



# Common Sense Initiative

Mike DeWine, Governor  
Jon Husted, Lt. Governor

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## Business Impact Analysis

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

**Rule Contact Name and Contact Information:**

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**Regulation/Package Title (a general description of the rules' substantive content):**

[Chapter 4765-8 \(Certificate to Teach or Practice; Continuing Education\) + rule 4765-18-11](#)

**Rule Number(s):** [4765-8-01, 4765-8-02, 4765-8-03, 4765-8-04, 4765-8-05, 4765-8-06, 4765-8-07, 4765-8-15, 4765-8-16, 4765-8-17, 4765-8-18, 4765-8-19 + 4765-18-11](#)

**Date of Submission for CSI Review:** [April 27, 2021](#)

**Public Comment Period End Date:** [May 19, 2021](#)

**Rule Type/Number of Rules:**

New/ 0 rules

No Change/ 5 rules (FYR? [Yes](#) )

Amended/ 8 rules (FYR? [7 Yes; 1 No](#))

Rescinded/ 0 rules (FYR? [N/A](#) )

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

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### **Reason for Submission**

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

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

**The rule(s):**

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

### **Regulatory Intent**

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

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

Chapter 4765-8 of the Administrative Code (OAC) includes twelve rules that set forth the qualifications and processes required to obtain and maintain a certificate to practice as an emergency medical responder, emergency medical technician, advanced emergency medical technician, or paramedic. Some of the rules set forth qualifications and processes related to obtaining and maintaining a certificate to teach an EMS training program through an accredited institution or an approved EMS continuing education (CE) program.

The CE requirements to maintain a certification to practice as an emergency medical responder, emergency medical technician, advanced emergency medical technician, or paramedic or to practice as an EMS instructor are described throughout OAC Chapter 4765-8 and are related to CE requirements established by the National Registry of Emergency Medical Technicians (NREMT).

Rule 4765-18-11 sets forth the qualifications to receive reciprocity for a certificate to teach as an EMS instructor.

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

<b>4765-8-01</b>	Amend	Qualifications for a certificate to practice.
<p>Rule 4765-8-01 sets forth the qualifications to earn a certificate to practice as an emergency medical responder, emergency medical technician, advanced emergency medical technician, or paramedic. The certificates to practice are issued by the Division of EMS pursuant to section 4765.30 of the Revised Code and Chapter 4765-8 of the Administrative Code as directed by the State Board of Emergency Medical, Fire, and Transportation Services. <b>The rule is amended to update materials incorporated by reference.</b></p>		
<b>4765-8-02</b>	No Change	Application for certificate to practice.
<p>Rule 4765-8-02 describes required information to be submitted to the Division of EMS by applicants for a certificate to practice or renewal of a certificate to practice as an emergency medical responder, emergency medical technician, advanced emergency medical technician, or paramedic and the time schedule for the Division of EMS to notify persons certified to practice of scheduled expiration dates and renewal mechanisms. The rule states that applications not completed in the manner specified by the EMFTS Board may be deemed incomplete. The criminal history reporting requirements and the process for submitting information required from applicants who have pled guilty to, had a judicial finding of guilt for, or had a judicial finding of eligibility for treatment and/or intervention in lieu of conviction for specific offenses of the OAC, are described.</p> <p>The rule states that a fee may be imposed for an application for reinstatement of a certification to practice or an application for a certificate to practice via reciprocity and that no fee is required for applications for a certificate to practice. <b>The rule is filed as a No Change rule.</b></p>		
<b>4765-8-03</b>	Amend	Notification to board of change of personal information.
<p>Rule 4765-8-03 describes information that is submitted to the Division of EMS by holders of a certificate to practice to report changes in their full legal name, home mailing address, telephone number, or email address. The rule states that the information must be submitted in writing no later than thirty days following the change and, in the case of a name change, must include legal documentation to verify the change. <b>The rule is amended to change “home” telephone number to “personal” telephone number and “valid” email address to “personal” email address. The rule is also revised to delete four regulatory restrictions.</b></p>		
<b>4765-8-04</b>	Amend	Renewal of certificate to practice.
<p>Rule 4765-8-04 sets forth requirements for applicants seeking renewal of their certificates to practice as an emergency medical responder, emergency medical technician, advanced emergency medical technician, or paramedic issued by the Division of EMS pursuant to section 4765.30 of the Revised Code and Chapter 4765-8 of the Administrative Code as directed by the EMFTS Board. The rule includes continuing education (CE) requirements and the options available for applicants who fail to meet CE requirements at their current level of certification. OAC rule 4765-8-04 lists the EMFTS Board’s considerations when deciding whether to renew a certificate to practice. The rule describes the time period for an applicant for renewal to maintain records that may be required for audits conducted by the Division of EMS as directed by the EMFTS Board. The rule describes when a renewed certificate to practice will become effective and circumstances that may deem a certificate holder to be ineligible for renewal but eligible for reinstatement. <b>The rule is amended to correct punctuation and change “and” to “or” in paragraph (A)(3)(a) and to change the plural “paragraphs” to the singular “paragraph” in paragraph (B)(2).</b></p>		

