame set forth in the rule, along with a fee of \$25 or \$75.

- 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.**

The fees collected goes into the operational budget fund, and pay for the day to day operations of the Division when dealing with reinstatements.

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 sets forth the requirements that must be met to reinstate a fire and emergency services instructor certificate to teach, which pursuant to rule 4765-18-02, is required prior to engaging in EMS instruction.
 - 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**

This rule does not impose a sanction or penalty, however, OAC rule 4765-10-03 sets forth the sanctions the EMFTS Board may levy against an EMS provider, a fire and emergency services instructor, or EMS training institution for violating Chapter 4765. of the Revised and Chapter 4765 of the Ohio Administrative Code. Sanctions include issuance of a written reprimand, limiting of a certificate, denial of issuance of a certificate, denial of renewal of a certificate, suspension of a certificate, revocation of a certificate, and the imposition of a fine not to exceed one thousand dollars.
 - C. Does this rule require specific expenditures or the report of information as a condition of compliance? Yes**

Applicants for reinstatement must submit the required application within the time frame set forth in the rule, along with a fee of \$25 or \$75.

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

4765-18-08

Reinstatement of a certificate to teach as an EMS instructor.

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

(A) ~~A certificate to teach as an EMS instructor will expire on its expiration date if the applicant fails to either renew such certificate or request an extension prior to the expiration date, as provided in this chapter.~~

(B) ~~The board may reinstate a certificate to teach as an EMS instructor that has expired, or become invalid due to a voluntary surrender, for no more than six months as follows:~~

(1) ~~If the certificate holder has completed, prior to the expiration date of the certificate to teach as an EMS instructor, all renewal requirements as set forth in paragraphs (B)(5) and (B)(6) of rule 4765-18-06 of the Administrative Code, the applicant must comply with all of the following requirements:~~

(a) ~~Submits a completed "EMS Instructor Reinstatement Application";~~

(b) ~~Submits an application fee of seventy-five dollars;~~

(c) ~~Provides the division with documentation of successful completion of all the renewal requirements set forth in paragraphs (B)(5) and (B)(6) of rule 4765-18-06 of the Administrative Code for the last certification cycle;~~

(d) ~~In the preceding seven years, has been certified or licensed for at least five years as an EMS provider, registered nurse or physician assistant;~~

(e) ~~Possesses a current and valid certificate to practice as an EMS provider or holds a current and valid Ohio license to practice as a registered nurse or a physician assistant;~~

(f) ~~Is in compliance with the requirements for a certificate to practice as set forth in paragraphs (A)(6) to (A)(12) of rule 4765-8-01 of the Administrative Code;~~

(g) ~~Has previously held a certificate to teach as an EMS instructor, and such certificate was in good standing at the time the certificate expired.~~

(2) ~~If the certificate holder as an EMS instructor has not completed, prior to the expiration date of the certificate to teach, all renewal requirements as set forth in paragraphs (B)(5) and (B)(6) of rule 4765-18-06 of the Administrative Code, the applicant must comply with all of the following requirements:~~

(a) ~~Submits a completed "EMS Instructor Reinstatement Application";~~

- (b) Submits an application fee of seventy-five dollars;
- (c) Successfully completes an instructional methods examination within three attempts. If an applicant is unable to pass the examination within three attempts, the applicant must complete a new EMS instructor training program and meet all criteria for a certificate to teach;
- (d) Is in compliance with the requirements for a certificate to practice as set forth in paragraphs (A)(6) to (A)(12) of rule 4765-8-01 of the Administrative Code;
- (e) Has previously held a certificate to teach, and such certificate was in good standing at the time the certificate expired.

(C) The board may reinstate a certificate to teach as an EMS instructor that has expired, or become invalid due to a voluntary surrender, for more than six months, but not more than one year, if all of the following occur within such time period:

- (1) Meets all the requirements in paragraph (B)(1) or (B)(2) of this rule;
- (2) Completes ten hours of supervised teaching under the direct supervision of an EMS instructor and under the auspices of an EMS accredited institution.

(D) The board may reinstate a certificate to teach as an EMS instructor that has expired, or become invalid due to a voluntary surrender, for more than one year but less than two years if the applicant meets the following requirements:

- (1) Meets all requirements set forth in paragraph (C) of this rule;
- (2) Successfully completes a new eight hour module in instruction specific to the field of emergency medical services as outlined in rule 4765-18-04 of the Administrative Code.

(E) If a certificate to teach as an EMS instructor has been expired, or become invalid due to voluntary surrender, for two years or more, the applicant must complete a new EMS instructor training program and meet all the requirements for a certificate to teach as an EMS instructor outlined in rule 4765-18-05 of the Administrative Code.

(F) In order for a certificate to teach as an EMS instructor to be reinstated, the EMS instructor training program completed by the applicant must be significantly similar to the current curriculum requirements. If such training is not significantly similar to the current curriculum, the applicant must complete additional course work in the areas of deficiency through an institution accredited by the board.

(A) A fire and emergency services instructor certificate to teach shall expire on its expiration date, if the applicant fails to renew such certificate on or before the expiration date of the certificate.

(B) The board shall reinstate a fire and emergency services instructor certificate to teach that has expired, or becomes invalid due to a voluntary surrender, in accordance with the parameters set forth in this rule.

(C) An EMS assistant instructor that either voluntarily surrenders or fails to renew the certificate by the expiration date is not eligible for reinstatement.

(D) In order to be eligible to reinstate a fire and emergency services instructor certificate to teach that has expired, or becomes invalid due to a voluntary surrender, an applicant, in addition to the requirements set forth in paragraphs (E) to (F) of this rule, as applicable, shall meet all of the following requirements:

- (1) In the preceding seven years, has been certified for at least five years as a firefighter or EMS provider;
- (2) Possesses a current and valid fire or EMS certificate to practice that is in good standing and:
 - (a) Shall not have been convicted of any of the following:
 - (i) Any felony;
 - (ii) A misdemeanor committed in the course of practice;
 - (iii) A misdemeanor involving moral turpitude.
 - (b) Shall not have committed fraud, misrepresentation, or material deception in applying for, or obtaining a certificate issued under section 4765.23 or 4765.55 of the Revised Code and this chapter.
- (3) Previously held a fire and emergency services instructor training certificate that was in good standing at the time the certificate expired or was voluntarily surrendered;
- (4) Submits a completed "Fire and Emergency Services Instructor Reinstatement Application."

(E) The board shall reinstate a fire and emergency services instructor certificate to teach that has expired, or become invalid due to a voluntary surrender, for no later than one hundred eighty days from the expiration date or date of surrender, if the applicant

meets all requirements as set forth in paragraph (D) of this rule and all of the following requirements:

- (1) Provides documentation to the division that all continuing education and instructional requirements as set forth in rule 4765-18 of the Administrative Code were met for the last certification cycle prior to the certificate's expiration date or date of surrender. If the continuing education and instructional requirements were not completed prior to expiration date or date of surrender, the applicant is not eligible for reinstatement under this paragraph;
- (2) Submits an application fee of seventy-five dollars;
- (3) Submits a completed "Fire and Emergency Services Instructor Reinstatement Application."

