

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4765-1-01

**Rule Type:** Amendment

**Rule Title/Tagline:** Definitions.

**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? Chapter 4765. of the Revised Code**

**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.**

OAC rule 4765-1-01 includes most definitions for OAC chapters 4765-1 to 4765-19, unless otherwise provided within chapters. Rules concerning types of remote learning have been added or amended. Rules concerning instructors have been added or amended. Definitions of disciplinary actions have been added.

9. Does the rule incorporate material by reference? No
10. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.

*Not Applicable*

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

*Not Applicable*

## **II. Fiscal Analysis**

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

This will have no impact on revenues or expenditures.

0

Not applicable

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

Not applicable

14. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No

15. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No

16. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.

Not applicable

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

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

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

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

4765-1-01

**Definitions.**

For the purposes of Chapters 4765-1 to 4765-19 of the Administrative Code, except as otherwise provided, the following definitions shall apply:

- (A) "Active duty" means full-time duty in the active military service of the United States or active duty pursuant to an executive order of the president of the United States, an act of the congress of the United States, or a proclamation of the governor. "Active duty" does not include active duty for training, initial active duty for training, or the period of time for which a person is absent from a position of employment for the purpose of an examination to determine the fitness of the person to perform any duty unless such period is contemporaneous with an active duty period.
- (B) "Administrator" or "executive director" means the individual appointed by the director of public safety pursuant to section 4765.03 of the Revised Code to serve as the chief executive officer of the board of emergency medical services and as the executive director of the division of emergency medical services.
- (C) "Affiliation agreement" means a written agreement between an EMS training program and any person, as defined in this rule, that sets forth the roles and responsibilities of the parties, is signed by the individuals with contracting authority, and that provides for any of the following:
  - (1) The use of specified equipment necessary in the training of EMS personnel;
  - (2) A site for the clinical experience or prehospital internship components of an EMS training program;
  - (3) The use of a facility not owned or leased by the accredited institution for classroom.
- (D) "Annual report" means the written documentation submitted by an EMS accredited or EMS approved institution in a format approved by the board on a yearly basis to demonstrate continued compliance with certain requirements for a certificate of accreditation or certificate of approval.
- (E) "Applicant" means any of the following:
  - (1) An individual that makes application for a certificate to practice issued under section 4765.30 of the Revised Code and Chapter 4765-8 of the Administrative Code;
  - (2) An individual that makes application for a certificate to teach issued under section 4765.23 of the Revised Code and Chapter 4765-18 of the Administrative Code;

(3) Any public agency, private school, educational institution, emergency medical service organization, vocational school, college, university, or hospital that makes application to hold a certificate of accreditation or certificate of approval issued under section 4765.17 of the Revised Code and Chapter 4765-7 of the Administrative Code.

(F) "Armed forces" means the armed forces of the United States, including the army, navy, air force, marine corps, coast guard, or any reserve components of those forces; the national guard of any state; the commissioned corps of the United States public health service; the merchant marine service during wartime; such other service as may be designated by congress; or the Ohio organized militia when engaged in full-time national guard duty for a period of more than thirty days.

(G) "Asynchronous learning" means educational activities, discussions, and assignments that engage students in learning at their own pace, on their own time.

(H) "Authorizing official" means any person who owns or maintains responsibility on behalf of an individual, corporation, trust, partnership, or an association for the facilities, equipment, instructors, managers and other employees of an EMS accredited institution or EMS approved institution.

(I) "Automated external defibrillation" or "AED" means the process of applying a specialized defibrillator to a patient of cardiac arrest, and allowing the defibrillator to interpret the cardiac rhythm and, if appropriate, deliver an electrical shock to the heart that will allow the heart to resume an effective electrical activity. Automated external defibrillation can include either fully-automatic or semi-automatic external defibrillation.

(J) "Blended learning" means face-to-face class sessions that are accompanied by online (synchronous or asynchronous) materials and activities. A fundamental component of a blended course is that these online materials are not intended to replace face-to-face class time; rather, they are meant to supplement and build upon the content discussed in the classroom. Also known as hybrid learning.

(K) "Board" means the emergency medical services board within the division of emergency medical services of the department of public safety created in section 4765.02 of the Revised Code.

(L) "Commission on Accreditation of Allied Health Education Programs" or "CAAHEP" means a national agency that accredits postsecondary allied health educational programs upon the recommendation of its collaborating committees on accreditation.

**(K)(M)** "Certificate of accreditation" means the certificate to operate one or more EMS training programs issued by the board pursuant to section 4765.17 of the Revised Code and Chapter 4765-7 of the Administrative Code.

**(L)(N)** "Certificate of approval" means the certificate to operate an EMS continuing education program issued by the board pursuant to section 4765.17 of the Revised Code and Chapter 4765-7 of the Administrative Code.

**(M)(O)** "Certificate of completion" means a document issued by the EMS accredited institution or the EMS approved institution in accordance with section 4765.24 of the Revised Code and Chapters 4765-7 and 4765-18 of the Administrative Code.

**(N)(P)** "Certificate to practice" means the certificate to practice as an emergency medical responder, emergency medical technician, advanced emergency medical technician, or paramedic issued by the division pursuant to section 4765.30 of the Revised Code and Chapter 4765-8 of the Administrative Code as directed by the board.

**(O)(Q)** "Certificate to teach" means the certificate issued by the board pursuant to section 4765.23 of the Revised Code and Chapter 4765-18 of the Administrative Code allowing an individual to instruct through an EMS accredited institution or an EMS approved institution.

**(P)(R)** "Clinical experience" means EMS training in a hospital or other clinical setting that allows an EMS student to develop and utilize EMS procedures and protocols in a supervised setting and leads to an understanding of hospital emergency departments as well as their relationship to other departments such as anesthesia, coronary care, critical care and obstetrics.

**(Q)(S)** "Committee on Accreditation of Educational Programs for the Emergency Medical Services Professions" or "CoAEMSP" means the national organization that reviews and recommends the national accreditation of EMS education programs to the "Commission on Accreditation of Allied Health Education Programs."