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<b>4765-8-05</b>	No Change	Examinations.
<p>Rule 4765-8-05 describes the initial certification examination and the reinstatement examination and the examination in lieu of continuing education for holders of a certificate to practice as an emergency medical responder, emergency medical technician, advanced emergency medical technician, or paramedic issued by the Division of EMS pursuant to section 4765.30 of the Revised Code and Chapter 4765-8 of the Administrative Code as directed by the EMFTS Board. <b>The rule is filed as a No Change rule.</b></p>		
<b>4765-8-06</b>	No Change	EMS certificate to practice and EMS certificate to teach cycles and continuing education requirements.
<p>Rule 4765-8-06 describes the expiration cycles and continuing education requirements for applicants for initial certification, reciprocity, or reinstatement of certification to practice as an as an emergency medical responder, emergency medical technician, advanced emergency medical technician, or paramedic or for an EMS certificate to teach issued by the Division of EMS pursuant to sections 4765.30 and 4765.23 of the Revised Code and Chapter 4765-8 of the Administrative Code as directed by the EMFTS Board. <b>The rule is filed as a No Change rule.</b></p>		
<b>4765-8-07</b>	Amend	Merging of EMS and fire certificates to establish a mutual expiration date.
<p>Rule 4765-8-07 sets forth the process for merging certification expiration dates for individuals holding both EMS and fire certifications to practice and/or to teach. <b>The rule is amended to replace references to specific fire-related certifications with references to fire certificates, in general.</b></p>		
<b>4765-8-15</b>	Amend	Certification by reciprocity.
<p>Rule 4765-8-15 sets forth the process for granting certification by reciprocity to practice as an emergency medical responder, emergency medical technician, advanced emergency medical technician, or paramedic. The certificates to practice are issued by the Division of EMS pursuant to section 4765.30 of the Revised Code and Chapter 4765-8 of the Administrative Code as directed by the State Board of Emergency Medical, Fire, and Transportation Services. Those holding an EMS license or certificate in other states, the District of Columbia, or the armed forces obtained with standards substantially similar to section 4765.30 of the Revised Code and Chapter 4765-8 of the Administrative Code and documented for review by the Division of EMS may receive a certificate to practice by reciprocity. <b>The rule is amended to require applicants for reciprocity who have not resided in Ohio for five years immediately preceding the date of application to provide the division with a criminal records check that includes information from the federal bureau of investigation (FBI) obtained from the bureau of criminal identification and investigation (BCII).</b></p>		
<b>4765-8-16</b>	No Change	Application fees for certification.
<p>Rule 4765-8-16 sets forth the fee structure for applicants for certification and renewal of certifications to practice as an emergency medical responder, emergency medical technician, advanced emergency medical technician, or paramedic or to teach as an EMS Instructor. The certificates are issued by the Division of EMS pursuant to Chapter 4765. of the Revised Code and Chapter 4765-8 of the Administrative Code as directed by the State Board of Emergency Medical, Fire, and Transportation Services. Application fees are not charged for certifications and renewals to practice or to teach. Fees may be charged for an application for reinstatement of a certificate to practice or to teach. Fees may be charged for an application for reciprocity of a certificate to practice. <b>The rule is filed as a No Change rule.</b></p>		

