

AN ACT

To amend sections 9.60, 307.05, 307.051, 307.055, 505.37, 505.375, 505.44, 505.72, 2909.01, 4503.49, 4765.09, 4765.10, 4765.37, 4765.56, 4766.01, 4766.03, 4766.04, 4766.07, 4766.08, 4766.09, 4766.10, 4766.11, 4766.12, and 4931.40 and to enact section 4766.13 of the Revised Code to make changes in the laws regarding ambulances and the duties of the Ohio Ambulance Licensing Board and to make corrections in the laws regarding emergency medical services.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That sections 9.60, 307.05, 307.051, 307.055, 505.37, 505.375, 505.44, 505.72, 2909.01, 4503.49, 4765.09, 4765.10, 4765.37, 4765.56, 4766.01, 4766.03, 4766.04, 4766.07, 4766.08, 4766.09, 4766.10, 4766.11, 4766.12, and 4931.40 be amended and section 4766.13 of the Revised Code be enacted to read as follows:

Sec. 9.60. (A) As used in this section:

(1) "Firefighting agency" means a municipal corporation, township, township fire district, joint ambulance district, joint emergency medical services district, or joint fire district.

(2) "Private fire company" means any nonprofit group or organization owning and operating firefighting equipment not controlled by any firefighting agency.

(3) "Governing board" means the board of county commissioners in the case of a county; the legislative authority in the case of a municipal corporation; the board of trustees of a joint ambulance district in the case of a joint ambulance district; the board of trustees of a joint emergency medical services district in the case of a joint emergency medical services district; the board of township trustees in the case of a township or township fire district; the board of fire district trustees in the case of a joint fire district; and the board of trustees in the case of a private fire company.

(4) "Fire protection" includes the provision of ambulance, emergency

medical, and rescue service by the fire department of a firefighting agency or by a private fire company and the extension of the use of firefighting apparatus or firefighting equipment.

(B) Any firefighting agency or private fire company may contract with any state agency or instrumentality, county, or political subdivision of this state or with a governmental entity of an adjoining state to provide fire protection, whether on a regular basis or only in times of emergency, upon the approval of the governing boards of the counties, firefighting agencies, political subdivisions, or private fire companies or the administrative heads of the state agencies or instrumentalities that are parties to the contract.

(C) Any county, political subdivision, or state agency or instrumentality may contract with a firefighting agency of this state, a private fire company, or a governmental entity of an adjoining state to obtain fire protection, whether on a regular basis or only in times of emergency, upon the authorization of the governing boards of the counties, firefighting agencies, political subdivisions, or private fire companies or administrative heads of the state agencies or instrumentalities that are parties to the contract.

(D) Any firefighting agency of this state or any private fire company may provide fire protection to any state agency or instrumentality, county, or political subdivision of this state, or to a governmental entity of an adjoining state, without a contract to provide fire protection, upon the approval of the governing board of the firefighting agency or private fire company and upon authorization of an officer or employee of the firefighting agency providing the fire protection designated by title of their office or position pursuant to the authorization of the governing board of the firefighting agency.

(E) Chapter 2744. of the Revised Code, insofar as it is applicable to the operation of fire departments, applies to the firefighting agencies and fire department members when such members are rendering service outside the boundaries of the firefighting agency pursuant to this section.

Fire department members acting outside the boundaries of the firefighting agency by which they are employed may participate in any pension or indemnity fund established by their employer to the same extent as while acting within the boundaries of the firefighting agency, and are entitled to all the rights and benefits of Chapter 4123. of the Revised Code, to the same extent as while performing service within the boundaries of the firefighting agency.

Sec. 307.05. As used in this section, "emergency medical service organization" has the same meaning as in section 4765.01 of the Revised Code.

A board of county commissioners may operate an ambulance service organization or emergency medical service organization, or, in counties with a population of forty thousand or less, may operate a nonemergency patient transport service organization, or may enter into a contract with one or more counties, townships, municipal corporations, nonprofit corporations, joint emergency medical services districts, fire and ambulance districts, or private ambulance owners, regardless of whether such counties, townships, municipal corporations, nonprofit corporations, joint emergency medical services districts, fire and ambulance districts, or private ambulance owners are located within or without the state, in order to furnish or obtain the services of ambulance service organizations, to furnish or obtain additional services from ambulance service organizations in times of emergency, to furnish or obtain the services of emergency medical service organizations, or, in counties with a population of forty thousand or less, to furnish or obtain services of nonemergency patient transport service organizations, or may enter into a contract with any such entity to furnish or obtain the interchange of services from ambulance or emergency medical service organizations, or, within counties with a population of forty thousand or less, to furnish or obtain the interchange of services from nonemergency patient transport service organizations, within the territories of the contracting subdivisions. Such contracts shall not be entered into with a public agency or nonprofit corporation that receives more than half of its operating funds from governmental entities with the intention of directly competing with the operation of other ambulance service organizations, nonemergency patient transport service organizations, or emergency medical service organizations in the county unless the public agency or nonprofit corporation is awarded the contract after submitting the lowest and best bid to the board of county commissioners. Any county wishing to commence operation of a nonemergency patient transport service organization or wishing to enter into a contract for the first time to furnish or obtain services from a nonemergency patient transport service organization on or after March 1, 1993, including a county in which a private provider has been providing the service, shall demonstrate the need for public funding for the service to, and obtain approval from, the Ohio state board of emergency medical services board or its immediate successor board prior to operating or funding the organization.

When such an organization is operated by the board, the organization may be administered by the board, by the county sheriff, or by another county officer or employee designated by the board. All rules, including the determining of reasonable rates, necessary for the establishment, operation,

and maintenance of such an organization shall be adopted by the board.

A contract for services of an ambulance service, nonemergency patient transport service, or emergency medical service organization shall include the terms, conditions, and stipulations as agreed to by the parties to the contract. It may provide for a fixed annual charge to be paid at the times agreed upon and stipulated in the contract, or for compensation based upon a stipulated price for each run, call, or emergency or the number of persons or pieces of apparatus employed, or the elapsed time of service required in such run, call, or emergency, or any combination thereof.

Sec. 307.051. As used in this section, "emergency medical service organization" has the same meaning as in section 4766.01 of the Revised Code.

A board of county commissioners, by adoption of an appropriate resolution, may choose to have the Ohio ambulance licensing board license any emergency medical service organization it operates. If a board adopts such a resolution, Chapter 4766. Of the Revised Code, except for sections 4766.01 to 4766.05 4766.06 and 4766.07 to 4766.12 4766.99 of the Revised Code and all rules adopted under those sections are applicable, applies to the county emergency medical service organization. All rules adopted under the applicable sections of that chapter also apply to the organization. A board, by adoption of an appropriate resolution, may remove its emergency medical service organization from the jurisdiction of the Ohio ambulance licensing board.

Sec. 307.055. (A) Subject to the terms and conditions of the joint resolution creating it, each joint emergency medical services district may furnish ambulance services and emergency medical services by one of the following methods:

(1) By operating an emergency medical service organization as defined in section 4765.01 of the Revised Code;

(2) By contracting for the operation of one or more facilities pursuant to division (C) or (D) of this section;

(3) By providing necessary services and equipment to the district either directly or under a contract entered into pursuant to division (B) of this section;

(4) By providing service through any combination of methods described in divisions (A)(1) to (3) of this section.