**(R)(T)** "Contact hour" means equal to fifty to sixty minutes of continuing education.

**(S)(U)** "Continuing education coordinating board for emergency medical services" or "CECBEMS" and "commission on accreditation for prehospital continuing education" or "CAPCE" mean the national accrediting body for EMS continuing education courses and providers.

**(T)(V)** "Continuing education instructor" or "CE instructor" means a person who holds a certificate to teach an EMS continuing education program, issued in accordance with section 4765.23 of the Revised Code and rule 4765-18-15 of the Administrative Code.

~~(U)~~(W) "Cooperating physician advisory board" means those physicians whom an emergency medical service organization has designated pursuant to section 4765.42 of the Revised Code, to perform the duties of medical director including establishing medical protocols that must be followed in the delivery of emergency medical services.

~~(V)~~(X) "Distance learning" means an EMS training program or EMS continuing education program that is ~~taught in real-time and is interactive~~synchronous between the student and the entity offering the course. Distance learning education takes place when an instructor and student(s) are separated by physical distance, and technology (i.e. voice, video, data, and print), ~~often~~ in concert with face-to-face communication, is used to bridge the instructional gap.

~~(W)~~(Y) "The division" or "DEMS" means the division of emergency medical services within the department of public safety.

~~(X)~~(Z) "Drop back" is the process by which an EMS provider chooses to become certified to practice at a lower level than the one at which the EMS provider is currently certified.

~~(Y)~~(AA) "Educational improvement plan" means the documentation submitted by the EMS accredited institution or EMS approved institution in a format approved by the board, which demonstrates progress toward becoming compliant with the area(s) of deficiency as specified by the board.

~~(Z)~~(BB) "EMS" means emergency medical service as defined in section 4765.01 of the Revised Code.

~~(AA)~~(CC) "EMS accredited institution" or "accredited institution" means any public agency, private school, educational institution, emergency medical service organization, vocational school, college, university, or hospital within Ohio that holds a certificate of accreditation issued under section 4765.17 of the Revised Code and Chapter 4765-7 of the Administrative Code.

~~(BB)~~(DD) "EMS approved institution" or "approved institution" means any public agency, private school, educational institution, emergency medical service organization, vocational school, college, university, or hospital within Ohio that holds a certificate of approval issued under section 4765.17 of the Revised Code and Chapter 4765-7 of the Administrative Code.

~~(CC)~~(EE) "EMS assistant instructor" means a person who holds a certificate to teach an EMS training program or EMS continuing education program, issued in accordance with section 4765.23 of the Revised Code and rule 4765-18-18 of the Administrative

Code. All course instruction and preparation must occur under the mentorship of a certified EMS instructor.

~~(D)~~(FF) "EMS continuing education program" means courses related to EMS operation or patient care which, when successfully completed, result in certificates of completion from an approved institution or accredited institution and satisfy all of or a portion of the continuing education requirements in order to renew a certificate.

~~(E)~~(GG) "EMS training program" means the collective group of initial EMS courses at each specified certification level which, when successfully completed, results in a certificate of completion from an accredited institution.

~~(F)~~ "EMS instructor" means a person who holds a certificate to teach an EMS training program or EMS continuing education program, issued in accordance with section 4765.23 of the Revised Code and rule 4765-18-05 of the Administrative Code.

~~(G)~~ "EMS instructor training program" means an EMS training program as outlined in Chapter 4765-18 of the Administrative Code, offered by an accredited institution which, when successfully completed, results in a certificate of completion and prepares students to be instructors in emergency medical responder, emergency medical technician, advanced emergency medical technician, and paramedic, or any other type of EMS instruction.

~~(H)~~(III) "EMS instructor trainer" means a person appointed by the accredited institution who has met the requirements as outlined in Chapter 4765-18 of the Administrative Code, and who teaches an EMS instructor training program through an accredited institution.

~~(I)~~(HH) "EMS provider" means a holder of a certificate to practice at any level issued pursuant to section 4765.30 of the Revised Code.

~~(J)~~(II) "Extral lottic" or "extral lottic device" means an airway device residing above the vocal cords.

~~(K)~~(JJ) "Fire and Emergency Services Instructor" or "FESI" means an individual who holds a certificate to teach fire, EMS, or other public safety officer courses, for Ohio certification under the auspices of an accredited or chartered institution.

~~(L)~~(KK) "Good reputation" or "good standing" means:

(1) If an individual, is in compliance with all applicable federal, state, and local regulations, is not the subject of an investigation or disciplinary action by any agency of the federal, state, or local government, or has not been denied

a license or certificate, or had a license or certificate limited, suspended, or revoked by any public agency or licensing agency.

(2) If a corporation, business trust, estate, trust, partnership, association, government unit or other entity, is in compliance with all federal, state, or local regulations that are applicable to its operations, is not currently under investigation by any agency of the federal, state, or local government, or has not been denied any necessary licenses or certificates, or had such licenses or certificates limited, suspended, or revoked.

(LL) "Government unit" means the state and any county, municipal corporation, township, or other political subdivision of the state, any department, division, board, or other agency of the state or a political subdivision.

(MM) "Guest lecturer" means a person who does not hold a certificate to teach as ~~an EMS~~  
~~a fire and emergency services~~ instructor, assistant EMS instructor, ~~or continuing~~  
~~education instructor or special topic instructor~~ and provides instruction or assistance in an EMS training program or EMS continuing education program under the auspices of a holder of a certificate to teach.

(NN) "Hospital" has the same meaning as in section 3727.01 of the Revised Code.

(OO) "Hybrid learning" see blended learning.

(OO)(PP) "Independent study" means ~~a self-paced learning~~ ~~an asynchronous~~ EMS continuing education program developed for individual use that, has been approved and is provided by an EMS accredited or EMS approved institution.