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<b>4765-8-17</b>	No Change	Voluntary surrender or change in level of certificate to practice.
Rule 4765-8-17 sets forth the process for a person certified to practice as an emergency medical responder, emergency medical technician, advanced emergency medical technician, or paramedic to voluntarily surrender the certification or change the level of certification. The certificates are issued by the Division of EMS pursuant to section 4765.30 of the Revised Code and Chapter 4765-8 of the Administrative Code as directed by the State Board of Emergency Medical, Fire, and Transportation Services. <b>The rule is filed as a No Change rule.</b>		
<b>4765-8-18</b>	Amend	Reinstatement of a certificate to practice.
Rule 4765-8-18- sets forth the requirements and process to reinstate a certification to practice as an emergency medical responder, emergency medical technician, advanced emergency medical technician, or paramedic when the certification has expired without an extension to renew or become invalid due to a voluntary drop back to a lower level of certification or a voluntary surrender. The certificates are issued by the Division of EMS pursuant to Chapter 4765. of the Revised Code and Chapter 4765-8 of the Administrative Code as directed by the State Board of Emergency Medical, Fire, and Transportation Services. The requirements and process for reinstatement are described for cases of voluntary drop back or voluntary surrender for periods of ninety days or less, ninety days to three years, three to six years, and more than six years. <b>The rule is amended to update rule numbers referenced in paragraphs (E)(2) and (E)(3).</b>		
<b>4765-8-19</b>	Amend	Reinstatement of revoked certificate to practice.
Rule 4765-8-19 sets forth the requirements and process to request a reinstatement of a revoked certificate to practice as an emergency medical responder, emergency medical technician, advanced emergency medical technician, or paramedic or to teach as an EMS Instructor. The certificates are issued by the Division of EMS pursuant to Chapter 4765. of the Revised Code and Chapter 4765-8 of the Administrative Code as directed by the State Board of Emergency Medical, Fire, and Transportation Services. Reinstatement of a certificate to practice is not available until at least one year from the date of revocation. The requirements and processes are described for certifications revoked for at least one year but less than three years, for at least three years but less than six years, and for six years or more. Relevant factors that can be considered by the EMFTS Board when considering requests for reinstatement are described. <b>The rule is amended to update rule numbers, paragraphs, and certification titles referenced in paragraphs (D)(1), (D)(2), (D)(3), and (D)(4).</b>		
<b>4765-18-11</b>	Amend	Reciprocity qualifications for a certificate to teach as an EMS instructor.
Rule 4765-18-11 sets forth the qualifications that must be met by an individual seeking a certificate to teach as an EMS instructor through reciprocity from another state, the District of Columbia, a United States territory, a branch of the United States armed forces or a reserve component of the United States armed forces, including the Ohio National Guard or the national guard of another state. This rule refers readers to the incorporated by reference rule. <b>The rule is amended to require applicants for reciprocity who have not resided in Ohio for five years immediately preceding the date of application to provide the division with a criminal records check that includes information from the federal bureau of investigation (FBI) obtained from the bureau of criminal identification and investigation (BCII).</b>		

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

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Rule Number	Rule authorized by	Rule amplifies
4765-8-01	4765.11, 4765.30	4765.30
4765-8-02	4765.11	4765.28
4765-8-03	4765.11	4765.30
4765-8-04	4765.11	4765.30
4765-8-05	4765.11, 4765.29	4765.29, 4765.30
4765-8-06	4765.11	4765.23, 4765.30
4765-8-07	4765.11	4765.23, 4765.30
4765-8-15	4765.11	4765.30
4765-8-16	4765.11	4765.28
4765-8-17	4765.11	4765.30
4765-8-18	4765.11	4765.30
4765-8-19	4765.11	4765.30
4765-18-11	4765.11	4765.23, 5903.03, 5903.121