(B) In order to obtain ambulance service, to obtain additional ambulance service in times of emergency, or to obtain emergency medical services, a joint emergency medical services district may enter into a contract, for a period not to exceed three years, with one or more counties, townships,

municipal corporations, joint fire districts, other governmental units that provide ambulance service or emergency medical services, nonprofit corporations, or private ambulance owners, regardless of whether the entities contracted with are located within or outside ~~the~~ this state, upon such terms as are agreed to, to furnish or receive ambulance services or the interchange of ambulance services or emergency medical services within the several territories of the contracting subdivisions, if the contract is first authorized by all boards of trustees and legislative authorities in the territories to be served.

Such a contract may provide for a fixed annual charge to be paid at the times agreed upon and stipulated in the contract; or for compensation based on a stipulated price for each run, call, or emergency or based on the elapsed time of service required for each run, call, or emergency, or based on any combination of these.

Expenditures of a district for ambulance service or emergency medical service, whether pursuant to contract or otherwise, are lawful expenditures, regardless of whether the district or the party with which it contracts charges an additional fee to users of the service.

(C) The board of trustees may enter into a contract with any person, municipal corporation, township, or other political subdivision, and any political subdivision may contract with the board, for the operation and maintenance of emergency medical services facilities regardless of whether the facilities used are owned or leased by the district, by another political subdivision, or by the contractor.

(D) The district may purchase, lease, and maintain all materials, buildings, land, and equipment, including vehicles, the board considers necessary for the district.

When the board finds, by resolution, that the district has personal property that is not needed for public use, or is obsolete or unfit for the use for which it was acquired, the board may dispose of the property in the same manner as provided in section 307.12 of the Revised Code.

(E) Any contract entered into by a joint emergency medical services district shall conform to the same bidding requirements ~~as~~ that apply to county contracts under sections 307.86 to 307.92 of the Revised Code.

(F) A county participating in a joint district may contribute any of its rights or interests in real or personal property, including money, and may contribute services to the district. Any such contributions shall be made by a written agreement between the contributing county and the district, specifying the contribution as well as the rights of the participating counties in the contributed property. Written agreements shall also be prepared

specifying the rights of participating counties in property acquired by the district other than by contribution of a participating county. Written agreements required by this division may be amended only by written agreement of all parties to the original agreement.

(G) A district's board of trustees, by adoption of an appropriate resolution, may choose to have the Ohio ambulance licensing board license any emergency medical service organization the district operates. If a board adopts such a resolution, Chapter 4766. Of the Revised Code, except for sections 4766.06 and 4766.99 Of the Revised Code, applies to the district emergency medical service organization. All rules adopted under the applicable sections of that chapter also apply to the organization. A board, by adoption of an appropriate resolution, may remove the district emergency medical service organization from the jurisdiction of the Ohio ambulance licensing board.

Sec. 505.37. (A) The board of township trustees may establish all necessary rules to guard against the occurrence of fires and to protect the property and lives of the citizens against damage and accidents, and may, with the approval of the specifications by the prosecuting attorney, purchase or otherwise provide any fire apparatus, mechanical resuscitators, or other equipment, appliances, materials, fire hydrants, and water supply for fire-fighting purposes that seems advisable to the board. The board shall provide for the care and maintenance of fire equipment, and, for such purposes, may purchase, lease, or construct and maintain necessary buildings, and it may establish and maintain lines of fire-alarm communications within the limits of the township. The board may employ one or more persons to maintain and operate fire-fighting equipment, or it may enter into an agreement with a volunteer fire company for the use and operation of fire-fighting equipment. The board may compensate the members of a volunteer fire company on any basis and in any amount that it considers equitable.

(B) The boards of township trustees of any two or more townships, or the legislative authorities of any two or more political subdivisions, or any combination thereof, may, through joint action, unite in the joint purchase, maintenance, use, and operation of fire-fighting equipment, or for any other purpose designated in sections 505.37 to 505.42 of the Revised Code, and may prorate the expense of the joint action on any terms that are mutually agreed upon.

(C) The board of township trustees of any township may, by resolution, whenever it is expedient and necessary to guard against the occurrence of fires or to protect the property and lives of the citizens against damages

resulting from their occurrence, create a fire district of any portions of the township that it considers necessary. The board may purchase or otherwise provide any fire apparatus, appliances, materials, fire hydrants, and water supply for fire-fighting purposes, or may contract for the fire protection for the fire district as provided in section 9.60 of the Revised Code. The fire district so created shall be given a separate name by which it shall be known.

Additional unincorporated territory of the township may be added to a fire district upon the board's adoption of a resolution authorizing the addition. A municipal corporation that is within or adjoining the township may be added to a fire district upon the board's adoption of a resolution authorizing the addition and the municipal legislative authority's adoption of a resolution or ordinance requesting the addition of the municipal corporation to the fire district.

If the township fire district imposes a tax, additional unincorporated territory of the township or a municipal corporation that is within or adjoining the township shall become part of the fire district only after all of the following have occurred:

(1) Adoption by the board of township trustees of a resolution approving the expansion of the territorial limits of the district and, if the resolution proposes to add a municipal corporation, adoption by the municipal legislative authority of a resolution or ordinance requesting the addition of the municipal corporation to the district;

(2) Adoption by the board of township trustees of a resolution recommending the extension of the tax to the additional territory;

(3) Approval of the tax by the electors of the territory proposed for addition to the district.

Each resolution of the board adopted under division (C)(2) of this section shall state the name of the fire district, a description of the territory to be added, and the rate and termination date of the tax, which shall be the rate and termination date of the tax currently in effect in the fire district.

The board of trustees shall certify each resolution adopted under division (C)(2) of this section to the board of elections in accordance with section 5705.19 of the Revised Code. The election required under division (C)(3) of this section shall be held, canvassed, and certified in the manner provided for the submission of tax levies under section 5705.25 of the Revised Code, except that the question appearing on the ballot shall read:

"Shall the territory within

(description of the proposed territory to be added)

be added to fire district,

(name)

and a property tax at a rate of taxation not exceeding (here insert tax rate) be in effect for (here insert the number of years the tax is to be in effect or "a continuing period of time," as applicable)?"

If the question is approved by at least a majority of the electors voting on it, the joinder shall be effective as of the first day of July of the year following approval, and on that date, the township fire district tax shall be extended to the taxable property within the territory that has been added. If the territory that has been added is a municipal corporation and if it had adopted a tax levy for fire purposes, the levy is terminated on the effective date of the joinder.

Any municipal corporation may withdraw from a township fire district created under division (C) of this section by the adoption by the municipal legislative authority of a resolution or ordinance ordering withdrawal. On the first day of July of the year following the adoption of the resolution or ordinance of withdrawal, the municipal corporation withdrawing ceases to be a part of such district and the power of the fire district to levy a tax upon taxable property in the withdrawing municipal corporation terminates, except that the fire district shall continue to levy and collect taxes for the payment of indebtedness within the territory of the fire district as it was composed at the time the indebtedness was incurred.

Upon the withdrawal of any municipal corporation from a township fire district created under division (C) of this section, the county auditor shall ascertain, apportion, and order a division of the funds on hand, moneys and taxes in the process of collection except for taxes levied for the payment of indebtedness, credits, and real and personal property, either in money or in kind, on the basis of the valuation of the respective tax duplicates of the withdrawing municipal corporation and the remaining territory of the fire district.