(F) The board shall reinstate a fire and emergency services instructor certificate to teach that has expired, or become invalid due to a voluntary surrender, for more than one hundred eighty days, but no later than twenty-four months from the expiration date or date of surrender, if the applicant meets all requirements as set forth in paragraph (E) of this rule and all of the following requirements:

- (1) Provides documentation to the division that all continuing education and instructional requirements as set forth in rule 4765-18 of the Administrative Code were met. The education may have been completed after the certificate holder's expiration date;
- (2) Passes the fire and emergency services instructor web-based certification examination at their level of certification;
- (3) Submits an application fee of seventy-five dollars;
- (4) Submits a completed "Fire and Emergency Services Instructor Reinstatement Application."

(G) If a certificate to teach has been expired, or becomes invalid due to voluntary surrender, for two years or more from the expiration date or date of surrender, the applicant shall complete a new fire and emergency services instructor course and meet all requirements for a fire and emergency services certificate to teach as outlined in rule 4765-18 of the Administrative Code.

(H) If an applicant's certification cycle was less than thirty-six months, the applicant shall complete the pro-rated renewal requirements as set forth in rule 4765-21-15 of the Administrative Code.

~~(G)~~(I) The board shall reinstate a certificate to teach as an EMS a fire and emergency services instructor, in accordance with section 5903.10 of the Revised Code, upon receipt of an "Exemption Request for Continuing Education for EMS Certificates," for one of the following:

- (1) The holder of an expired certificate failed to meet the continuing education requirements because the holder served on active duty, as a member of the armed forces of the United States, the Ohio national guard, the Ohio military reserve, the Ohio naval militia, the national guard of any other state or a reserve component of the armed forces of the United States; or
- (2) The holder of an expired certificate failed to meet the continuing education requirements because the holder's spouse served on active duty, as a member of the armed forces of the United States, the Ohio national guard, the Ohio military reserve, the Ohio naval militia, the national guard of any other state or a reserve component of the armed forces of the United States which resulted in the holder's absence from this state.

Effective:

Five Year Review (FYR) Dates: 5/22/2025

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4765.11
Rule Amplifies: 4765.23, 5903.03, 5903.121
Prior Effective Dates: 01/01/1996, 02/22/1999, 06/29/2001, 10/02/2003,
02/01/2009, 07/02/2009, 02/06/2012, 08/01/2014,
04/01/2019

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-18-09

Rule Type: Amendment

Rule Title/Tagline: Qualifications for a physician to be certified as an EMS instructor or an individual holding a certificate of training to be certified as a continuing education instructor.

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?** 5/22/2025

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?** 4765.23

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.

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

Rule 4765-18-09 sets forth the qualifications necessary for a physician to obtain a certificate to teach as an EMS instructor or an individual holding a certificate of training as a physician to obtain a certificate to teach as a continuing education instructor. This rule refers readers to the incorporated by reference rule; the comment is revised. The rule is revised to reflect changes in instructor titles and to closely match changes in fire rules.

- 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 4765-18-09 incorporates the "Physician EMS Instructor or Physician Continuing Education Instructor Initial Application" and the "Physician EMS Instructor or Physician Continuing Education Instructor 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 the website addresses where the information may be accessed. A PDF of the "Physician EMS Instructor or Physician Continuing Education Instructor Renewal Application" or form EMS 1648 is available to certificate holders at a secure online portal at the division's renewal website at <https://services.dps.ohio.gov/EMSPublic>. "Physician EMS Instructor or Physician Continuing Education Instructor Initial Application" or form EMS 0052 is available at the EMS forms and application website at <https://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?

Physicians applying for certification as an EMS instructor or a certificate-holder applying for a certificate of training as a CE instructor must submit the required application. No application fee is required.

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 that each EMS instructor candidate possess a current and valid Ohio license to practice medicine and surgery and each CE instructor candidate hold a current and valid training certificate as a physician.

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

This rule does not impose a sanction or penalty, however, OAC rule 4765-10-03 sets forth the sanctions the EMFTS Board may levy against an EMS provider, a fire and emergency services instructor, or EMS training institution for violating Chapter 4765. of the Revised and Chapter 4765 of the Ohio Administrative Code. Sanctions include issuance of a written reprimand, limiting of a certificate, denial of issuance of a certificate, denial of renewal of a certificate, suspension of a certificate, revocation of a certificate, and the imposition of a fine not to exceed one thousand dollars.

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

Applicants to be certified as an EMS instructor as set forth in rule 4765-8-09 must submit a specific application; no application fee is required.

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

4765-18-09

Qualifications for a physician to be certified as an EMS a physician EMS instructor or an individual holding a certificate of training to be certified as a continuing education instructor.

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

(A) A physician may be certified by the board as an EMS a physician EMS instructor if the physician meets the following criteria:

- (1) Is an active medical director with an EMS agency, who meets the requirements set forth in rule 4765-3-05 of the Administrative Code, or is recommended by the local RPAB, or is recommended by the program director or program medical director of an accredited or approved training institution;
- (2) Submits a completed "Physician EMS Instructor or Physician Continuing Education Instructor Initial Application";
- (3) Holds a current and valid Ohio license to practice medicine and surgery or osteopathic medicine and surgery that is in good standing;
- (4) Is in compliance with the requirements set forth in paragraphs (A)(6) to (A)(12) of rule 4765-8-01 of the Administrative Code.

(B) An individual who holds a certificate of training as a physician, issued in accordance with section 4731.291 of the Revised Code, may be certified by the board as a continuing education instructor if the individual meets the following:

- (1) Is recommended by the local RPAB, or is recommended by the program director or program medical director of an accredited or approved training institution;
- (2) Submits a completed "Physician EMS Instructor or Physician Continuing Education Instructor Initial Application";
- (3) Holds a current and valid training certificate as a physician that is in good standing;
- (4) Is in compliance with the requirements set forth in paragraphs (A)(6) to (A)(12) of rule 4765-8-01 of the Administrative Code.

(C) An individual certified under this section may renew their certificate to teach if the individual submits a "Physician EMS Instructor or Physician Continuing Education Instructor Renewal Application." The individual is not required to complete the renewal requirements set forth in paragraphs (B)(5) to (B)(6) of rule 4765-18-06 or paragraphs (B)(4) to (B)(5) of rule 4765-18-16 of the Administrative Code, as applicable.

- (D) A physician who chooses to enroll in ~~an EMS~~a physician EMS instructor training program is exempt from meeting the requirements set forth in rule 4765-18-03 of the Administrative Code.
- (E) A continuing education instructor certified under this rule, can only provide instruction as a continuing education instructor in accordance with the internship, residency, or fellowship program as set forth in rule 4731-6-30 of the Administrative Code.