(QQ) "Instructor" means an individual who holds a certificate to teach as a ~~fire and emergency services instructor, assistant EMS instructor, live fire instructor, or assistant fire instructor, issued by the executive director pursuant to section 4765.55 or by the board pursuant to 4765.23 of the Revised Code and Chapters 4765-18 and 4765-21 of the Administrative Code.~~

(RR) "Instructor trainer" means a ~~fire and emergency services instructor that has been appointed by an accredited or chartered program's authorizing official or program director to teach fire and emergency services instructor courses under the auspices of an accredited or chartered institution.~~

(PP)(SS) "Knowledge examination" means the written portion of the initial, reciprocity, and reinstatement examinations, as set forth in rule 4765-8-05 of the Administrative Code.

~~(QQ)~~(TT) "Letter of review" means an official document, issued by the "Committee on Accreditation of Educational Programs for the Emergency Medical Services Professions," that indicates a paramedic program is in the process of obtaining accreditation through the "Commission on Accreditation of Allied Health Education Programs."

~~(RR)~~(UU) "Medical direction" means the written or verbal authorization of a physician or cooperating physician advisory board, designated pursuant to section 4765.42 of the Revised Code, that may be required prior to the performance of certain prehospital emergency medical services by an emergency medical responder, emergency medical technician, advanced emergency medical technician or paramedic.

~~(SS)~~(VV) "Moral turpitude" means the act of baseness, vileness, or the depravity in private and social duties that one owes to society, contrary to accepted and customary rule of right and duty between human beings.

~~(TT)~~(WW) "NHTSA" means the national highway traffic safety administration.

~~(UU)~~(XX) "Offsite location" means any location within Ohio where an EMS training program or EMS continuing education program is offered in addition to the location that was designated and authorized in the application for a certificate of accreditation or certificate of approval in accordance with Chapter 4765-7 of the Administrative Code.

~~(VV)~~(YY) "One-half contact hour" means equal to twenty-five to thirty minutes of continuing education.

~~(WW)~~(ZZ) "Online education" means a computer based, self-paced (asynchronous) learning environment that takes place on the internet at the student's convenience.~~EMS training programs or EMS continuing education programs delivered by correspondence, telecommunications, internet and web based media, or combinations of media, and may include short periods of on-campus attendance.~~

~~(XX)~~(AAA) "Person" includes any individual, corporation, business trust, estate, trust, partnership, association, government unit or other entity.

~~(YY)~~(BBB) "Physician assistant" or "PA" means a person who possesses a current and valid certificate to practice under section 4730.08 of the Revised Code.

~~(ZZ)~~(CCC) "Practical examination" means the practical portion of the initial examination, as set forth in rule 4765-8-05 of the Administrative Code.

~~(AAA)~~(DDD) "Preceptor" means a person who supervises EMS students in accordance with section 4765.49 of the Revised Code and evaluates EMS students during clinical

or prehospital internship required by the EMS training program and who is licensed or certified at a level that meets or exceeds the level of EMS certification for which the person supervises or evaluates.

~~(BBB)~~(EEE) "Prehospital internship" means EMS training in a field setting outside of a classroom or clinical facility that allows an EMS student to develop and utilize EMS procedures and protocols under supervision ~~in a prehospital setting~~ and affords the opportunity to gain an understanding of the nature of prehospital EMS practice and the relationship between it and hospital emergency departments.

(FFF) "Probation" means a formal rebuke of an accredited institution for violations of the Ohio Revised Code or Ohio Administrative Code, while permitting the accredited institution to continue to operate, though the accredited institution may be subject to increased monitoring or sanctioned more severely if further violations are substantiated during the specified period.

~~(CCC)~~(GGG) "Program ~~coordinator~~ or ~~program~~ director" means the authorizing official or that person designated by the authorizing official of an EMS accredited institution or EMS approved institution to oversee the administration and operation of an EMS training program that applies for, or holds, a certificate of accreditation or certificate of approval issued by the board under section 4765.17 of the Revised Code.

~~(DDD)~~(HHH) "Program medical director" means a physician who is involved in the practice or supervision of emergency medicine in a hospital or prehospital setting and who advises the accredited institution or approved institution regarding the courses taught within an EMS training program or EMS continuing education program as set forth in section 4765.16 of the Revised Code and Chapter 4765-7 of the Administrative Code.

~~(EEE)~~(III) "Provisional certificate of accreditation" means a conditional certificate of accreditation that is issued by the board to an institution applying for renewal that is in substantial compliance with rules 4765-7-02 and 4765-7-07 of the Administrative Code. An institution is issued a provisional certificate of accreditation when identified infractions are correctable and need attention before a certificate of accreditation can be issued.

~~(FFF)~~(JJJ) "Provisional certificate of approval" means a conditional certificate of approval that is issued by the board to an institution applying for renewal that is in substantial compliance with rule 4765-7-09 of the Administrative Code. An institution is issued a provisional certificate of approval when identified infractions are correctable and need attention before a certificate of approval can be issued.

(KKK) "Public Safety Officer" means any individual serving a public agency in an official capacity, with or without compensation, as a law enforcement officer, firefighter, rescue squad member, or emergency medical services (EMS) provider.

~~(EEE)~~(LLL) "Regional physician advisory board" or "RPAB" means the physician advisory board appointed by the board pursuant to section 4765.05 of the Revised Code to oversee the delivery of prehospital emergency medical services in each region of the state.

~~(HHH)~~(MMM) "Reinstatement" is the process by which a holder of a certificate to practice, certificate of accreditation, certificate of approval or certificate to teach in Ohio may regain a certificate that has expired, was voluntarily surrendered or has been revoked.

(NNN) "Restrict" means to preclude a certificate holder from engaging in a particular conduct or activity, to impose conditions on the manner in which such conduct or activity may be performed, or to require the certificate holder to abide by specific conditions in order to continue functioning under the holder's certificate.

(OOO) "Revocation" means the loss of a certificate issued under section 4765.11 of the Revised Code for at least one year from the date on which the board's order revoking the certificate was journalized.

~~(HH)~~(PPP) "Self-study" means a document submitted by an institution to the "Committee on Accreditation of Educational Programs for the Emergency Medical Services Professions" as part of the process to obtain an accreditation issued by the "Commission on Accreditation of Allied Health Education Programs."