A board of township trustees may remove unincorporated territory of the township from the fire district upon the adoption of a resolution authorizing the removal. On the first day of July of the year following the adoption of such a resolution, the unincorporated township territory described in the resolution ceases to be a part of such district and the power of the fire district to levy a tax upon taxable property in that territory terminates, except that the fire district shall continue to levy and collect taxes for the payment of indebtedness within the territory of the fire district as it was composed at the time the indebtedness was incurred.

(D) The board of township trustees of any township, the board of fire district trustees of a fire district created under section 505.371 of the

Revised Code, or the legislative authority of any municipal corporation may purchase the necessary fire-fighting equipment, buildings, and sites for the township, fire district, or municipal corporation and pay for it over a period of nine years. The board of township trustees, board of fire district trustees, or legislative authority may also construct any buildings necessary to house fire-fighting equipment and pay for the buildings over a period of nine years. The board of township trustees, board of fire district trustees, or legislative authority may issue the notes of the township, fire district, or municipal corporation, signed by the board or designated officer of the municipal corporation and attested by the signature of the township, fire district, or municipal clerk, covering such deferred payments and payable at the times provided, which notes shall bear interest not to exceed the rate determined as provided in section 9.95 of the Revised Code, and shall not be subject to Chapter 133. of the Revised Code. The legislation authorizing the issuance of the notes shall provide for levying and collecting annually by taxation, amounts sufficient to pay the interest on and principal of the notes. At least one-ninth of the purchase price or construction cost shall be paid in cash at the time of purchase as provided in the contract and the remainder of the purchase price or construction cost shall be paid in not more than eight equal annual installments. Each installment shall be not less than one-eighth of the deferred portion of the purchase price or construction cost and shall be secured by a note which may contain a clause permitting prepayment at the option of the board or legislative authority. The notes shall be offered for sale on the open market or given to the vendor or contractor if no sale is made.

(E) A board of township trustees of any township or a board of fire district trustees of a fire district created under section 505.371 of the Revised Code may purchase a policy or policies of liability insurance for the officers, employees, and appointees of the fire department, fire district, or joint fire district governed by the board that includes personal injury liability coverage as to the civil liability of such officers, employees, and appointees for false arrest, detention, or imprisonment, malicious prosecution, libel, slander, defamation or other violation of the right of privacy, wrongful entry or eviction, or other invasion of the right of private occupancy, arising out of the performance of their duties.

When a board of township trustees cannot, by deed of gift or by purchase and upon terms it considers reasonable, procure land for a township fire station that is needed in order to respond in reasonable time to a fire or medical emergency, the board may appropriate such land for that purpose under sections 163.01 to 163.22 of the Revised Code. If it is

necessary to acquire additional adjacent land for enlarging or improving the fire station, the board may purchase, appropriate, or accept a deed of gift for the land for these purposes.

(F) As used in this division, "emergency medical service organization" has the same meaning as in section 4766.01 of the Revised Code.

A board of township trustees, by adoption of an appropriate resolution, may choose to have the Ohio ambulance licensing board license any emergency medical service it operates. If the board adopts such a resolution, Chapter 4766. Of the Revised Code, except for sections 4766.01 to 4766.05 4766.06 and 4766.07 to 4766.12 4766.99 of the Revised Code and all rules adopted under those sections are applicable, applies to the organization. All rules adopted under the applicable sections of that chapter also apply to the organization. A board of township trustees, by adoption of an appropriate resolution, may remove its emergency medical service organization from the jurisdiction of the Ohio ambulance licensing board.

Sec. 505.375. (A) The board of a joint ambulance district created under section 505.71 of the Revised Code and the board of a joint fire district created under section 505.371 of the Revised Code may negotiate in accordance with this section to combine their two joint districts into a single district, called a fire and ambulance district, for the delivery of both fire and ambulance services, if the geographic area covered by the combining joint districts is exactly the same. Both boards shall adopt a joint resolution ratifying the agreement and setting a date on which the fire and ambulance district shall come into being. On that date, the joint fire district and the joint ambulance district shall cease to exist and the power of each to levy a tax upon taxable property shall terminate, except that any levy of a tax for the payment of indebtedness within the territory of the joint fire or joint ambulance district as it was composed at the time the indebtedness was incurred shall continue to be collected by the successor fire and ambulance district if the indebtedness remains unpaid.

All funds and other property of the joint districts that combined into the fire and ambulance district shall become the property of the fire and ambulance district, unless otherwise provided in the negotiated agreement. The agreement shall provide for the settlement of all debts and obligations of the joint districts.

(B) The governing body of the fire and ambulance district shall be a board of trustees of at least three but no more than nine members, appointed as provided in the agreement creating the district. Members of the board of trustees may be compensated at a rate not to exceed thirty dollars per meeting for not more than fifteen meetings per year, and may be reimbursed

for all necessary expenses incurred as provided in the agreement creating the district.

The board shall employ a clerk and such other employees as it considers best, including a fire chief or fire prevention officers, and shall fix their compensation. Before entering upon the duties of office, the clerk shall execute a bond, in the amount and with surety to be approved by the board, payable to the state, conditioned for the faithful performance of all of the clerk's official duties. The clerk shall deposit the bond with the presiding officer of the board, who shall file a copy of it, certified by the presiding officer, with the county auditor of the county containing the most territory in the district.

The board shall also provide for the appointment of a fiscal officer for the district. The board may also enter into agreements with volunteer fire companies for the use and operation of fire-fighting equipment. Volunteer ~~fire-fighters~~ firefighters acting under such an agreement are subject to the requirements for volunteer ~~fire-fighters~~ firefighters set forth in division (A) of section 505.38 of the Revised Code.

Employees of the district shall not be removed from office except as provided by sections 733.35 to 733.39 of the Revised Code, except that to initiate removal proceedings, the board shall designate a private citizen, or if the employee is employed as a ~~fire-fighter~~ firefighter the board may designate the fire chief to investigate, conduct the proceedings, and prepare the necessary charges in conformity with sections 733.35 to 733.39 of the Revised Code, and except that the board shall perform the functions and duties specified for the municipal legislative authority under those sections. The board may pay reasonable compensation to any private citizen hired for services rendered in the matter.

No person shall be appointed as a permanent full-time paid member of the district whose duties include fire fighting, or be appointed as a volunteer ~~fire-fighter~~ firefighter, unless that person has received a certificate issued under former section 3303.07 or section 4765.55 of the Revised Code evidencing satisfactory completion of a ~~fire-fighter~~ firefighter training program. The board may send its officers and ~~fire-fighters~~ firefighters to schools of instruction designed to promote the efficiency of ~~fire-fighters~~ firefighters, and, if authorized in advance, may pay their necessary expenses from the funds used for the maintenance and operation of the district.

The board may choose, by adoption of an appropriate resolution, to have the Ohio ambulance licensing board license any emergency medical service organization it operates. If the board adopts such a resolution, Chapter 4766. Of the Revised Code, except for sections 4766.01 to 4766.05 4766.06 and

~~4766.07 to 4766.12~~ 4766.99 of the Revised Code ~~and all rules adopted under those sections are applicable, applies~~ to the organization. All rules adopted under the applicable sections of that chapter also apply to the organization. The board may likewise, by resolution, remove its emergency medical service organization from the jurisdiction of the Ohio ambulance licensing board.