Effective:

Five Year Review (FYR) Dates: 5/22/2025

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4765.11
Rule Amplifies: 4765.23
Prior Effective Dates: 01/01/1996, 02/22/1999, 06/29/2001, 10/02/2003,
02/01/2009, 04/01/2011, 08/01/2014, 04/01/2019

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-18-11

Rule Type: Rescission

Rule Title/Tagline: Reciprocity qualifications for a certificate to teach as an EMS instructor.

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? 5/22/2025

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? 4765.23, 5903.03, 5903.121

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.

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

Rule 4765-18-11 sets forth the qualifications that must be met by an individual seeking a certificate to teach as a fire and emergency services instructor through reciprocity from another state, the District of Columbia, a United States territory, a branch of the United States armed forces or a reserve component of the United States armed forces, including the Ohio National Guard or the national guard of another state. This rule refers readers to the incorporated by reference rule. This rule is being rescinded and replaced.

- 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 4765-18-11 incorporates the "Fire and Emergency Services Instructor Reciprocity Application" or form EMS 1647. 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 the website addresses where the information may be accessed.

The "Fire and Emergency Services Instructor Reciprocity Application" or form EMS 1647 is available at the EMS forms and application website at <https://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**

OAC rule 4765-18-11 requires applicants for reciprocity as a fire and emergency services instructor possess a current and valid certificate to practice as an EMS provider (or license to practice as a an RN or PA) and a certificate to teach as a fire and emergency services instructor prior to engaging in instruction.
 - 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**

Failure to comply with the requirements set forth in this rule may result in the board refusing to grant a certificate to practice by reciprocity.
 - C. Does this rule require specific expenditures or the report of information as a condition of compliance? Yes**

The estimated costs of compliance for stakeholders include a combination of an application fee; copying costs for required documentation; postage for submitting required documentation; fax or email costs for submitting required documentation; and costs of continuing education apply after a certificate to practice by reciprocity is issued.

The application fee to apply for certification by reciprocity is \$75.00. The fee to obtain an FBI criminal background

check from the Ohio Bureau of Criminal Identification and Investigation is \$25.25. [[https://www.ohioattorneygeneral.gov/Files/Publications-Files/Background-Check-Publications/FBI-Background-Check-Procedures-\(PDF\)](https://www.ohioattorneygeneral.gov/Files/Publications-Files/Background-Check-Publications/FBI-Background-Check-Procedures-(PDF))]

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

TO BE RESCINDED

4765-18-11

Reciprocity qualifications for a certificate to teach as an EMS instructor.

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

(A) An individual who has completed a course of instruction in teaching methodology in another state, the district of Columbia, a United States territory, as a member of the armed forces of the United States military, the Ohio national guard, the Ohio military reserve, the Ohio naval militia, the national guard of any other state or a reserve component of the armed forces of the United States, or the United States coast guard, may be issued a certificate to teach as an EMS instructor, if all of the following are met:

- (1) Has successfully completed a course of instruction that is substantially similar to the curriculum requirements set forth in rule 4765-18-04 of the Administrative Code;
- (2) Submits a completed "EMS Instructor Reciprocity Application";
- (3) Possesses a current and valid Ohio certificate to practice as an EMS provider or holds a current and valid Ohio license to practice as a registered nurse or a physician assistant;
- (4) In the preceding seven years, has been certified or licensed for at least five years as an EMS provider, registered nurse or physician assistant in this state or another state;
- (5) Has passed the knowledge examination consistent with the certificate to practice as an EMS provider, within the preceding three years. An individual who is a registered nurse or physician assistant must pass the knowledge examination at the paramedic level;
- (6) Has passed the practical examination for the individual's level of certification, within the preceding three years. The practical examination shall be administered by an accredited institution. The program coordinator of the accredited institution sponsoring the EMS instructor training program may require the practical examination to be conducted by the sponsoring agency or may accept practical examinations performed by another accredited institution. An individual who is a registered nurse or physician assistant must pass the practical exam at the paramedic level;

(7) Has successfully completed the following requirements for an EMS instructor training program set forth in rule 4765-18-04 of the Administrative Code:

- (a) Eight hours in instruction specific to the field of emergency medical services;
- (b) Ten hours of supervised teaching in the presence of an EMS instructor under the auspices of an accredited institution;
- (c) Has passed the instructional methods examination within one year from the completion of the eight hours in instruction and ten hours of supervised teaching as set forth in paragraphs (A)(7)(a) and (A)(7)(b) of this rule. Failure to pass this examination within three attempts will require completion of a new EMS instructor training program.

(8) Is in compliance with the requirements for a certificate to practice as set forth in paragraphs (A)(6) to (A)(12) of rule 4765-8-01 of the Administrative Code.

(9) An applicant who has not resided in the state of Ohio for five years immediately preceding the date of application shall provide the division with a criminal records check of the applicant in accordance with section 109.572 of the Revised Code obtained from the superintendent of the bureau of criminal identification and investigation and including information from the federal bureau of investigation. An applicant's failure to submit this documentation renders the application for reciprocity incomplete.

(B) Notwithstanding the requirements set forth in other sections 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, the Ohio national guard, the Ohio military reserve, the Ohio naval militia, the national guard of any other state or a reserve component of the armed forces of the United States; in determining whether the holder of a certificate to practice has fulfilled the certificate qualifications.

(C) A person who has previously held a certificate to teach as an EMS instructor in Ohio or another state, which was previously revoked by the board or licensing agency of this state or another state, is not eligible for reciprocity.

(D) If a person is eligible for reinstatement as set forth in rule 4765-18-08 of the Administrative Code, then that person is not eligible to be issued a certificate under this rule.

Effective:

Five Year Review (FYR) Dates: 5/22/2025

Certification

Date

Promulgated Under:	119.03
Statutory Authority:	4765.11
Rule Amplifies:	4765.23, 5903.03, 5903.121
Prior Effective Dates:	01/01/1996, 02/22/1999, 06/29/2001, 10/02/2003, 02/01/2009, 02/06/2012, 08/01/2014, 04/01/2019, 01/01/2022

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-18-11

Rule Type: New

Rule Title/Tagline: Reciprocity qualifications for a certificate to teach.

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? No

A. What is the rule's five year review date?

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? 4765.23, 5903.03, 5903.121

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. This rule is replacing the previous version of 4765-18-11 due to the majority of the previous rule being deleted.

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

Rule 4765-18-11 sets forth the qualifications that must be met by an individual seeking a certificate to teach as a fire and emergency services instructor through reciprocity from another state, the District of Columbia, a United States territory, a branch of the United States armed forces or a reserve component of the United States armed forces, including the Ohio National Guard or the national guard of another state. This rule refers readers to the incorporated by reference rule. This rule is replacing the previous version of 4765-18-11 due to multiple changes designed to streamline the process for an applicant to receive reciprocity, to reflect changes in instructor titles, and to closely match changes in fire rules.