~~(JJ)~~(QQQ) "Special patient populations" mean patient populations that require special consideration in terms of medical assessment, medical response, and medical care. Special patient populations include, but are not limited to, individuals with obstetric, neonatal, pediatric, geriatric, and special needs challenges.

~~(KKK)~~(RRR) "State medical director" means the physician appointed by the board to serve as its medical director pursuant to section 4765.03 of the Revised Code.

(SSS) "Synchronous learning" means real-time learning in which participants interact at the same time and in the same space, such as virtual meetings and chats.

~~(LL)~~(TTT) "~~Techniques~~ examination" or "~~instructional~~"Instructional methods examination" means the certification examination developed by the division and approved by the board that covers teaching systems, as set forth in Chapters 4765-18 and 4765-21 of the Administrative Code. This examination may also be known as the "Fire and Emergency Services Instructor I" and/or "Fire and Emergency Services

Instructor II" examination,~~the examination developed by the division and approved by the board that covers teaching systems.~~

~~(MMM)(UUU)~~ "Veteran" means any person who has completed service in the armed forces, including the national guard of any state, or a reserve component of the armed forces, who has been discharged under honorable conditions from the armed forces or who has been transferred to the reserve with evidence of satisfactory service.

Effective:

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

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 4765.11  
Rule Amplifies: Chapter 4765. of the Revised Code  
Prior Effective Dates: 10/01/1995, 02/22/1999, 06/29/2001, 01/13/2002,  
10/02/2003, 11/29/2007, 02/01/2009, 01/01/2011,  
04/01/2011, 02/06/2012, 01/01/2013, 04/01/2019

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4765-1-03

**Rule Type:** Amendment

**Rule Title/Tagline:** Incorporated by reference.

**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? 4765.11**

**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?**

Rule 4765-1-03 is amended to update titles, dates of publication, and information to help readers access materials incorporated by reference in emergency medical services (EMS) rules.

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

OAC rule 4765-1-03 includes titles, dates of publication, and information to help readers access materials incorporated by reference in the emergency medical services (EMS) chapters of OAC 4765. Most changes reflect updates in instructor titles and related applications. Web addresses were corrected as appropriate.

- 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 4765-1-03 includes titles, dates of publication, and information to help readers access materials incorporated by reference in the emergency medical services (EMS) chapters of OAC 4765.

Most of the materials cited in OAC Rule 4765-1-03 are published at the EMS website or the EMS website provides instructions to obtain the materials. Web addresses are included in rule 4765-1-03 to access these materials. Access to the renewal applications is available to certificate holders at a secure online portal at the division's renewal website at <https://services.dps.ohio.gov/EMSPublic>.

Access to the initial application for EMR, EMT, AEMT, or paramedic certification is available at a secure online portal made available through accredited EMS training programs.

"Roberts Rules of Order Newly Revised, (12th edition)," referenced in rule 4765-2-02 is generally available at public libraries. Additional information may be accessed at <https://robertsrules.com/>

"Title 45 of the Code of Federal Regulations" is available at the "Electronic Code of Federal Regulations" website.

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

*Not Applicable*

## **II. Fiscal Analysis**

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

This will have no impact on revenues or expenditures.

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Not applicable

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

Not applicable

14. **Does the rule increase local government costs? (If yes, you must complete an RSFA Part B).** No

15. **Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C).** No

16. **If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.**

Not applicable

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

17. **Was this rule filed with the Common Sense Initiative Office?** No

18. **Does this rule have an adverse impact on business?** No

A. **Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business?** No

B. **Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms?** No

C. **Does this rule require specific expenditures or the report of information as a condition of compliance?** No

D. **Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies?** No

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

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

4765-1-03

**Incorporated by reference.**

(A) ~~"1994 Emergency Medical Technician Basic: National Standard Curriculum" or "Emergency Medical Technician Basic: National Standard Curriculum"~~ is an ~~EMT Basic~~ core curriculum developed by the ~~national highway traffic safety administration (NHTSA)~~ and used for classes that began prior to September 1, 2012. This document is available at the division's forms and applications website at <http://www.ems.ohio.gov/forms.aspx> at the EMS training program curriculum and education standards tab.

(B) ~~"1998 Emergency Medical Technician Paramedic: National Standard Curriculum" or "EMT Paramedic: National Standard Curriculum"~~ is developed by the ~~NHTSA~~ to represent the minimum required information to be presented in a course leading to certification as a paramedic and is a curriculum intended to prepare a medically competent paramedic to operate in the field. This document was used for classes that began prior to September 1, 2012. This document is available at the division's forms and applications website at <http://www.ems.ohio.gov/forms.aspx> at the EMS training program curriculum and education standards tab.

(C)(A) "Advanced Emergency Medical Technician Refresher Training Program" or "Advanced Emergency Medical Technician Refresher Training Program Ohio Approved Curriculum" (May 2012) is a continuing education program established by the board. This document is available at the Ohio approved curricula website at <https://ems.ohio.gov/programs-services/program-directors/approved-ems-ce-program/ohio-approved-curricula/ohio-approved-curricula>.

(D)(B) "Application for Certificate of Approval" or "Initial Application for Certificate of Approval" or form "EMS 1650" (April 2015) is made available to applicants who want to operate EMS continuing education training programs pursuant to section 4765.17 of the Revised Code and Chapter 4765-7 of the Administrative Code. This document is available at the division's forms and applications website at <http://www.ems.ohio.gov/forms.aspx> at the approved EMS CE program tab.

(E) ~~"Assistant EMS Instructor Initial Application" or form "EMS 5902"~~ (August 2015) is the application for a certificate to teach as an EMS assistant instructor issued by the board. This document is available at the division's forms and applications website at <http://www.ems.ohio.gov/forms.aspx>.

(F) ~~"Assistant EMS Instructor Reinstatement Application" or form "EMS 5923"~~ (August 2015) is made available to the holder of an expired, revoked, or voluntarily surrendered certificate to teach as an assistant EMS instructor who wishes to reinstate the certificate. This document is available at the division's forms and applications website at <http://www.ems.ohio.gov/forms.aspx>.