(C) The board may exercise the following powers:

(1) Purchase or otherwise provide any fire apparatus, mechanical resuscitators, or other fire or ambulance equipment, appliances, or materials; fire hydrants; and water supply for fire-fighting purposes that seems advisable to the board;

(2) Provide for the care and maintenance of equipment and, for that purpose, purchase, lease, or construct and maintain necessary buildings;

(3) Establish and maintain lines of fire-alarm communications within the limits of the district;

(4) Appropriate land for a fire station or medical emergency unit needed in order to respond in reasonable time to a fire or medical emergency, in accordance with Chapter 163. of the Revised Code;

(5) Purchase, appropriate, or accept a deed or gift of land to enlarge or improve a fire station or medical emergency unit;

(6) Purchase, lease, maintain, and use all materials, equipment, vehicles, buildings, and land necessary to perform its duties;

(7) Contract for a period not to exceed three years with one or more townships, municipal corporations, counties, joint fire districts, governmental agencies, nonprofit corporations, or private ambulance owners located either within or outside the state, to furnish or receive ambulance services or emergency medical services within the several territories of the contracting parties, if the contract is first authorized by all boards of trustees and legislative authorities concerned;

(8) Establish all necessary rules to guard against the occurrence of fires and to protect property and lives against damage and accidents;

(9) Adopt a standard code pertaining to fire, fire hazards, and fire prevention prepared and promulgated by the state or by a public or private organization that publishes a model or standard code;

(10) Provide for charges for false alarms at commercial establishments in the same manner as joint fire districts are authorized to do under section 505.391 of the Revised Code;

(11) Issue bonds and other evidences of indebtedness, subject to Chapter 133. of the Revised Code, but only after approval by a vote of the electors of the district as provided by section 133.18 of the Revised Code;

(12) To provide the services and equipment it considers necessary, levy a sufficient tax, subject to Chapter 5705. of the Revised Code, on all the taxable property in the district.

(D) Any municipal corporation or township may join an existing fire and ambulance district by its legislative authority's adoption of a resolution requesting such membership and upon approval of the board of the district. Any municipal corporation or township may withdraw from a district by its legislative authority's adoption of a resolution ordering withdrawal. Upon its withdrawal, the municipal corporation or township ceases to be a part of the district and the district's power to levy a tax on taxable property in the withdrawing township or municipal corporation terminates, except that the district shall continue to levy and collect taxes for the payment of indebtedness within the territory of the district as it was composed at the time the indebtedness was incurred.

Upon the withdrawal of any township or municipal corporation from a district, the county auditor of the county containing the most territory in the district shall ascertain, apportion, and order a division of the funds on hand, moneys and taxes in the process of collection except for taxes levied for the payment of indebtedness, credits, and real and personal property on the basis of the valuation of the respective tax duplicates of the withdrawing municipal corporation or township and the remaining territory of the district.

(E) As used in this section:

(1) "Governmental agency" includes all departments, boards, offices, commissions, agencies, colleges, universities, institutions, and other instrumentalities of this or another state.

(2) "Emergency medical service organization" has the same meaning as in section 4766.01 of the Revised Code.

Sec. 505.44. As used in this section:

(A) "Emergency medical service organization" has the same meaning as in section 4765.01 of the Revised Code.

(B) "State agency" means all departments, boards, offices, commissions, agencies, colleges, universities, institutions, and other instrumentalities of this or another state.

In order to obtain the services of ambulance service organizations, to obtain additional services from ambulance service organizations in times of emergency, to obtain the services of emergency medical service organizations, or, if the township is located in a county with a population of forty thousand or less, to obtain the services of nonemergency patient transport service organizations, a township may enter into a contract with one or more state agencies, townships, municipal corporations, counties,

nonprofit corporations, joint emergency medical services districts, fire and ambulance districts, or private ambulance owners, regardless of whether such state agencies, townships, municipal corporations, counties, nonprofit corporations, joint emergency medical services districts, fire and ambulance districts, or private ambulance owners are located within or outside the state, upon such terms as are agreed to by them, to furnish or receive services from ambulance or emergency medical service organizations or, if the township is located in a county with a population of forty thousand or less, to furnish or receive services from nonemergency patient transport service organizations, or may enter into a contract for the interchange of services from ambulance or emergency medical service organizations or, if the township is located in a county with a population of forty thousand or less, the interchange of services from nonemergency patient transport service organizations, within the several territories of the contracting parties, if the contract is first authorized by the respective boards of township trustees, the other legislative bodies, or the officer or body authorized to contract on behalf of the state agency. Such contracts shall not be entered into with a state agency or nonprofit corporation that receives more than half of its operating funds from governmental entities with the intention of directly competing with the operation of other ambulance, emergency medical, or nonemergency patient transport service organizations in the township unless the state agency or nonprofit corporation is awarded the contract after submitting the lowest and best bid to the board of township trustees.

The contract may provide for a fixed annual charge to be paid at the times agreed upon and stipulated in the contract, or for compensation based upon a stipulated price for each run, call, or emergency, or the elapsed time of service required in such run, call, or emergency, or any combination thereof.

Any township wishing to commence providing or wishing to enter into a contract for the first time to furnish or obtain services from nonemergency patient transport service organizations on or after March 1, 1993, including a township in which a private provider has been providing the service, shall demonstrate the need for public funding for the service to, and obtain approval from, the ~~Ohio~~ state board of emergency medical services ~~board~~ or its immediate successor board prior to the establishment of a township-operated or township-funded service.

Sec. 505.72. (A) The board of trustees of a joint ambulance district shall provide for the employment of such employees as it considers best, and shall fix their compensation. Such employees shall continue in office until removed as provided by sections 733.35 to 733.39 of the Revised Code. To

initiate removal proceedings, and for such purpose, the board shall designate a private citizen to investigate the conduct and prepare the necessary charges in conformity with sections 733.35 to 733.39 of the Revised Code. The board may pay reasonable compensation to such person for ~~his~~ the person's services.

In case of the removal of an employee of the district, an appeal may be had from the decision of the board to the court of common pleas of the county in which such district, or part of it, is situated, to determine the sufficiency of the cause of removal. Such appeal from the findings of the board shall be taken within ten days.

(B) As used in this division, "emergency medical service organization" has the same meaning as in section 4765.01 of the Revised Code.

(1) In order to obtain the services of ambulance service organizations, to obtain additional services from ambulance service organizations in times of emergency, or to obtain the services of emergency medical service organizations, a district may enter into a contract, for a period not to exceed three years, with one or more townships, municipal corporations, joint fire districts, nonprofit corporations, any other governmental unit that provides ambulance services or emergency medical services, or with private ambulance owners, regardless of whether such townships, municipal corporations, joint fire districts, nonprofit corporations, governmental unit, or private ambulance owners are located within or without ~~the~~ this state, upon such terms as are agreed to, to furnish or receive services from ambulance or emergency medical service organizations or the interchange of services from ambulance or emergency medical service organizations within the several territories of the contracting subdivisions, if such contract is first authorized by all boards of trustees and legislative authorities concerned.

The contract may provide for a fixed annual charge to be paid at the times agreed upon and stipulated in the contract, or for compensation based upon a stipulated price for each run, call, or emergency, or the elapsed time of service required in such run, call, or emergency, or any combination thereof.

(2) Expenditures of a district for the services of ambulance service organizations or emergency medical service organizations, whether pursuant to contract or otherwise, are lawful expenditures, regardless of whether the district or the party with which it contracts charges additional fees to users of the services.