- 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 4765-18-11 incorporates the "Fire and Emergency Services Instructor Reciprocity Application" or form EMS 1647. 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 the website addresses where the information may be accessed. The "Fire and Emergency Services Instructor Reciprocity Application" or form EMS 1647 is available at the EMS forms and application website at <https://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
OAC rule 4765-18-11 requires applicants for reciprocity as a fire and emergency services instructor possess a current and valid certificate to practice as an EMS provider (or license to practice as a an RN or PA) and a certificate to teach as a fire and emergency services instructor prior to engaging in instruction.
 - 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
Failure to comply with the requirements set forth in this rule may result in the board refusing to grant a certificate to practice by reciprocity.

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

The estimated costs of compliance for stakeholders include a combination of an application fee; copying costs for required documentation; postage for submitting required documentation; fax or email costs for submitting required documentation; and costs of continuing education apply after a certificate to practice by reciprocity is issued.

The application fee to apply for certification by reciprocity is \$75.00. The fee to obtain an FBI criminal background

check from the Ohio Bureau of Criminal Identification and Investigation is \$25.25. [[https://www.ohioattorneygeneral.gov/Files/Publications-Files/Background-Check-Publications/FBI-Background-Check-Procedures-\(PDF\)](https://www.ohioattorneygeneral.gov/Files/Publications-Files/Background-Check-Publications/FBI-Background-Check-Procedures-(PDF))]

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

4765-18-11

Reciprocity qualifications for a certificate to teach.

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

(A) For purposes of granting reciprocity, the board shall issue a certificate to teach to an applicant if either of the following conditions apply:

- (1) The applicant has a substantially similar out-of-state occupational license or certificate and has held the out-of-state licensure or certification for at least one year prior to application and has been actively engaged in the practice of that occupation for one of the five years immediately preceding the date of application, or
- (2) The applicant has been actively engaged in the same occupational activity in the military, or a state or territory that does not issue a license or certificate, for at least three of the five years immediately preceding the date of application.

(B) An applicant shall provide all relevant documentation demonstrating his or her experience, education, and training to assist the division in its determination.

(C) To be eligible to receive a fire and emergency services instructor I or II certificate through reciprocity pursuant to section 4765.23 of the Revised Code and this chapter, an applicant who meets the requirements of paragraph (A) of this rule shall also meet all of the following qualifications:

- (1) The applicant successfully completed a structured instructor course in another state, the District of Columbia, a United States territory, department of defense, or any branch of the United States military, or other instructor training program approved by the board that is substantially similar to the training standards and curriculum as set forth in this chapter;
- (2) The applicant shall possess a current fire or EMS certificate to practice issued under section 4765.55 of the Revised Code and rule 4765-20-02, or 4765.11 of the Revised Code and rule 4765-8-01 of the Administrative Code that is in good standing;
- (3) In the preceding seven years, the applicant has at least five years of experience as a certified fire or EMS provider. Experience as a certified fire or EMS provider in another state, the District of Columbia, a United States territory, the department of defense, or any branch of the United States military may be used to fulfill this requirement;

- (4) The applicant for a fire and emergency services instructor I or II requesting certification through reciprocity shall submit a completed "Fire and Emergency Services Instructor Reciprocity Packet" including documentation that all requirements as specified in this rule have been met;
- (5) If an applicant fails to provide a complete reciprocity packet, including all required documentation, within ninety days from original receipt of the packet, the packet will be considered incomplete and it will be returned to the applicant;
- (6) If an applicant still wishes to request to receive certification by reciprocity, they must then complete and submit a new "Fire and Emergency Services Instructor Reciprocity Packet" for review by the Division.

(D) The board may waive one or both of the following requirements:

- (1) The applicant has held the out-of-state certification for at least one year prior to the application;
- (2) The applicant has been actively engaged in the practice of the occupation for one of the five years preceding the date of application.

(E) Upon compliance with all requirements for certification in paragraphs (A) through (C) of this rule, the applicant will be issued a letter of authorization to test by the division, if required.

(F) An applicant required to test shall pass the National Registry assessment examination at their level of certification with a maximum of three attempts in a twelve month period after the applicant is approved for testing and the division issues a letter of authorization to test.

(G) An applicant that fails to complete the requirements set forth in paragraph (F) of this rule within the twelve-month time frame shall complete a new course of instruction.

(H) After completing the requirements set forth in paragraph (F) of this rule, the applicant shall submit a completed "Fire and Emergency Services Instructor Reciprocity Application" within ninety days. An applicant that fails to submit a completed "Fire and Emergency Services Instructor Reciprocity Application" within ninety days shall complete a new course of instruction.

(I) The board may waive the requirement to test if one of the following conditions apply:

- (1) The out-of-state training was completed within thirty-six months prior to submitting application; or

(2) The out-of-state certificate or license is current and the applicant has maintained continuing education requirements substantially similar to Ohio requirements.

(J) Upon receiving a testing waiver, the applicant will be issued a letter by the division notifying them to submit a completed "Fire and Emergency Services Instructor Reciprocity Application" within ninety days. An applicant that fails to submit a completed "Fire and Emergency Services Instructor Reciprocity Application" within ninety days shall complete a new course of instruction.

(K) In addition to the requirements set forth in paragraphs (A) to (H) of this rule, the applicant:

(1) Shall not have been convicted of any of the following:

(a) Any felony;

(b) A misdemeanor committed in the course of practice;

(c) A misdemeanor involving moral turpitude.

(2) Shall not have committed fraud, misrepresentation, or material deception in applying for or obtaining a certificate issued under section 4765.55, 4765.11, or 4765.23 of the Revised Code and this chapter.

(3) Shall not have been previously revoked or denied a certificate by the board or the licensing organization in another state.

(4) An applicant who has not resided in the state of Ohio for five years immediately preceding the date of application shall provide the division with a criminal records check of the applicant in accordance with section 109.572 of the Revised Code obtained from the superintendent of the bureau of criminal identification and investigation and including information from the federal bureau of investigation. An applicant's failure to submit this documentation renders the application for reciprocity incomplete.

(L) An applicant who has previously held a certificate to teach as a fire and emergency services instructor in Ohio or another state, the District of Columbia, a United States territory, the department of defense, or any branch of the United States military, which was previously revoked by the board or licensing agency of this state or another state, the District of Columbia, a United States territory, the department of defense, or any branch of the United States military, is not eligible for reciprocity.

(M) If an applicant is eligible for reinstatement as set forth in this chapter, then that applicant is not eligible to be issued a certificate under this rule.

(N) For an application to be considered complete:

- (1) The application shall be filled out in the manner as specified;
- (2) All required documentation shall be provided;
- (3) The application shall be submitted within ninety days of completion of the requirements set forth in paragraph (F) of this rule.

(O) A fire and emergency services instructor certificate to teach issued pursuant to this rule shall be issued in accordance with the certification cycles and pro-rated renewal requirements set forth in rule 4765-8-06 of the Administrative Code.

Replaces: 4765-18-11

Effective:

Five Year Review (FYR) Dates:

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4765.11
Rule Amplifies: 4765.23, 5903.03, 5903.121
Prior Effective Dates: 01/01/1996, 02/22/1999, 06/29/2001, 10/02/2003,
02/01/2009, 02/06/2012, 08/01/2014, 04/01/2019,
01/01/2022

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-18-12

Rule Type: Amendment

Rule Title/Tagline: EMS instructor trainer qualifications.