~~(G)(C)~~ "Assistant EMS Instructor Renewal Application" or form "EMS 1655" (August 2015) is made available to the holder of a certificate to teach as an assistant EMS instructor who wishes to renew the certificate. Access to this renewal application is available at the division's renewal website at <https://services.dps.ohio.gov/EMSPublicProviders>.

~~(H)(D)~~ "Certificate of Accreditation Application" or "Initial Certificate of Accreditation Application" or form "EMS 1652" (September 2022) is made available to applicants who want to operate one or more EMS training programs pursuant to section 4765.17 of the Revised Code and Chapter 4765-7 of the Administrative Code. This document is available at the division's forms and applications website at <https://ems.ohio.gov/forms-and-applications>~~http://www.ems.ohio.gov/forms.aspx~~.

~~(E)~~ "Certificate of Accreditation Renewal Application" or form "EMS 1659" (October 2022) is made available to applicants who want to renew an existing certificate to operate one or more EMS training programs pursuant to section 4765.17 of the Revised Code and Chapter 4765-7 of the Administrative Code. This document is available at the division's forms and applications website at <https://ems.ohio.gov/forms-and-applications>.

~~(H)(F)~~ "Certificate of Approval - Renewal Application" or form "EMS 1651" (April 2015) is made available to applicants who want to renew an existing certificate to operate an EMS continuing education training program pursuant to section 4765.17 of the Revised Code and Chapter 4765-7 of the Administrative Code. This document is available at the division's forms and applications website at <http://www.ems.ohio.gov/forms.aspx>.

~~(H)(G)~~ "Emergency Medical Responder Refresher Training Program" or "Emergency Medical Responder Refresher Training Program Ohio Approved Curriculum" (May 2012) is a continuing education program established by the board. This document is available at the division's Ohio approved curricula website at <https://ems.ohio.gov/programs-services/program-directors/approved-ems-ce-program/ohio-approved-curricula/ohio-approved-curricula>.

~~(K)~~ "Emergency Medical Technician: Basic Refresher Curriculum" or "Ohio Emergency Medical Technician: Basic Refresher Curriculum" (October 2003) outlines the content of a continuing education course established by the board. This document was used for classes that began prior to September 1, 2012. This document is available at the division's forms and applications website at <http://www.ems.ohio.gov/forms.aspx> at the EMS training program curriculum and education standards tab.

~~(L)(H)~~ "Emergency Medical Technician Refresher Training Program" or "Emergency Medical Technician Refresher Training Program Ohio Approved Curriculum" (May

2012) is a continuing education program established by the board. This document is available at the division's forms and applications website at <http://www.ems.ohio.gov/forms.aspx> at the EMS training program curriculum and education standards tab.

~~(M)~~(I) "EMS Application - Initial" or form "EMS 0010" (February 2018) is the application for an emergency medical responder, emergency medical technician, advanced emergency medical technician, or paramedic certification issued by the board. The application is made available to eligible applicants through an online portal.

~~(N)~~(J) "EMS Continuing Education Instructor Initial Application" or "Continuing Education Instructor Initial Application" or form "EMS 0089" (August 2015) is the application for a certificate to teach as an EMS continuing education instructor issued by the board. This document is available at the division's forms and applications website at <http://www.ems.ohio.gov/forms.aspx>.

~~(O)~~(K) "EMS Continuing Education Instructor Reinstatement Application" or "Continuing Education Instructor Reinstatement Application" or form "EMS 5924" (August 2015) is made available to the holder of an expired, revoked, or voluntarily surrendered certificate to teach as an EMS continuing education instructor who wishes to reinstate the certificate. This document is available at the division's forms and applications website at <http://www.ems.ohio.gov/forms.aspx>.

~~(P)~~(L) "EMS Continuing Education Instructor Renewal Application" or "Continuing Education Instructor Renewal Application" or form "EMS 1514" (August 2015) is made available to the holder of a certificate to teach as an EMS continuing education instructor who wishes to renew the certificate. Access to this renewal application is available at the division's renewal website at <https://services.dps.ohio.gov/EMSPublic>.

(M) "EMS Reciprocity Application" or form "EMS 5911" (April 2024) is made available to a potential applicant for an EMS provider certificate issued by the board, to provide documentation of training received from another state or a branch of the United States military. This packet can be accessed at the division's forms and applications website at <https://ems.ohio.gov/forms-and-applications>.

~~(Q)~~ "EMS Instructor Initial Application" or form "EMS 0086" (November 2016) is the application for a certificate to teach as an EMS instructor issued by the board. This document is available at the division's forms and applications website at <http://www.ems.ohio.gov/forms.aspx>.

~~(R)~~ "EMS Instructor Reciprocity Application" or form "EMS 1647" (January 2022) is the application for a certificate to teach as an EMS instructor through reciprocity issued

~~by the board. This document is available at the division's forms and applications website at <http://www.ems.ohio.gov/forms.aspx>.~~

~~(S) "EMS Instructor Reinstatement Application" or form "EMS 5922" (August 2015) is made available to the holder of an expired, revoked, or voluntarily surrendered certificate to teach as an EMS instructor who wishes to reinstate the certificate. This document is available at the division's forms and applications website at <http://www.ems.ohio.gov/forms.aspx>.~~

~~(T) "EMS Instructor Renewal Application" or form "EMS 1640" (August 2015) is made available to the holder of a certificate to teach as an EMS instructor who wishes to renew the certificate to teach. Access to this renewal application is available at the division's renewal website at <https://services.dps.ohio.gov/EMSPublic>.~~

~~(U)(N) "EMS Renewal Application" or "EMS Application-Renewal" or form "EMS 0043" (August 2016) is made available to applicants who want to renew the certificate to practice. Access to this renewal application is available at the division's renewal website at <https://services.dps.ohio.gov/EMSPublic>.~~

~~(V)(Q) "Exemption Request for Continuing Education for EMS Certificates" or form "EMS 5933" (April 2021) is made available for certificate holders who wish to request that the board waive part of or all of the continuing education or instructional requirements needed to renew. This document is available at the division's forms and applications website at <http://www.ems.ohio.gov/forms.aspx>.~~

(P) "Fire and Emergency Services Instructor I & II Course Packet" or form "EMS 0112" (July 2024) includes the fire and emergency services instructor course overview, course admission requirements, qualifications for certification, course objectives, and recommended hours guide. The packet is made available to students, instructors, and program directors and can be accessed at the division's fire charter and EMS course materials website at <https://ems.ohio.gov/forms-and-applications>.