(3) A district's board of trustees, by adoption of an appropriate resolution, may choose to have the Ohio ambulance licensing board license any emergency medical service organization the district operates. If a board

adopts such a resolution, Chapter 4766. Of the Revised Code, except for sections 4766.06 and 4766.99 Of the Revised Code, applies to the district emergency medical service organization. All rules adopted under the applicable sections of that chapter also apply to the organization. A board, by adoption of an appropriate resolution, may remove the district emergency medical service organization from the jurisdiction of the Ohio ambulance licensing board.

(C) Ambulance services or emergency medical services rendered for a joint ambulance district under this section and section 505.71 of the Revised Code shall be deemed services of the district. These sections do not authorize suits against a district or any township or municipal corporation providing or receiving, or contracting to provide or receive, such services under these sections for damages for injury or loss to persons or property or for wrongful death caused by persons providing such services.

Sec. 2909.01. As used in sections 2909.01 to 2909.07 of the Revised Code:

(A) To "create a substantial risk of serious physical harm to any person" includes the creation of a substantial risk of serious physical harm to any emergency personnel.

(B) "Emergency personnel" means any of the following persons:

(1) A peace officer, as defined in section 2935.01 of the Revised Code;

(2) A member of a fire department or other firefighting agency of a municipal corporation, township, township fire district, joint fire district, other political subdivision, or combination of political subdivisions;

(3) A member of a private fire company, as defined in section 9.60 of the Revised Code, or a volunteer firefighter;

(4) A member of a joint ambulance district or joint emergency medical services district;

(5) An emergency medical technician-basic, emergency medical technician-intermediate, emergency medical technician-paramedic, ambulance operator, or other member of an emergency medical service that is owned or operated by a political subdivision or a private entity;

(6) The state fire marshal, an assistant state marshal, or an arson investigator of the office of the state fire marshal;

(7) A fire prevention officer of a political subdivision or an arson investigator or similar inspector of a political subdivision.

(C) "Occupied structure" means any house, building, outbuilding, watercraft, aircraft, railroad car, truck, trailer, tent, or other structure, vehicle, or shelter, or any portion thereof, to which any of the following applies:

(1) It is maintained as a permanent or temporary dwelling, even though it is temporarily unoccupied and whether or not any person is actually present.

(2) At the time, it is occupied as the permanent or temporary habitation of any person, whether or not any person is actually present.

(3) At the time, it is specially adapted for the overnight accommodation of any person, whether or not any person is actually present.

(4) At the time, any person is present or likely to be present in it.

(D) "Political subdivision" and "state" have the same meanings as in section 2744.01 of the Revised Code.

Sec. 4503.49. (A) ~~Any~~ As used in this section, "ambulance," "emergency medical service organization," and "nontransport vehicle" have the same meanings as in section 4766.01 Of the Revised Code.

~~(B) EACH private emergency medical service organization as defined in section 4766.01 of the Revised Code may~~ SHALL apply to the registrar of motor vehicles for the registration of any ambulance or nontransport vehicle it owns or leases. The application shall be accompanied by a copy of the vehicle permit or temporary permit certificate of licensure issued to the organization by the Ohio ambulance licensing board ~~to the service for the vehicle.~~

~~(B) Upon receipt of an application for the registration of a vehicle under this section and the vehicle permit or temporary permit, the registrar shall issue to the service appropriate vehicle registration and a set of license plates and a validation sticker, or a validation sticker alone when required by section 4503.191 of the Revised Code. In addition to the letters and numbers ordinarily inscribed thereon, the license plates shall be inscribed with the words "EMS VEHICLE." The license plates and validation sticker shall be issued upon payment of AND the following fees:~~

(1) THE regular license ~~fees~~ TAX as prescribed under section 4503.04 of the Revised Code ~~and any;~~

(2) ANY local license tax levied under Chapter 4504. of the Revised Code, ~~and upon the payment of an;~~

(3) AN additional fee of seven dollars and fifty cents ~~for issuance under this section~~. The ADDITIONAL fee shall be for the purpose of compensating the bureau of motor vehicles for additional services required in the issuing of such licenses to be performed under this section and shall be transmitted by the registrar to the treasurer of state for deposit in the state bureau of motor vehicles fund created by section 4501.25 of the Revised Code.

(C) On receipt of a complete application, the registrar shall issue to the

applicant the appropriate certificate of registration for the vehicle and do one of the following:

(1) Issue a set of license plates with a validation sticker and a set of stickers to be attached to the plates as an identification of the vehicle's classification as an ambulance or nontransport vehicle;

(2) Issue a validation sticker alone when so required by section 4503.191 Of the Revised Code.

Sec. 4765.09. The state board of emergency medical services shall prepare recommendations for the operation of ambulance service organizations and emergency medical service organizations. Within thirty days following each meeting of the board, the board shall notify ~~any the~~ board of county commissioners of any county, the board of township trustees of any township, or the board of trustees of a ~~any~~ joint ambulance district, or the board of trustees of any joint emergency medical services district in which there exist ambulance service organizations or emergency medical service organizations of any board recommendations for the operation of such organizations. The recommendations shall include, but not be limited to:

(A) The definition and classification of ambulances;

(B) The design, equipment, and supplies for ambulances;

(C) The minimum number and type of personnel for the operation of ambulances;

(D) The communication systems necessary for the operation of ambulances;

(E) Reports to be made by persons holding certificates of accreditation or approval issued under section 4765.17 of the Revised Code and certificates to practice issued under section 4765.30 of the Revised Code to ascertain compliance with this chapter and the rules and recommendations adopted thereunder and to ascertain the quantity and quality of ambulance service organizations and emergency medical service organizations throughout the state.

Sec. 4765.10. (A) The state board of emergency medical services shall do all of the following:

(1) Administer and enforce the provisions of this chapter and the rules adopted under it;

(2) Approve, in accordance with procedures established in rules adopted under section 4765.11 of the Revised Code, examinations that demonstrate competence to have a certificate to practice renewed without completing a continuing education program;

(3) Advise applicants for state or federal emergency medical services

funds, review and comment on applications for these funds, and approve the use of all state and federal funds designated solely for emergency medical service programs unless federal law requires another state agency to approve the use of all such federal funds;

(4) Serve as a statewide clearinghouse for discussion, inquiry, and complaints concerning emergency medical services;

(5) Make recommendations to the general assembly on legislation to improve the delivery of emergency medical services;

(6) Maintain a toll-free long distance telephone number through which it shall respond to questions about emergency medical services;

(7) Work with the ~~office of state fire marshal~~ marshal's office in coordinating the training of ~~fire fighters~~ firefighters and emergency medical services personnel when possible. The ~~office of state fire marshal~~ shall cooperate with the board to achieve this goal.

(8) Provide a liaison to the state emergency operation center during those periods when a disaster, as defined in section 5502.21 of the Revised Code, has occurred in this state and the governor has declared an emergency as defined in that section;

(B) The board may do any of the following:

(1) Investigate complaints concerning emergency medical services and emergency medical service organizations as it determines necessary;

(2) Enter into reciprocal agreements with other states that have standards for accreditation of emergency medical services training programs and for certification of ~~EMT-A~~ first responders, EMTs-basic, EMTs-I, ~~or~~ paramedics, firefighters, or fire safety inspectors that are substantially similar to those established under this chapter and the rules adopted under it;

(3) Establish a statewide public information system and public education programs regarding emergency medical services;

(4) Establish an injury prevention program.