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? 5/22/2025

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, 4765.23

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.

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

Rule 4765-18-12 sets forth the provisions under which an instructor training program shall be provided under the auspices of an accredited institution, including the instructor trainer minimum qualifications, evaluation requirements, and documentation requirements. This rule refers readers to the incorporated by reference rule. The rule is revised to reflect changes in instructor titles and to closely match changes in fire rules.

- 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 4765-18-12 incorporates the "Ohio Fire and Emergency Services Instructor Curriculum." 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 the website addresses where the information may be accessed. The 4/18 "Ohio Fire and Emergency Services Instructor Curriculum" or form EMS 0122 is available at the EMS forms and application website at <https://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?**

Certification to teach (tuition fees range from \$300 - \$10,000) is required before acceptance into an EMS instructor trainer program. Accredited institutions are required to maintain documentation of compliance with OAC rule 4765-18-12.

- 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**

A fire and emergency services instructor training program must be offered under the auspices of an accredited institution and taught by a trainer appointed by the program director of an accredited institution.
 - 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**

This rule does not impose a sanction or penalty, however, OAC rule 4765-10-03 sets forth the sanctions the EMFTS Board may levy against an EMS provider, a fire and emergency services instructor, or EMS training institution for violating Chapter 4765. of the Revised and Chapter 4765 of the Ohio Administrative Code. Sanctions include issuance of a written reprimand, limiting of a certificate, denial of issuance of a certificate, denial of renewal of a certificate, suspension of a certificate, revocation of a certificate, and the imposition of a fine not to exceed one thousand dollars.
 - C. Does this rule require specific expenditures or the report of information as a condition of compliance? No**

However, accredited institutions are required to maintain documentation of compliance with OAC rule 4765-18-12 and make it available to the division upon request.

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

4765-18-12

EMS—Fire and emergency services instructor trainer qualifications.

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

(A) ~~An EMS—A fire and emergency services instructor training program outlined in rule 4765-18-04 of the Administrative Code shall be provided under the auspice of an accredited or chartered institution and must be taught by an EMS—a fire and emergency services instructor trainer appointed by the program director of the accredited or chartered institution.~~

(B) An accredited or chartered institution shall ensure that ~~an EMS—a fire and emergency services~~ instructor trainer meets the following criteria:

- (1) Holds a valid certificate to teach as ~~an EMS—a fire and emergency services~~ instructor;
- (2) Has held a certificate to teach; as ~~either an EMS—a fire and emergency services~~ instructor or fire instructor for at least three years;
- (3) Demonstrates effective oral and written communication skills;
- (4) Has completed an instructor orientation ~~by the program director, consisting of objectives set forth in the "Ohio Fire and EMS Instructor Curriculum."~~

(C) The program director of an accredited institution assumes the responsibility to select an instructor trainer based upon documented evaluation of acceptable performance review standards and compliance with this rule.

(D) The program director of an accredited institution who is an instructor trainer must have the documented evaluation of acceptable performance review standards conducted by the program director's supervisor.

(E) The accredited institution shall maintain written or electronic documentation of compliance with this rule.

Effective:

Five Year Review (FYR) Dates: 5/22/2025

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4765.11
Rule Amplifies: 4765.16, 4765.23
Prior Effective Dates: 10/02/2003, 02/01/2009, 08/01/2014, 04/01/2019

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-18-13

Rule Type: Rescission

Rule Title/Tagline: Fire service instructor seeking certificate to teach as EMS instructor.

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? 5/22/2025

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? 4765.23

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.

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

Rule 4765-18-13 sets forth the qualifications that must be met by a certified fire instructor seeking a certificate to teach as an EMS instructor. This rule refers readers to the incorporated by reference rule. This rule is being rescinded.

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 4765-18-13 incorporates the "EMS Instructor Initial 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 the website addresses where the information may be accessed. This form is discontinued and this rule is being rescinded.

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?**

Certification of a fire service instructor to teach as an EMS instructor requires completion and submission an application (no fee); maintenance of a certificate or license as an EMS provider for the preceding five years (no fee for application) or a registered nurse or physician assistant (fee to apply for a registered nurse (registration and renewal fees from \$75 to \$150 [ORC 4723.08]) or physician assistant (\$400 application fee; \$200 renewal fee [ORC 4730.0])). Required knowledge examinations and practical skill examinations may cost from \$75 to \$125 through the NREMT; costs vary for testing provided by schools.

- 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**

Fire service instructors seeking certification as an EMS instructor must possess a current and valid fire service instructor certificate and a current and valid certificate to practice as an EMS provider (or license to practice and an RN or PA).
 - 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**

This rule does not impose a sanction or penalty, however, OAC rule 4765-10-03 sets forth the sanctions the EMFTS Board may levy against an EMS provider, a fire and emergency services instructor, or EMS training institution for violating Chapter 4765. of the Revised and Chapter 4765 of the Ohio Administrative Code. Sanctions include issuance of a written reprimand, limiting of a certificate, denial of issuance of a certificate, denial of renewal of a certificate, suspension of a certificate, revocation of a certificate, and the imposition of a fine not to exceed one thousand dollars.
 - C. Does this rule require specific expenditures or the report of information as a condition of compliance? Yes**

Certification of a fire service instructor to teach as an EMS instructor requires completion and submission an application (no fee); maintenance of a certificate or license as an EMS provider for the preceding five years (no

fee for application) or a registered nurse or physician assistant (fee to apply for a registered nurse (registration and renewal fees from \$75 to \$150 [ORC 4723.08]) or physician assistant (\$400 application fee; \$200 renewal fee [ORC 4730.0]). Required knowledge examinations and practical skill examinations may cost from \$75 to \$125 through the NREMT; costs vary for testing provided by schools.

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

TO BE RESCINDED

4765-18-13

Fire service instructor seeking certificate to teach as EMS instructor.

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

(A) The board may issue a certificate to teach as an EMS instructor to an applicant who meets all of the following:

- (1) Possesses a current and valid fire service instructor certificate issued under rule 4765-21-03 of the Administrative Code;
- (2) Submits a completed "EMS Instructor Initial Application";
- (3) In the preceding seven years, has been certified or licensed for at least five years as an EMS provider, registered nurse or physician assistant;
- (4) Possesses a current and valid certificate to practice as an EMS provider or holds a current and valid Ohio license to practice as a registered nurse or a physician assistant;
- (5) Has passed the knowledge examination at the level of the individual's certificate to practice as an EMS provider, within the preceding three years. An individual who is a registered nurse or physician assistant must pass the knowledge examination at the paramedic level;
- (6) Has passed the practical examination for the individual's level of certification, within the preceding three years. The practical examination shall be administered by an accredited institution. The program coordinator of the accredited institution sponsoring the EMS instructor training program may require the practical examination to be conducted by the sponsoring agency or may accept practical examinations performed by another accredited institution. An individual who is a registered nurse or physician assistant must pass the practical exam at the paramedic level;
- (7) Successfully completes the eight hours of instruction specific to the field of emergency medical services;
- (8) Is in compliance with the requirements for a certificate to practice as set forth in paragraphs (A)(6) to (A)(12) of rule 4765-8-01 of the Administrative Code.