- 4. Does the regulation implement a federal requirement? Is the proposed regulation being adopted or amended to enable the state to obtain or maintain approval to administer and enforce a federal law or to participate in a federal program? If yes, please briefly explain the source and substance of the federal requirement.**

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

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

Not applicable.

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

Pursuant to R.C. section 4765.11, the Ohio State Board of Emergency Medical, Fire, and Transportation Services (EMFTS) is directed to adopt rules that establish the qualifications as set forth in R.C. section 4765.30, standards of performance, and procedures under which the Board may issue, renew, suspend, or revoke certificates to practice as an emergency medical responder, emergency medical technician, advanced emergency medical technician, or paramedic or certificates to teach as an EMS instructor.

In addition, R.C. section 4765.11 directs the Ohio State Board of EMFTS to adopt rules that establish the standards and procedures under which the Board may issue, renew, suspend, or revoke certificates of accreditation and certificates of approval to operate EMS training and continuing education training programs and set forth the conditions under which accredited and approved institutions may operate, including the curricula, number of hours of instruction and training, and instructional materials to be used.

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Consistent, statewide EMS training helps to ensure well-trained EMS providers, efficient and effective delivery of pre-hospital patient care, improved response in emergencies, and increases safety while delivering services. In addition, the regulations protect Ohio paramedic students by ensuring the students' education and eligibility for certification, through national standard testing, are not jeopardized.

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

The Division of EMS tracks and publishes the *Ohio EMS Monthly Active Certification Report* at its Web site ( <https://www.ems.ohio.gov/certifications.aspx#gsc.tab=0> ) and reports the information to the Ohio State Board of EMFTS at its meetings. The Division of EMS conducts audits of randomly selected certificate holders to verify that continuing education requirements have been met.

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

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

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

**Development of the Regulation**

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

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

EMS staff, members of the ODPS legal services office, and members of the State Board of Emergency Medical, Fire, and Transportation Services are stakeholders involved in reviewing and revising the proposed rules. The EMS investigations section and its case review team proposed an addition to the EMS reciprocity rules.

Members of the EMS staff prepared and reviewed drafts of proposed changes to OAC Chapter 4765-8 beginning in May 2020. Based on changes requested by members of the case review team, reported by the chief of the investigations section, an amendment to require an FBI criminal background check for some out-of-state applicants for reciprocity was proposed. Discussions of adding the FBI background check began in June 2020, and the concept was included in the draft rules provided to members of the EMFTS Board. The proposed language requiring an FBI background check was included in rule 4765-8-15 (Certification by reciprocity.) and also in rule 4765-18-11 (Reciprocity qualifications for a certificate to teach as an EMS instructor.) in drafts that were shared with members of the Board of EMFTS beginning in October 2020. The review process continued through April of 2021, with EMFTS Board members receiving drafts at each of the Board's bi-monthly meetings. On April 21, 2021, Board members approved filing the proposed amendments to OAC Chapter 4765-8 and rule 4765-18-11 with the Common Sense Initiative (CSI) office and with the Joint Committee on

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Agency Rule Review (JCARR). The proposed rules will be sent to approximately 3,200 subscribers to EMS govdelivery.com topic lists for public comment when they are filed with CSI.

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

Members of the case review team proposed requiring an FBI background check for reciprocity applicants who have not resided in the State of Ohio for five years immediately preceding the date of application. A case review team consists of select EMFTS Board members, a representative of the ODPS legal staff, and the Division of EMS director and deputy director. Upon completion of an investigation, the case is presented to a case review team. The team reviews the findings of all investigated cases and recommends findings and adjudication orders to the EMFTS Board, which is responsible for issuing orders.