(C) In accordance with rules adopted under section 4765.11 of the Revised Code, the board shall maintain the confidentiality of any information it collects or receives under this chapter that would identify a specific patient or recipient of emergency medical services or trauma care, except as otherwise provided in section 149.43 of the Revised Code. In any report prepared by the board, information regarding patients or recipients of emergency medical services or trauma care shall be presented only in aggregate statistical form.

Sec. 4765.37. (A) An emergency medical technician-basic shall perform the emergency medical services described in this section in accordance with this chapter and any rules adopted under it by the state board of emergency

medical services.

(B) An emergency medical technician-basic may operate, or be responsible for operation of, an ambulance and may provide emergency medical services to patients. In an emergency, an EMT-basic may determine the nature and extent of illness or injury and establish priority for required emergency medical services. An EMT-basic may render emergency medical services such as opening and maintaining an airway, giving positive pressure ventilation, cardiac resuscitation, electrical interventions with automated defibrillators to support or correct the cardiac function and other methods determined by the board, controlling of hemorrhage, treatment of shock, immobilization of fractures, bandaging, assisting in childbirth, management of mentally disturbed patients, and initial care of poison and burn patients. Where patients must in an emergency be extricated from entrapment, an EMT-basic may assess the extent of injury and render all possible emergency medical services and protection to the entrapped patient; provide light rescue services if an ambulance has not been accompanied by a specialized unit; and after extrication, provide additional care in sorting of the injured in accordance with standard emergency procedures.

(C) An EMT-basic may perform any other emergency medical services approved pursuant to rules adopted under section 4765.11 of the Revised Code. The board shall determine whether the nature of any such service requires that an EMT-basic receive authorization prior to performing the service.

(D)(1) Except as provided in division (D)(2) of this section, if the board determines under division (C) of this section that a service requires prior authorization, the service shall be performed only pursuant to the written or verbal authorization of a physician or of the cooperating physician advisory board, or pursuant to an authorization transmitted through a direct communication device by a physician or registered nurse designated by a physician.

(2) If communications fail during an emergency situation or the required response time prohibits communication, an EMT-basic may perform services subject to this division, if, in the judgment of the EMT-basic, the life of the patient is in immediate danger. Services performed under these circumstances shall be performed in accordance with the written protocols established under section 4765.40 of the Revised Code by the emergency medical service organization with which the EMT-basic is affiliated.

Sec. 4765.56. On receipt of a notice pursuant to section 2301.373 of the Revised Code, the state board of emergency medical services ~~board~~ shall comply with that section with respect to a certificate to practice issued

pursuant to this chapter.

Sec. 4766.01. As used in this chapter:

(A) "Advanced life support" means treatment described in section 4765.39 of the Revised Code that a paramedic is certified to perform.

(B) "Ambulance" means any ~~privately owned or leased~~ motor vehicle that is specifically designed, constructed, or modified and equipped and is intended to be used for the transportation upon the streets or highways of this state of persons who are seriously ill, injured, wounded, or otherwise incapacitated or helpless. "Ambulance" does not include a vehicle designed and used solely for the transportation of nonstretcher-bound, ~~hospitalized, or handicapped~~ persons, whether hospitalized or handicapped or whether ambulatory or confined to a wheelchair.

(C) "Basic life support" means treatment described in section 4765.37 of the Revised Code that an EMT-basic is certified to perform.

(D) "Disaster situation" means any condition or situation described by rule of the Ohio ambulance licensing board as a mass casualty, major emergency, natural disaster, or national emergency.

(E) "Emergency medical service organization" means an organization that uses EMTs-basic, EMTs-I, or paramedics, or a combination thereof, to provide medical care to victims of illness or injury. An emergency medical service organization includes, but is not limited to, a commercial ambulance service organization, a hospital, and a funeral home. ~~It does not include any private, nonprofit organization when fifty per cent or more of its total personnel are volunteer personnel, as defined in division (M) of this section, or a volunteer fire department, volunteer rescue squad, or volunteer life squad.~~

(F) "EMT-basic," "EMT-I," and "paramedic" have the same meanings as in section 4765.01 of the Revised Code.

(G) "Intermediate life support" means treatment described in section 4765.38 of the Revised Code that an EMT-I is certified to perform.

(H) "Major emergency" means any emergency event that cannot be resolved through the use of locally available emergency resources.

(I) "Mass casualty" means an emergency event that results in ten or more persons being injured, incapacitated, made ill, or killed.

(J) "Medical emergency" means an unforeseen event affecting an individual in such a manner that a need for immediate care is created.

(K) "Mobile intensive care unit" means an ambulance used only for maintaining specialized or intensive care treatment and used primarily for interhospital transports.

(L) "Nontransport vehicle" means a motor vehicle, ~~other than a motor~~

~~vehicle titled in the name of a volunteer rescue service organization as defined in section 4503.172 of the Revised Code, owned or leased and operated to provide advanced, intermediate, or basic life support services in conjunction with any motor vehicle, that is not for the transportation of persons who are seriously ill, injured, wounded, or otherwise incapacitated or helpless, operating under the authority of a person licensed under this chapter operated by a licensed emergency medical service organization not as an ambulance, but as a vehicle for providing services in conjunction with the ambulances operated by the organization or other emergency medical service organizations.~~

(M) "Patient" means any individual who as a result of illness or injury needs medical attention, whose physical or mental condition is such that there is imminent danger of loss of life or significant health impairment, or who may be otherwise incapacitated or helpless as a result of a physical or mental condition.

~~(N) "Volunteer personnel" means persons who provide services without expectation of remuneration and who do not receive payment for services rendered other than reimbursement for expenses.~~

Sec. 4766.03. (A) The Ohio ambulance licensing board shall adopt rules, ~~pursuant to~~ in accordance with Chapter 119. of the Revised Code, implementing the requirements of this chapter. The rules shall include, ~~but not be limited to,~~ provisions relating to the following:

(1) ~~Ambulances, equipment,~~ requirements for an emergency medical service organization to receive a permit for an ambulance or nontransport vehicles, personnel, and communications equipment requirements for licensees vehicle;

(2) ~~Licensure requirements for~~ requirements for an emergency medical service organization to receive a license as a basic life-support, intermediate life-support, and OR advanced life-support service organizations ORGANIZATION;

(3) Forms for applications and renewals of licenses and permits;

(4) Requirements for record keeping of service responses made by ~~licensees and permit holders~~ licensed emergency medical service organizations;

(5) Fee amounts for licenses and permits, and renewals thereof;

(6) Inspection requirements for licensees' vehicles, records, and physical facilities;

(7) Fee amounts for inspections of ambulances and nontransport vehicles;

(8) requirements for ambulances and nontransport vehicles used by

licensed emergency medical service organizations that specify for each type of vehicle the types of equipment that must be carried, the communication systems that must be maintained, and the personnel who must staff the vehicle;

(9) The level of care each type of emergency medical service organization is authorized to provide;

(10) Any other rules that the board determines necessary for the implementation and enforcement of this chapter.