(B) An individual must pass the knowledge and practical examinations prior to successfully completing the eight hours of instruction specific to the field of emergency medical services.

Effective:

Five Year Review (FYR) Dates: 5/22/2025

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4765.11
Rule Amplifies: 4765.23
Prior Effective Dates: 10/02/2003, 02/01/2009, 07/02/2009, 02/06/2012,
08/01/2014, 04/01/2019

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-18-18

Rule Type: Rescission

Rule Title/Tagline: Qualifications for a certificate to teach as an assistant EMS instructor.

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? 5/22/2025

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? 4765.23

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.

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

Rule 4765-18-18 sets forth the qualifications that must be met by an individual seeking a certificate to teach as an assistant EMS instructor. This rule refers readers to the incorporated by reference rule. This rule is being rescinded.

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 4765-18-18 incorporates the "Assistant EMS Instructor Initial 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 the website addresses where the information may be accessed. This form is discontinued and this rule is being rescinded.

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?**

Applicants for a certificate to teach as an assistant EMS instructor must submit the required application. No application fee is required.

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

Applicants for a certificate to teach as an assistant EMS instructor must possess a current and valid certificate to practice as an EMS provider (or license to practice as an RN or PA).

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

Failure to comply with terms set forth in this rule may result in an administrative sanction, up to and including the revocation of an EMS instructor certificate, pursuant to O.A.C. rule 4765-10-3.

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

An applicant for a certificate to teach as an assistant EMS instructor must submit a specific application; no application fee is required.

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

TO BE RESCINDED

4765-18-18

Qualifications for a certificate to teach as an assistant EMS instructor.

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

(A) An applicant for a certificate to teach as an assistant EMS instructor must meet all of the following requirements:

- (1) Submits a completed "Assistant EMS Instructor Initial Application";
- (2) In the preceding five years, has been certified or licensed for at least three years as an EMS provider, registered nurse or physician assistant;
- (3) Possesses a current and valid certificate to practice as an EMS provider or holds a current and valid Ohio license to practice as a registered nurse or a physician assistant;
- (4) Has passed the knowledge examination at the level of the individual's certificate to practice as an EMS provider, within the preceding three years. An individual who is a registered nurse or physician assistant must pass the knowledge exam at the paramedic level;
- (5) Has passed the practical examination for the individual's level of certification, within the preceding three years. An individual who is a registered nurse or physician assistant must pass the practical exam at the paramedic level;
- (6) Completes the eight hours in instruction specific to the field of emergency medical services as outlined in rule 4765-18-04 of the Administrative Code;
- (7) Completes ten hours of supervised teaching in the presence of an EMS instructor, under the auspices of an accredited institution;
- (8) Is in compliance with the requirements for a certificate to practice as set forth in paragraphs (A)(6) to (A)(12) of rule 4765-8-01 of the Administrative Code.

(B) 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, the Ohio national guard, the Ohio military reserve, the Ohio naval militia, or the national guard of any other state or a reserve component of the armed forces of the United States in determining whether the holder of a certificate to practice has met the experience and educational requirements for a certificate to teach as an assistant EMS instructor set forth in paragraph (A) of this rule.

- (C) There shall be no fee for an "Assistant EMS Instructor Initial Application."
- (D) Failure to meet any of the requirements in paragraph (A) of this rule may lead to board action under rule 4765-10-03 of the Administrative Code.

Effective:

Five Year Review (FYR) Dates: 5/22/2025

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4765.11
Rule Amplifies: 4765.23
Prior Effective Dates: 02/01/2009, 02/06/2012, 08/01/2014, 04/01/2019

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-18-19

Rule Type: Amendment

Rule Title/Tagline: Renewal of a certificate to teach as an assistant EMS instructor.

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? 5/22/2025

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? 4765.23, 5903.10, 5903.121

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.

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

Rule 4765-18-19 sets forth the conditions under which the division shall notify each assistant EMS instructor certificate holder of the certificate's scheduled expiration date. In addition, this rule sets forth the requirements to be met by an individual seeking to renew an assistant EMS instructor certificate to teach. This rule refers readers to the incorporated by reference rule. This rule is amended to reflect the discontinuation of the assistant EMS instructor position for new applicants and for any current certificate holders who do not renew their certificate.

- 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 4765-18-19 incorporates the "Assistant EMS Instructor Renewal Application" and the "Ohio Fire and Emergency Services Instructor Curriculum." 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 the website addresses where the information may be accessed. A PDF of the "Assistant EMS Instructor Renewal Application" or form EMS 1655 is available to certificate holders at a secure online portal at the division's renewal website at <https://services.dps.ohio.gov/EMSPublic>. The 4/18 "Ohio Fire and Emergency Services Instructor Curriculum" or form EMS 0122 is available at the EMS forms and application website at <https://www.ems.ohio.gov/orms.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?

Applicants for renewal must submit the required application prior to the date a certification expires. No fee is required to apply for renewal of a certification.

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

Applicants for renewal of a certificate to teach as an assistant EMS instructor must possess a current and valid certificate to practice as an EMS provider (or license to practice as an RN or PA).

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

Failure to comply with terms set forth in this rule may result in an administrative sanction, up to and including the revocation of an EMS instructor certificate, pursuant to O.A.C. rule 4765-10-03.

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

An applicant for renewal of a certificate to teach as an assistant EMS instructor must submit a specific application. Applicants for renewal are required to maintain documentation of continuing education, subject to audit, and make it

available to the division upon request. No fee is required to apply for renewal of a certification.

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

4765-18-19

Renewal of a certificate to teach as an assistant EMS instructor.

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

- (A) No later than sixty days prior to the expiration of a certificate to teach, the division shall notify each certificate holder of the certificate's scheduled expiration date and a mechanism for renewal.
- (B) An applicant for renewal of a certificate to teach as an assistant EMS instructor must meet the following criteria:
 - (1) Submit a completed "Assistant EMS Instructor Renewal Application" on or before the expiration date of the current certificate;
 - (2) Continues to meet the requirements for a certificate to teach as an assistant EMS instructor as set forth in this chapter;
 - (3) Possesses a current and valid certificate to practice as an EMS provider or holds a current and valid Ohio license to practice as a registered nurse or a physician assistant;
 - (4) Satisfies the requirements for a certificate to practice a set forth in paragraphs (A) (6) to (A)(12) of rule 4765-8-01 of the Administrative Code;
 - (5) During the preceding certification cycle, has provided not less than sixteen hours of instruction of an EMS training or continuing education program offered by an accredited institution, approved institution or while on active duty in the armed forces of the United States, including the Ohio national guard or the national guard of any other state;
 - (6) During the preceding certification cycle, has completed six hours of instructional continuing education related to the "Ohio Fire and EMS Emergency Services Instructor Curriculum Course Packet" objectives;
 - (7) Unless otherwise waived by the board, attends any mandatory instructor meetings held by the board.
- (C) There shall be no fee for an "Assistant EMS Instructor Renewal Application."
- (D) Failure to meet any of the requirements in paragraph (B) of this rule may lead to board action under rule 4765-10-03 of the Administrative Code.