(Q) "Fire and Emergency Services Instructor Initial Application" or form "EMS 0086" (August 2024) is the application for a fire and emergency services instructor I, or a fire and emergency services instructor II, certificate to teach issued by the board. The application is made available to eligible applicants through an online portal.

(R) "Fire and Emergency Services Instructor Renewal Application" or form "EMS 1102" (August 2024) is made available to a holder of a certificate to teach who wishes to renew the certificate to teach. The application is made available to eligible applicants through an online portal.

(S) "Fire and Emergency Services Instructor Reinstatement Application" or form "EMS 0109" (August 2024) is made available to individuals wanting to regain a fire and emergency services instructor certificate that has expired, been voluntarily surrendered, or been revoked and can be accessed at the division's forms and applications website at <https://ems.ohio.gov/forms-and-applications>.

(T) "Fire and Emergency Services Instructor Reciprocity Application" or form "EMS 0098" (August 2024) is made available to an applicant who wishes to be issued a fire and emergency services instructor certificate to teach by the board, based on training received from another state or a branch of the United States military. Division staff mail form "EMS 0098" to a potential applicant following that person's completion and the division's review of the "Fire and Emergency Services Instructor Reciprocity Packet" or form EMS 5918, which can be can be accessed at the division's forms and applications website at <https://ems.ohio.gov/forms-and-applications>.

(U) "Fire and Emergency Services Instructor Reciprocity Packet" or form "EMS 5918" (August 2024) is made available to a potential applicant for a fire and emergency services instructor certificate to teach issued by the board, to provide documentation of training received from another state or a branch of the United States military. This packet can be accessed at the division's forms and applications website at <https://ems.ohio.gov/forms-and-applications>.

(W) "First Responder Training Program Ohio Approved Curriculum" (February 2009) outlines the content of an initial certification course established by the board for applicants seeking initial certification as a first responder. This document was used for classes that began prior to September 1, 2012. This document is available at the division's forms and applications website at <http://www.ems.ohio.gov/forms.aspx> at the EMS training program curriculum and education standards tab.

(X)(V) "National EMS Education Standards" (August 2009December 2021) is approved by the NHTSA and establishes the minimum performance standards, or professional competency required for service as an emergency medical responder, emergency medical technician, advanced emergency medical technician, or paramedic. This document is used for classes that began on or after September 1, 2012 and is available at the division's forms and applications website at <http://www.ems.ohio.gov/forms.aspx><https://www.ems.gov/resources/search/?category=education&sort=date>.

(Y)(W) "Ohio Approved EMS Curriculum Standards" or "Ohio Approved EMS Curriculum Standards EMS Instructor Guidance" (February 2012) establishes the scope and sequence of an emergency medical responder, emergency medical technician, advanced emergency medical technician, or paramedic training program. This document is used for classes that began on or after September 1, 2012 and is available at the division's forms and applications website at <http://www.ems.ohio.gov/>

~~forms.aspx~~<https://ems.ohio.gov/forms-and-applications> at the EMS training program curriculum and education standards tab.

(Z) ~~"Ohio EMT Intermediate Curriculum and Transition Course" or "Ohio EMT Intermediate Curriculum and Transitional Course" (March 2002)~~ was used by accredited institutions for classes that began prior to September 1, 2012. This document is available at the archived EMS curricula heading at the division's forms and applications website at <http://www.ems.ohio.gov/forms.aspx> at the EMS training program curriculum and education standards tab.

(AA) ~~"Ohio EMT Intermediate Refresher Curriculum" (March 2004)~~ outlines the content of a continuing education course established by the board. This document was used by accredited institutions for classes that began prior to September 1, 2012. This document is available at the division's forms and applications website at <http://www.ems.ohio.gov/forms.aspx> at the EMS training program curriculum and education standards tab.

(BB) ~~"Ohio EMT Paramedic Refresher Curriculum" or "Paramedic Refresher Curriculum" (January 2004)~~ outlines the content of a continuing education course established by the board. This document was used by accredited institutions for classes that began prior to September 1, 2012. This document is available at the division's forms and applications website at <http://www.ems.ohio.gov/forms.aspx> at the EMS training program curriculum and education standards tab.

(CC) ~~"Ohio Fire and EMS Instructor Curriculum" or "Fire and EMS Instructor Curriculum" or form "EMS 0122" (August 2021)~~ sets forth the educational standards to be met by a candidate for a certificate to teach. This document is available at the division's forms and applications website at <http://www.ems.ohio.gov/forms.aspx> at the EMS training program curriculum and education standards tab.

(DD)(X) ~~"Paramedic Refresher Training Program" or "Paramedic Refresher Training Program Ohio Approved Curriculum" (May 2012)~~ is a continuing education program established by the board. This document is available at the division's approved EMS CE program - Ohio approved curricula website at [https://ems.ohio.gov/programs-services/program-directors/approved-ems-ce-program/ohio-approved-curricula](https://ems.ohio.gov/programs-services/program-directors/approved-ems-ce-program/ohio-approved-curricula/ohio-approved-curricula).

(EE)(Y) ~~"Physician EMS Instructor or Physician Continuing Education Instructor Initial Application" or form "EMS 0052" (August 2015)~~ is the application for a certificate to teach as a physician EMS instructor issued by the board. This document is available at the division's forms and applications website at <http://www.ems.ohio.gov/forms.aspx>.

~~(FF)(Z)~~ "Physician EMS Instructor or Physician Continuing Education Instructor Renewal Application" or form "EMS 1648" (August 2015) is made available to the holder of a certificate to teach as an EMS instructor who wishes to renew the certificate. Access to this renewal application is available at the division's renewal website at <https://services.dps.ohio.gov/EMSPublicProviders>.