Over several years, the case review team discussed the lack of information available when formulating recommendations for reciprocity cases when the applicants are from outside of Ohio. They suggested requiring applicants for reciprocity who have not resided in Ohio for five years immediately preceding the date of application to provide the division with a criminal records check that includes information from the federal bureau of investigation (FBI), which will provide information similar to the BCI&I background check now required of other applicants.

An amendment has been added to the EMS practitioner and EMS instructor rules being filed as part of this package.

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

There was no scientific data to be considered.

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

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

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

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

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

The Division of Emergency Medical Services is the only authority for certifying emergency medical practitioners and instructors; therefore, a review of RC Chapter 4765. and agency 4765 of the OAC was completed.

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

Using the Division’s website ( [EMS.ohio.gov](http://EMS.ohio.gov) ) and the [govdelivery.com](http://govdelivery.com) user groups, the division provides stakeholders with proposed and final rules, rule summaries, and changes to Chapter 4765-8 and rule 4765-18-11 of the OAC throughout the review process. A public comment period of sixteen business days opens when the rules are filed with the Common Sense Initiative (CSI) office. A public hearing is held after the rules are filed with JCARR. Notifications are made to the [govdelivery.com](http://govdelivery.com) user groups prior to the public comment period and the public hearing, and also before the rules become effective and are published by the Legislative Services Commission at [Ohio Laws and Administrative Rules](#).

**Adverse Impact to Business**

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

**a. Identify the scope of the impacted business community; and**

The scope of the impacted stakeholder community fluctuates but includes approximately 42,972 EMS providers and 5,849 EMS instructors, in addition to students enrolled in approximately 92 EMS accredited institutions and 581 approved EMS continuing education institutions. During 2020, approximately 309 people applied for certification by reciprocity to become an EMS provider or instructor.

*SOURCE: Ohio Division of Emergency Medical Services, February 2021*

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

The estimated costs of compliance for stakeholders include the costs and an individual’s time to successfully complete an EMS training program, an initial certification exam, and the application process. Continuing education requirements include current registration with the National Registry of Emergency Medical Technicians (NREMT).

The Division of EMS does not charge a fee to apply for certification or renewal. A fee is charged to those applying for reinstatement or certification by reciprocity.

**c. Quantify the expected adverse impact from the regulation.**

*The adverse impact can be quantified in terms of dollars, hours to comply, or other factors; and may be estimated for the entire regulated population or for a*

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

Sample tuition fees for students completing EMS training program are:

<b>Level of training</b>	<b>Fee range</b>
Emergency Medical Responder	\$300 to \$700
Emergency Medical Technician	\$500 to \$1,200
Advanced Emergency Medical Technician	\$1,000 to \$2,000
Paramedic	\$4,000 to \$10,000

Course length is based on minimum hours set forth in the OAC:

<b>Level of training</b>	<b>Minimum course hours</b>
Emergency Medical Responder	48
Emergency Medical Technician	150
Advanced Emergency Medical Technician	200
Paramedic	900

EMS instructor training requires sixty contact hours, and assistant EMS instructor training requires eighteen contact hours. The contact hours include EMS training and supervised teaching, in addition to instructional methods/teaching techniques for EMS instructors.

The required National Incident Management System (NIMS) courses, IS-700.b and IS-100.c, may be completed at no charge on-line.

The on-line application fees for the National Registry of Emergency Medical Technicians (NREMT) certification per attempt range from \$85 to \$152 based on the certification level.

Continuing education costs for EMS practitioners and instructors are incurred over a three-year renewal cycle. The required number of hours varies, depending on the level of practitioner certificate sought, from fifteen to eighty-four hours. Required CE hours for instructors range from two hours with six hours of instruction to six hours with twenty-four hours of instruction.