(E) Failure to renew a certificate to teach as an assistant EMS instructor in the timeline specified in this rule will result in expiration of the certificate and the applicant shall not be eligible for reinstatement.

~~(E)~~(F) An applicant for renewal must maintain records relating to the requirements set forth in paragraphs (B)(5) and (B)(6) of this rule for the current and previous certification cycle. Such records are subject to audit by the division, as directed by the board and in accordance with rule 4765-9-02 of the Administrative Code.

~~(E)~~(G) A renewed certificate to teach as an assistant EMS instructor does not become effective until the expiration of the current certificate.

Effective:

Five Year Review (FYR) Dates: 5/22/2025

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4765.11
Rule Amplifies: 4765.23, 5903.10, 5903.121
Prior Effective Dates: 02/01/2009, 01/01/2011, 02/06/2012, 08/01/2014,
04/01/2019

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-18-20

Rule Type: Rescission

Rule Title/Tagline: Reinstatement of a certificate to teach as an assistant EMS instructor.

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? 5/22/2025

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? 4765.23

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.

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

Rule 4765-18-20 sets forth the requirements to be met by an individual seeking to reinstate a certificate to teach as an assistant EMS instructor. This rule refers readers to the incorporated by reference rule. This rule is being rescinded.

- 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 4765-18-20 incorporates the "Assistant EMS Instructor Reinstatement Application" and the "Exemption Request for Continuing Education for EMS Certificates." 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 the website addresses where the information may be accessed. "Assistant EMS Instructor Reinstatement Application" or form EMS 5923 is discontinued. The "Exemption Request for Continuing Education for EMS Certificates" or form EMS 5933 is available at the EMS forms and application website at <https://www.ems.ohio.gov/forms.aspx>. This rule is being rescinded.

- 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?**

Applicants for reinstatement must submit the required application within the time frame set forth in the rule, along with a fee of \$75.

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
Applicants for reinstatement possess an expired or invalid certificate to teach CE.
 - 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
This rule does not impose a sanction or penalty, however, OAC rule 4765-10-03 sets forth the sanctions the EMFTS Board may levy against an EMS provider, a fire and emergency services instructor, or EMS training institution for violating Chapter 4765. of the Revised and Chapter 4765 of the Ohio Administrative Code. Sanctions include issuance of a written reprimand, limiting of a certificate, denial of issuance of a certificate, denial of renewal of a certificate, suspension of a certificate, revocation of a certificate, and the imposition of a fine not to exceed one thousand dollars.
 - C. Does this rule require specific expenditures or the report of information as a condition of compliance? Yes
A certificate holder seeking reinstatement must provide documentation as set forth in the rule and submit an application fee of \$75.
 - 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

TO BE RESCINDED

4765-18-20

Reinstatement of a certificate to teach as an assistant EMS instructor.

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

- (A) A certificate to teach as an assistant EMS instructor will expire on its expiration date if the applicant fails to either renew such certificate or request an extension prior to the expiration date, as provided in this chapter.
- (B) The board may reinstate a certificate to teach as an assistant EMS instructor that has expired, or become invalid due to a voluntary surrender, for no more than six months if the holder of the expired certificate:
 - (1) Submits a completed "Assistant EMS Instructor Reinstatement Application";
 - (2) Submits an application fee of seventy-five dollars;
 - (3) Meets all qualifications for a certificate to teach as outlined in rule 4765-18-18 of the Administrative Code and this chapter;
 - (4) Is in compliance with the requirements for a certificate to practice as set forth in paragraphs (A)(6) to (A)(12) of rule 4765-8-01 of the Administrative Code;
 - (5) Has previously held a certificate to teach as an assistant EMS instructor, and such certificate was in good standing at the time the certificate expired;
 - (6) Provides the division with documentation of successful completion of the renewal requirements set forth in paragraphs (B)(5) to (B)(6) of rule 4765-18-19 of the Administrative Code for the last certification cycle. If the applicant has not completed the continuing education requirements, the applicant must complete all requirements prior to submitting an application. The applicant shall complete the sixteen hours of instruction under the auspices of an EMS instructor through an accredited or approved institution.
- (C) If a certificate to teach as an assistant EMS instructor has been expired, or become invalid due to voluntary surrender, for more than six months but not more than two years, the applicant must meet all the requirements for a certificate to teach as an assistant EMS instructor outlined in rule 4765-18-18 of the Administrative Code.
- (D) If the individual previously held a certificate to teach as an assistant EMS instructor in the preceding two years, the applicant must utilize the reinstatement process set forth in this rule.

(E) The board shall reinstate a certificate to teach as an assistant EMS instructor, in accordance with 5903.10 of the Revised Code, upon receipt of an "Exemption Request for Continuing Education for EMS Certificates," for one of the following:

- (1) The holder of an expired certificate failed to meet the continuing education requirements because the holder served on active duty, as a member of the armed forces of the United States, the Ohio national guard, the Ohio military reserve, the Ohio naval militia, the national guard of any other state or a reserve component of the armed forces of the United States; or
- (2) The holder of an expired certificate failed to meet the continuing education requirements because the holder's spouse served on active duty, as a member of the armed forces of the United States, the Ohio national guard, the Ohio military reserve, the Ohio naval militia, the national guard of any other state or a reserve component of the armed forces of the United States which resulted in the holder's absence from this state.

Effective:

Five Year Review (FYR) Dates: 5/22/2025

Certification

Date

Promulgated Under:	119.03
Statutory Authority:	4765.11
Rule Amplifies:	4765.23
Prior Effective Dates:	02/01/2009, 08/01/2014, 04/01/2019

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-18-21

Rule Type: Rescission

Rule Title/Tagline: Upgrade process for certificate to teach as assistant EMS instructor to EMS instructor.

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? 5/22/2025

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? 4765.23

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.

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

Rule 4765-18-21 sets forth the qualifications that must be met by an assistant EMS instructor seeking a certificate to teach as an EMS instructor. This rule refers readers to the incorporated by reference rule. This rule is being rescinded.

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 4765-18-21 incorporates the "EMS Instructor Initial 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 the website addresses where the information may be accessed. This form is discontinued and this rule is to be rescinded.

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?**

Applicants for an upgrade to teach as an EMS instructor must possess a current and valid certificate to practice as an EMS provider (or license to practice as an RN or PA) and a current and valid certificate to teach as an assistant EMS instructor.