~~(GG)(AA)~~ "Regional Physicians Advisory Board Membership Application" or form "EMS 0096" (February 2022) is made available to a physician who wishes to be appointed by the board pursuant to section 4765.05 of the Revised Code to oversee the delivery of prehospital EMS in a region of the state. This document is available at the division's forms and applications website at <http://www.ems.ohio.gov/forms.aspx>.

~~(HH)(BB)~~ "Request for Extension of EMS Certificates" or form "EMS 0084" (August 2017) is made available for certificate holders who wish to request an extension of time to complete the continuing education and/or instructional requirements needed to renew an EMS certificate. This document is available at the division's forms and applications website at <http://www.ems.ohio.gov/forms.aspx><https://ems.ohio.gov/forms-and-applications>.

~~(II)(CC)~~ "Rescue Task Force Awareness Training" or

- (1) "Course ID WBT906" or "Rescue Task Force Awareness Training" (January 1, 2021) is the board approved, one-credit hour, web-based, narrated online module available at the ~~division's education and testing website at https://ems.ohio.gov/education-and-testing; or Ohio department of public safety training campus at https://learning.dps.ohio.gov/PSTC~~; or
- (2) "Rescue Task Force Awareness Module - Active Shooter" or "Rescue Task Force Response to Active Shooter Incidents" powerpoint presentation (~~July 2018~~September 2019) is the board approved, one-credit hour module available at the division's ~~forms and applications website at http://www.ems.ohio.gov/forms.aspx~~ at the ~~EMS training program curriculum and education standards tab~~additional resources website at https://ems.ohio.gov/programs-services/program-directors/accredited-ems-program/resources/rescue-task-force-awareness-module-active-shooter.

~~(JJ)(DD)~~ "Roberts Rules of Order Newly Revised, (12th edition)," is a manual of parliamentary procedure used to conduct meetings of the board, its committees, ad hoc committees, and subcommittees. It is generally available at public libraries. Additional information may be accessed at <http://www.robertsrules.com/>.

~~(KK)(EE)~~ "Title 45 of the Code of Federal Regulations (C.F.R.) subtitle A, section 160.103 (January 25, 2013) of the health insurance portability and accountability act (HIPAA)

of 1996" includes the definition for "individually identifiable health information." The C.F.R can be accessed via the "Electronic Code of Federal Regulations" website at <https://www.ecfr.gov/>.

Effective:

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

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 4765.11  
Rule Amplifies: 4765.11  
Prior Effective Dates: 05/29/2014, 06/15/2018, 04/01/2019, 01/01/2022,  
08/01/2023

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4765-1-04

**Rule Type:** Amendment

**Rule Title/Tagline:** Military provisions related to processing EMS applications.

**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, 5903.04**

**5. What statute(s) does the rule implement or amplify? 4765.11, 5903.04**

**6. Does the rule implement a federal law or rule in a manner that is more stringent or burdensome than the federal law or regulation requires? No**

**A. If so, what is the citation to the federal law or rule? Not Applicable**

**7. What are the reasons for proposing the rule?**

This rule is being 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.**

4765-1-04 sets forth processes to track, monitor, prioritize, and expedite applications received from veterans, members of the armed forces, and their spouses. An added paragraph states there will be no fees charged for applications from these applicants.

9. Does the rule incorporate material by reference? No
10. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.

*Not Applicable*

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

*Not Applicable*

## **II. Fiscal Analysis**

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

This will have no impact on revenues or expenditures.

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Not applicable

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

Not applicable

14. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No

15. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No

16. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.

Not applicable

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

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

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

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

4765-1-04

**Military provisions related to processing EMS applications.**

Processing of armed forces applications.

(A) The division shall track and monitor each application for a certificate that has been received from an applicant who is a:

- (1) Veteran;
- (2) Member of the armed forces;
- (3) Spouse of a veteran or member of the armed forces; or
- (4) Surviving spouse of a veteran or member of the armed forces.

(B) The division shall prioritize and expedite each application received from an applicant who is a:

- (1) Veteran;
- (2) Member of the armed forces;
- (3) Spouse of a veteran or member of the armed forces; or
- (4) Surviving spouse of a veteran or member of the armed forces.

(C) The division shall not charge any fees for applications received from an applicant who is a:

- (1) Veteran;
- (2) Member of the armed forces;
- (3) Spouse of a veteran or member of the armed forces; or
- (4) Surviving spouse of a veteran or member of the armed forces.

(D) Satisfactory evidence that the applicant is a veteran or member of the armed forces for the purposes of determining whether an applicant qualifies for an accommodation under Chapter 5903. of the Revised Code includes the applicant's official military identification card, official DD-214 separation document, or other official military documentation approved by the board. A marriage certificate may be required, in addition to evidence of status as a veteran or member of the armed forces, if the applicant is a spouse or surviving spouse of a veteran or member of the armed forces. Other documentation may be required as approved by the board.

~~(D)~~(E) In order to expedite the processing of complete applications, especially for individuals facing imminent deployment, the division shall accept necessary information in support of the application by electronic and other appropriate means.

Effective:

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

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 4765.11, 5903.04  
Rule Amplifies: 4765.11, 5903.04  
Prior Effective Dates: 04/07/2015, 04/01/2019

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4765-2-03

**Rule Type:** Amendment

**Rule Title/Tagline:** Committees, ad hoc committees, subcommittees, and workgroups.

**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? 4765.04, 4765.10**

**6. Does the rule implement a federal law or rule in a manner that is more stringent or burdensome than the federal law or regulation requires? No**

**A. If so, what is the citation to the federal law or rule? Not Applicable**

**7. What are the reasons for proposing the rule?**

This rule is being filed according to a R.C. 106.03 periodic rule review.

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

4765-2-03 sets forth officer appointment and operating procedures for subgroups of the EMFTS Board, including committees, subcommittees, and ad hoc committees. The rule is amended to fix a grammatical error in paragraph (E).