~~(B) All rules adopted pursuant to this section shall, at a minimum, comply with the requirements specified in the "GAC Service Specifications and Technical Handbook," OH-1822, as amended. The board shall adopt rules that require each existing vehicle ordered, delivered, or in use prior to July 2, 1990, to meet the requirements specified in the "GAC Service Specifications and Technical Handbook," OH-1822, as amended, that was in effect at the time of the vehicle's manufacture. Any rules adopted under this section that pertain to vehicle standards specified in the handbook shall not take effect until July 2, 1995. In the rules for ambulances and nontransport vehicles adopted under division (A)(8) of this section, the board may establish requirements that vary according to whether the emergency medical service organization using the vehicles is licensed as a basic, intermediate, or advanced life-support organization.~~

(C) A mobile intensive care unit that meets the requirements of the rules adopted under this section is not required to carry immobilization equipment, including board splint kits, traction splints, backboards, backboard straps, cervical immobilization devices, cervical collars, stairchairs, folding cots, or other types of immobilization equipment determined by the board to be unnecessary for mobile intensive care units.

A mobile intensive care unit is exempt from the emergency medical technician staffing requirements of division (B) of section 4765.43 of the Revised Code when it is staffed by at least one physician or registered nurse and another person, designated by a physician, who holds a valid license or certificate to practice in a health care profession, and when at least one of the persons staffing the mobile intensive care unit is a registered nurse whose training meets or exceeds the training required for a paramedic.

Sec. 4766.04. (A) Except as otherwise provided in this chapter, no person shall furnish, operate, conduct, maintain, advertise, engage in, or propose or profess to engage in the business or service of transporting persons who are seriously ill, injured, or otherwise incapacitated in this state unless ~~he~~ THE PERSON is licensed pursuant to this section.

(B) To qualify for a license as a basic life-support, intermediate

pport, or advanced life-support service organization, ~~a person~~ AN EMERGENCY MEDICAL SERVICE ORGANIZATION shall do all of the following:

(1) Apply for a permit for each ambulance and nontransport vehicle owned or leased as provided in section 4766.07 of the Revised Code;

(2) Meet all requirements ~~of the~~ ESTABLISHED IN rules ~~of~~ ADOPTED BY the Ohio ambulance licensing board regarding ambulances; ~~equipment~~, AND nontransport vehicles, personnel including requirements pertaining to equipment, communications systems, STAFFING, and ~~medical treatments level of care~~ the particular organization is permitted to render;

(3) Maintain the appropriate type and amount of insurance or self-insurance as specified in section 4766.06 of the Revised Code;

(4) Meet all other requirements ~~set~~ ESTABLISHED UNDER RULES ADOPTED by the board, ~~by rule~~, for the particular license.

(C) To apply for a license as a basic life-support, intermediate life-support, or advanced life-support service organization, ~~a person~~ AN EMERGENCY MEDICAL SERVICE ORGANIZATION shall submit a completed application to the board, on a form provided by the board for each particular license, together with the appropriate fees established under section 4766.05 of the Revised Code. The application form shall include all of the following:

(1) The name and business address of the operator of the organization for which licensure is sought;

(2) The name under which the applicant will operate the organization;

(3) A list of the names and addresses of all officers and directors of the organization;

(4) A description of each vehicle to be used, including the make, model, year of manufacture, mileage, vehicle identification number, and the color scheme, insignia, name, monogram, or other distinguishing characteristics to be used to designate the applicant's vehicle;

(5) The location and description of each place from which the organization will operate;

(6) A description of the geographic area to be served by the applicant;

(7) Any other information the board, by rule, determines necessary.

(D) Within sixty days after receiving a completed application for licensure as a basic life-support, intermediate life-support, or advanced life-support service organization, the board shall approve or deny the application. The board shall deny an application if it determines that the applicant does not meet the requirements of this chapter or any rules adopted ~~pursuant thereto~~ UNDER IT. The board shall send NOTICE OF the

denial of an application by certified mail to the applicant. The applicant may request a hearing within ten days after receipt of the ~~certified-mail~~ NOTICE. If the board receives a timely request, it shall hold a hearing in accordance with Chapter 119. of the Revised Code.

(E) If an applicant or licensee operates or plans to operate an organization in more than one location under the same or different identities, the applicant or licensee shall apply for and meet all requirements for licensure or renewal of a license, other than payment of a license fee or renewal fee, for operating the organization at each separate location. An applicant or licensee that operates or plans to operate under the same organization identity in separate locations shall pay only a single license fee.

(F) Each license issued under this section and each permit issued under section 4766.07 of the Revised Code expires two years after the date of issue, ~~but each licensee and permit holder may apply to the board for the extension of his license and permit under and may be renewed in accordance with the standard renewal procedures of Chapter 4745. of the Revised Code; provided that the licensee or permit holder meets the requirements for licensure. In addition, each permit holder~~ An application for renewal shall include the license or permit renewal fee established under section 4766.05 Of the Revised Code. An applicant for renewal of a permit also shall submit to the board proof of an annual inspection of each THE vehicle for which a permit has been issued renewal is sought. The licensee and permit holder shall send the renewal fee established under section 4766.05 of the Revised Code with his application for renewal The board shall renew a license if the applicant meets the requirements for licensure and shall renew a permit if the applicant and vehicle meet the requirements to maintain a permit for that vehicle.

(G) Each licensee shall maintain accurate records of all service responses conducted; ~~THE RECORDS SHALL BE MAINTAINED on forms PRESCRIBED BY THE BOARD and containing~~ SHALL CONTAIN information as specified by rule by the board.

Sec. 4766.07. (A) ~~Every licensee~~ Each emergency medical service organization subject to licensure under this chapter shall possess a valid permit for each ambulance and nontransport vehicle it owns or leases that is or will be used by the licensee to perform the services permitted by the license. Each licensee and license applicant shall submit the appropriate fee and an application for a permit for each ambulance and nontransport vehicle to the Ohio ambulance licensing board on forms provided by the board. The application shall include documentation that ~~each~~ THE vehicle meets the appropriate standards set by the board ~~for the particular license for which~~

~~the vehicle is used or intended to be used~~, that the vehicle has been inspected pursuant to division (C) of this section, that the permit applicant maintains insurance or self-insurance as provided in ~~divisions (B) and (C) of~~ section 4766.06 of the Revised Code, and that the vehicle and permit applicant meet any other requirements ~~set, by rule,~~ ESTABLISHED UNDER RULES ADOPTED by the board.

(B)(1) Within sixty days after receiving a completed application for a permit, the board shall issue or deny the permit. The board shall deny an application if it determines that the permit applicant or vehicle does not meet the requirements of this chapter and the rules adopted ~~pursuant thereto~~ UNDER IT that apply to permits for ambulances and nontransport vehicles. The board shall send NOTICE OF the denial of an application by certified mail to the permit applicant. The permit applicant may request a hearing within ten days after receipt of the ~~certified mail~~ NOTICE. If the board receives a timely request, it shall hold a hearing in accordance with Chapter 119. of the Revised Code.

(2) If the board issues the vehicle permit, it also shall issue a decal, in a form prescribed by rule, to be displayed on the rear window of the vehicle. The board shall not issue a decal until all of the requirements for licensure and permit issuance have been met.

(C) In addition to any other requirements that the board establishes by rule, a licensee or license applicant applying for an initial vehicle permit under division (A) of this section shall submit to the state highway patrol and the board ~~each~~ THE vehicle for which ~~he seeks a~~ THE permit IS SOUGHT. Thereafter, a licensee shall annually submit to the state highway patrol and the board each vehicle for which a permit has been issued.

(1) The state highway patrol shall conduct a physical inspection of AN AMBULANCE OR nontransport ~~vehicles and ambulances~~ VEHICLE to determine ITS roadworthiness and compliance with standard motor vehicle requirements.