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**

Applicants for an upgrade to teach as an EMS instructor must possess a current and valid certificate to practice as an EMS provider (or license to practice as an RN or PA) and a current and valid certificate to teach as an assistant EMS instructor.
 - 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**

This rule does not impose a sanction or penalty, however, OAC rule 4765-10-03 sets forth the sanctions the EMFTS Board may levy against an EMS provider, a fire and emergency services instructor, or EMS training institution for violating Chapter 4765. of the Revised and Chapter 4765 of the Ohio Administrative Code. Sanctions include issuance of a written reprimand, limiting of a certificate, denial of issuance of a certificate, denial of renewal of a certificate, suspension of a certificate, revocation of a certificate, and the imposition of a fine not to exceed one thousand dollars.
 - C. Does this rule require specific expenditures or the report of information as a condition of compliance? Yes**

An applicant seeking to upgrade a certificate from an assistant EMS instructor to an EMS instructor must submit a specific application as set for in rule 4765-18-21 to the division; no application fee is required.
 - 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

TO BE RESCINDED

4765-18-21

Upgrade process for certificate to teach as assistant EMS instructor to EMS instructor.

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

(A) An individual holding a current and valid certificate to teach as an assistant EMS instructor who wants to upgrade to an EMS instructor must meet all of the following:

- (1) Submits a completed "EMS Instructor Initial Application";
- (2) Must complete the forty hours in instruction of adult students and basic teaching techniques or must complete the mentorship program, as required in rule 4765-18-04 of the Administrative Code;
- (3) Satisfies the requirements for a certificate to practice a set forth in paragraphs (A) (6) to (A)(12) of rule 4765-8-01 of the Administrative Code;
- (4) Possesses a current and valid certificate to practice as an EMS provider or holds a current and valid Ohio license to practice as a registered nurse or a physician assistant;
- (5) Has passed the knowledge examination at the level of the individual's certificate to practice as an EMS provider, within the preceding three years. However, if the individual passed the knowledge examination in order to become certified as an assistant EMS instructor, regardless of time elapsed since passing the test, the individual is not required to pass another knowledge examination.
- (6) Has passed the instructional methods examination. Failure to pass this examination within three attempts within one year from completion of the instructor training program will require a completion of new EMS instructor training program.

(B) 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, the Ohio national guard, the Ohio military reserve, the Ohio naval militia, or the national guard of any other state or a reserve component of the armed forces of the United States; in determining whether the holder of a certificate to practice has met the experience and educational requirements for a certificate to teach as an EMS instructor set forth in paragraph (A) of this rule.

(C) All requirements for the upgrade must have been completed within the preceding three years.

Effective:

Five Year Review (FYR) Dates: 5/22/2025

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4765.11
Rule Amplifies: 4765.23
Prior Effective Dates: 02/01/2009, 04/01/2011, 02/06/2012, 08/01/2014,
04/01/2019

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-18-22

Rule Type: Amendment

Rule Title/Tagline: Reinstatement of a revoked certificate to teach.

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? 5/22/2025

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? 4765.23

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.

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

Rule 4765-18-22 sets forth the requirements to be met by an individual seeking to reinstate a revoked certificate to teach. This rule refers readers to the incorporated by reference rule. The rule is amended to remove a discontinued form and to remove a reference to an applicant's training being substantially similar to the reinstatement sought.

- 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 4765-18-22 incorporates the "Fire and Emergency Services Instructor Reinstatement Application," "Assistant EMS Instructor Reinstatement Application," and the "EMS Continuing Education Instructor Reinstatement 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 the website addresses where the information may be accessed. The "Fire and Emergency Services Instructor Reinstatement Application" or form EMS 5922 and the "EMS Continuing Education Instructor Reinstatement Application" or form EMS 5924 are available at the EMS forms and application website at <https://www.ems.ohio.gov/forms.aspx>. The "Assistant EMS Instructor Reinstatement Application" or form EMS 5923 is discontinued.

- 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?**

Applicants for reinstatement must submit the required application within the time frame set forth in the rule, along with a fee of \$25 or \$75.

- 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.**

The fees collected goes into the operational budget fund, and pay for the day to day operations of the Division when dealing with reinstatements.

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
An applicant seeking reinstatement of a revoked certificate to teach as set forth in rule 4765-18-22 must have a previously revoked certificate.
 - 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
This rule does not impose a sanction or penalty, however, OAC rule 4765-10-03 sets forth the sanctions the EMFTS Board may levy against an EMS provider, a fire and emergency services instructor, or EMS training institution for violating Chapter 4765. of the Revised and Chapter 4765 of the Ohio Administrative Code. Sanctions include issuance of a written reprimand, limiting of a certificate, denial of issuance of a certificate, denial of renewal of a certificate, suspension of a certificate, revocation of a certificate, and the imposition of a fine not to exceed one thousand dollars.
 - C. Does this rule require specific expenditures or the report of information as a condition of compliance?** Yes

An applicant seeking reinstatement of a revoked certificate to teach as set forth in rule 4765-18-22 must submit a specific application to the division.

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

4765-18-22

Reinstatement of a revoked certificate to teach.

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

- (A) The board is not obligated to reinstate or issue a new certificate to teach to an applicant whose certificate to teach has been previously revoked.
- (B) The board shall not reinstate or issue a new a certificate to teach to an applicant whose certificate to teach has been permanently revoked.
- (C) The board shall not reinstate or issue a new certificate to teach to an applicant whose certificate to teach has been revoked for less than one year from the date on which the board order revoking such certificate is journalized with the board.
- (D) Any applicant whose certificate to teach has been revoked by the board must complete all requirements for a certificate to teach for the level sought, as set forth in this chapter, as if the applicant is applying as a new applicant. Additionally, the applicant must meet the following requirements:
 - (1) Submit a completed "EMS Fire and Emergency Services Instructor Reinstatement Application"; "Assistant EMS Instructor Reinstatement Application"; or an "EMS Continuing Education Instructor Reinstatement Application";
 - (2) Previously held a certificate to teach for the level sought;
 - ~~(3) The course of training completed by the applicant is significantly similar to the current curriculum requirements for the level of certification sought;~~
 - ~~(4)~~(3) Meets all qualifications for a certificate to practice as outlined in paragraphs (A)(6) to (A)(12) of rule 4765-8-01 of the Administrative Code.
- (E) In addition to having an applicant meet the requirements set forth in this rule, the board may also take into consideration other relevant factors, including but not limited to the following, when determining whether to grant a request for reinstatement:
 - (1) The nature and severity of the acts which resulted in revocation of the applicant's certificate;
 - (2) The time elapsed since the revocation;
 - (3) Additional convictions or violations of the Revised Code occurring after the revocation;

- (4) Any evidence of rehabilitation, including but not limited to appropriate treatment or counseling, which the applicant may submit to the board;
- (5) Evidence of additional education or training, which the applicant may submit to the board;
- (6) Compliance with previous board orders, board-approved consent agreements, or court ordered sentencing;
- (7) Employment history, including compliance with any departmental discipline, which the applicant may submit to the board.

Effective:

Five Year Review (FYR) Dates: 5/22/2025

Certification

Date

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