9. Does the rule incorporate material by reference? No
10. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.

*Not Applicable*

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

*Not Applicable*

## **II. Fiscal Analysis**

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

This will have no impact on revenues or expenditures.

0

Not applicable

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

Not applicable

14. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No

15. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No

16. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.

Not applicable

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

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

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

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

4765-2-03

**Committees, ad hoc committees, subcommittees, and workgroups.**

(A) In furtherance of section 4765.02 of the Revised Code, the board may create, establish, restructure, or discontinue committees, ad hoc committees, subcommittees or workgroups necessary to carry out its functions and responsibilities. The board may appoint or remove members appointed to such committees, ad hoc committees and subcommittees as deemed necessary.

(B) The board chair shall appoint a member of each committee to serve as chair and vice-chair of each committee, ad hoc committee, or subcommittee pursuant to this chapter. The terms of each committee chair and subcommittee vice-chair shall be for two years.

(1) The committee, ad hoc committee, or subcommittee chair shall preside at all meetings. In the absence of the chair, the vice chair of the committee, ad hoc committee, or subcommittee shall preside at the meeting.

(2) In the event of a vacancy in the committee, ad hoc committee, or subcommittee chair and vice chair, the board shall appoint a member of the committee, ad hoc committee, or subcommittee to serve as chair for the remainder of the term.

(3) If neither the chair nor vice-chair of a committee, ad hoc committee, or subcommittee is in attendance, the members of the committee, ad hoc committee, or subcommittee may elect a chair pro tem from among those present to preside during the session.

(C) The board chair shall appoint members of any committee, ad hoc committee, or subcommittee created pursuant to this chapter with the approval of the board. The committee chair, with the approval of the committee, shall appoint members of a workgroup.

(D) The board may appoint members of the public, appropriate state and local agencies of government, EMS organizations, and other interested parties to serve as members of each committee, ad hoc committee, and subcommittee created pursuant to this chapter.

(1) Committees and ad hoc committees shall consist of at least two board members and not more than fifteen voting members, unless waived by the board.

(2) Subcommittees shall consist of at least two board members. Subcommittees may be of such size as determined appropriate by the board.

- (3) Workgroups may be of such size as determined appropriate by the committee chair.
- (E) When making appointments to committees, ad hoc committees, and subcommittees, the board shall make a good faith effort to insure educational, professional, cultural and geographical diversity, and to afford adequate representation for those individuals or groups with an interest in, or who would be affected by, the substantive work of the committee, ad hoc committee, or subcommittee. The chair of the committee, ad hoc committee, or subcommittee shall be responsible to ~~insure~~ ensure the diversity is continuously met.
- (F) No more than two representatives of any organization, profession, or specialty authorized by section 4765.02 of the Revised Code to provide nominations for appointment of board members, may represent that organization, profession, or specialty as members of a committee, ad hoc committee, or subcommittee. Upon the request of the committee, ad hoc committee, or subcommittee chair, the board may waive this provision with an affirmative vote of the majority of all board members.
- (G) Committees, ad hoc committees, and subcommittees shall be established by the board for a two-year term.
  - (1) Terms of appointment to committees, ad hoc committees, or subcommittees shall be for two years from the date of establishment.
  - (2) Any appointments to a committee, ad hoc committee, or subcommittee after the date of establishment shall expire on the same date as appointments made in paragraph (G)(1) of this rule.
- (H) Committees, ad hoc committees, and subcommittees shall meet at the call of its respective chair and at such locations as determined appropriate by the executive director.
- (I) A majority of the appointed members of a committee, ad hoc committees, or subcommittee shall constitute a quorum. No actions shall be taken by a committee, ad hoc committees, or subcommittee without the concurrence of a majority of its members present at a meeting in which a quorum exists.
- (J) The chair of a committee or ad hoc committee, with the approval of the chair, may establish a workgroup tasked to complete a focused project, task, or deliverable.
  - (1) The committee or ad hoc committee chair, with the approval of the committee or ad hoc committee, shall appoint members of the public, appropriate state and local government, EMS organizations, and other interested parties to serve as members of a workgroup.

(2) Workgroups may be of such size as determined appropriate by the committee or ad hoc committee chair.

(K) Each chair of a workgroup shall designate an individual as recording secretary, who shall promptly submit to the chair of the establishing committee or ad hoc committee the written minutes of each meeting.

Effective:

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

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 4765.11  
Rule Amplifies: 4765.04, 4765.10  
Prior Effective Dates: 10/01/1995, 02/22/1999, 05/29/2003, 02/01/2009,  
08/12/2014, 04/01/2019

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4765-2-04

**Rule Type:** Rescission

**Rule Title/Tagline:** Public notice of rule adoption, amendment, or rescission.

**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? 119.03**

**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.**

4765-2-04 sets forth the public hearing process for rules proposed for adoption, amendment, or rescission by the EMFTS Board. This rule is being rescinded.

9. **Does the rule incorporate material by reference?** No
10. **If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.**

*Not Applicable*

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

*Not Applicable*

## **II. Fiscal Analysis**

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

This will have no impact on revenues or expenditures.

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Not applicable

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

Not applicable

14. **Does the rule increase local government costs? (If yes, you must complete an RSFA Part B).** No

15. **Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C).** No

16. **If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.**

Not applicable

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

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

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

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

4765-2-04

**Public notice of rule adoption, amendment, or rescission.**

Prior to adoption, amendment, or rescission of any rule, other than an emergency rule authorized by executive order, the board gives public notice in accordance with section 119.03 of the Revised Code, of its intention to consider adopting, amending, or rescinding such rule or rules. The content of such public notice is provided according to the requirements of section 119.03 of the Revised Code and is posted on the register of Ohio web site at the time of filing. In addition, the board posts a copy of the public hearing notice as well as any proposed rule changes on the division of EMS web site, which can be accessed at [www.ems.ohio.gov](http://www.ems.ohio.gov).

Effective:

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

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 4765.11  
Rule Amplifies: 119.03  
Prior Effective Dates: 06/15/1995 (Emer.), 09/13/1995, 04/28/2002,  
07/02/2009, 08/01/2021