Continuing education (CE) costs vary depending on the courses provided and instructor pay rates. A sample of costs for CE includes \$0.00 to \$71.00 per CEU for on-line training and \$65.00 to \$630.00 per class. A Trauma Triage course and a Rescue Task Force (RTF) Awareness Training Module are available on-line at no charge from the Ohio Public Safety Training Campus (PSTC). Some employers assist employees in obtaining CE credits by providing in-service training. The Division of EMS participates in the Ohio FLEX and Community Partners Paramedic Network (<https://cpartners.org/ohio-flex/>), which offers refresher courses and other CE opportunities to EMS providers at reasonable fees.

The application fee to apply for reinstatement is \$75.00. The application fee to apply for certification by reciprocity is \$75.00. The proposed amendments do not increase these application fees.

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If approved, the amendments to rules 4765-8-15 and 4765-18-11 will require applicants for reciprocity certification as an EMS provider or an EMS instructor who have not resided in Ohio for five years immediately preceding the date of application to obtain and submit a criminal background check from the federal bureau of investigation (FBI). The fee to obtain an FBI criminal background check form 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)) ]

A certificate-holder may become subject to disciplinary action, which, if invoked, may include fines and/or limitations on authority to practice up to and including revocation. A certificate-holder subject to disciplinary action may incur fines up to \$1,000. There are a limited number of EMS providers and teachers that are in violation and face disciplinary action.

The Division of EMS estimates that these rules will not result in any undue cost of compliance or adverse impact.

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

The EMFTS Board is statutorily required to promulgate rules in regard to establishing the curricula, procedures, and standards for the performance of EMS providers, training institutions, and instructors. EMS providers respond to medical and traumatic emergencies in the pre-hospital setting and function without direct oversight. It is critical that the EMS workforce maintains an acceptable knowledge and skill level to provide quality care before and during transport to a medical facility. EMS agencies and training institution utilizing EMS providers and instructors depend upon the EMFTS Board and the Division of EMS to ensure individuals issued a certificates to practice or teach have met recognized standards. The Division of EMS' intent to ensure high standards in a provider's professional conduct, delivery of emergency medical services, and safe patient care justifies the minimal adverse impact to the impacted community. The proposed amendments do not significantly impact the cost or amount of time required to comply with the rules in OAC Chapter 4765-8 or rule 4765-18-11.

**Regulatory Flexibility**

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

In order to assure safe, effective, and efficient delivery of emergency medical services, no alternatives can be considered for certification and continuing education standards. The rules do provide processes for reinstatement, renewal, and certification by reciprocity. Initial certification examinations are established by the National Registry of Emergency Medical Technicians (NREMT) and the Board of EMFTS; NREMT and the Board have established a reinstatement examination and an examination in lieu of continuing education.

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

While the EMFTS Board does regulate some small businesses, such as ambulance, ambulette and air medical services, and training programs, the rules contained in O.A.C chapter 4765-8 and rule 4765-18-11 apply to individual certificate holders, not small businesses. While an individual certificate holder may be subject to discipline for a violation of these rules, a small business would not, therefore the waiver provision contained in R.C. section 119.14 would not be applicable to a violation of these rules.

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

The Division of EMS' Web site includes the ["Laws & Rules Overview"](#) Web page with links to RC Chapter 4765., agency 4765 of the OAC, the Register of Ohio, contact information for Division of EMS rules personnel, and rules scheduled for review. The Web page links to the Department of Public Safety ["Administrative Rules"](#) Web page, where information about rules open for public comment and public hearing notices are posted. The ["Administrative Rules"](#) Web page displays the email link for the ODPS Rules Administrator and links to the Joint Committee on Agency Rule Review (JCARR) and the Legislative Services Commission (LSC).

The ["About Us"](#) section of the EMS Web site includes an agency directory with contact information for Division of EMS personnel and a meeting schedule and posted meeting minutes. A directory provides links to specific information about [Division of EMS certifications](#). The Web site includes information about EMS certificates to practice and certificates to teach, CE requirements, EMS scopes of practice, and frequently asked questions, in addition to other information.