(2) The board shall conduct a physical inspection of the medical equipment, communication ~~equipment~~ SYSTEM, and interior of ~~the~~ AN ambulance to determine the operational condition and safety of the equipment and the ~~vehicle~~ AMBULANCE'S interior and to determine WHETHER THE AMBULANCE IS IN compliance with the ~~"GAC Service Specifications and Technical Handbook," OH-1822, as amended,~~ FEDERAL REQUIREMENTS FOR AMBULANCE CONSTRUCTION that ~~was~~ WERE in effect at the time the ambulance was manufactured. ~~The board shall adopt rules pertaining to inspections conducted under division (C)(2) of this section to determine compliance with vehicle standards~~

~~specified in the handbook. The rules shall not take effect until July 2, 1995., as specified by the general services administration in the various versions of its publication titled "Federal specification for the star-of-life ambulance, kkk-a-1822."~~

(3) The board and state highway patrol shall issue a certificate to the ~~licensee or license~~ applicant for each vehicle that passes the inspection and may assess a fee for each inspection, as established by the board.

(4) The board, in consultation with the state highway patrol, shall adopt rules regarding the implementation and coordination of the state highway patrol and board inspections. The rules may permit the board to contract with a third party to conduct the inspections required of the board under this section.

(D) If an emergency medical service organization that has made timely application to the board for a vehicle permit has reasonable cause to believe that the state highway patrol will not be able to conduct the required inspection before the date by which the organization is required to renew the registration of the ambulance or nontransport vehicle with the bureau of motor vehicles, the organization may apply to the board for a temporary vehicle permit. Such a permit shall be valid for a period of no more than thirty days from the date of issuance, and shall be accepted by the registrar of motor vehicles when the organization applies for ~~license plates and a validation sticker, or a validation sticker alone, pursuant to~~ registration of the vehicle under section 4503.49 of the Revised Code.

Sec. 4766.08. (A) The Ohio ambulance licensing board may, pursuant to an adjudication conducted in accordance with Chapter 119. of the Revised Code, suspend or revoke any license or permit or renewal thereof issued under this chapter for any one or combination of the following causes:

- (1) Violation of this chapter or any rule adopted thereunder;
- (2) Refusal to permit the board to inspect a vehicle used under the terms of a permit or to inspect the records or physical facilities of a licensee;
- (3) Failure to meet the ambulance and nontransport vehicle requirements specified in this chapter or the rules adopted thereunder;
- (4) Violation of an order issued by the board;
- (5) Failure to comply with any of the terms of an agreement entered into with the board regarding the suspension or revocation of a license or permit or the imposition of a penalty under this section.

(B) If the board determines that the records, recordkeeping procedures, or physical facilities of a licensee, or an ambulance or nontransport vehicle for which a valid permit has been issued, do not meet the standards specified in this chapter and the rules adopted thereunder, the board shall notify the

licensee of any deficiencies within thirty days of finding the deficiencies. If the board determines that the deficiencies exist and they remain uncorrected after thirty days, the board may suspend the license or vehicle permit. The licensee, notwithstanding the suspension under this division, may operate until all appeals have been exhausted.

(C) At the discretion of the board, a licensee whose license has been suspended or revoked under this section may be ineligible to be licensed under this chapter for a period of not more than three years from the date of the violation, provided that the board shall make no determination on a period of ineligibility until all the licensee's appeals relating to the suspension or revocation have been exhausted.

(D) The board may, in addition to any other action taken under this section and after a hearing conducted pursuant to Chapter 119. of the Revised Code, impose a penalty of not more than fifteen hundred dollars for any violation of specified in this section. The attorney general shall institute a civil action for the collection of any such penalty imposed.

Sec. 4766.09. ~~Except as otherwise provided in sections 307.051 and 505.37 of the Revised Code, this~~ THIS chapter does not apply to any of the following:

(A) A person rendering services with an ambulance in the event of a disaster situation when licensees' vehicles based in the locality of the disaster situation are incapacitated or insufficient in number to render the services needed;

(B) Any person operating an ambulance outside this state unless receiving a person within this state for transport to a location within this state;

(C) ~~Any~~ A publicly owned or operated emergency medical service organization and the vehicles it owns or leases and operates, Except as provided in section 307.051, division (G) of section 307.055, division (F) of section 505.37, division (B) of section 505.375, and division (B)(3) of section 505.72 Of the Revised Code;

~~(D)~~ AN ambulance OR NONTRANSPORT VEHICLE owned OR LEASED and operated by the federal government;

~~(D)(E)~~ A publicly owned and operated fire department vehicle;

~~(E)(F)~~ Emergency vehicles owned by a corporation and operating only on the corporation's premises, for the sole use by that corporation;

~~(F) Any (G)~~ AN ambulance, NONTRANSPORT VEHICLE, OR OTHER emergency medical service organization vehicle, or nontransport vehicle owned and operated by a municipal corporation;

~~(G) Any other (H)~~ a motor vehicle titled in the name of a volunteer

rescue service organization, as defined in section 4503.172 of the Revised Code;

(I) A public emergency medical service organization;

(J) a fire department, rescue squad, or life squad comprised of volunteers who provide services without expectation of remuneration and do not receive payment for services other than reimbursement for expenses;

(K) A private, nonprofit emergency medical service organization when fifty per cent or more of its personnel are volunteers, as defined in section 4765.01 Of the Revised Code.

Sec. 4766.10. ~~(A)~~ This chapter does not invalidate any ~~municipal~~ ordinance or resolution ADOPTED BY A MUNICIPAL CORPORATION that establishes standards for the licensure of EMERGENCY MEDICAL SERVICE ORGANIZATIONS AS basic life-support, intermediate life-support, or advanced life-support service organizations that have their principal places of business located within the limits of the municipal CORPORATION, as long as the licensure standards meet or exceed the standards established in this chapter and ~~any~~ THE rules adopted thereunder.

~~(B) Service~~ EMERGENCY MEDICAL SERVICE organizations ~~operating within~~ LICENSED BY a municipal corporation ~~that has adopted an ordinance or resolution described in division (A) of this section~~ are subject to the jurisdiction of the OHIO AMBULANCE LICENSING board, but the fees they pay to the board for licenses, permits, and renewals thereof shall not exceed fifty per cent of the fee amounts established by the board pursuant to section 4766.03 of the Revised Code. The board may choose to waive the vehicle inspection requirements and inspection fees, but not the permit fees, for THE vehicles of those organizations ~~that are subject to a municipal ordinance or resolution described in division (A) of this section~~ LICENSED BY A MUNICIPAL CORPORATION.

Sec. 4766.11. In the ohio ambulance licensing board may investigate alleged violations of this chapter or the rules adopted under it and may investigate any complaints received regarding alleged violations.

IN addition to ~~the~~ ANY OTHER remedies ~~provided~~ AVAILABLE and ~~irrespective~~ REGARDLESS of whether ~~or not there exists~~ an adequate remedy at law EXISTS, the ~~Ohio ambulance licensing~~ board may apply to the court of common pleas in the county where a violation of any provision of this chapter or any rule adopted pursuant thereto is occurring for a temporary or permanent injunction restraining ~~any~~ A person from continuing to commit that violation. on a showing that a person has committed a violation, the court shall grant the injunction.

In conducting an investigation under this section, the board may issue

subpoenas compelling the attendance and testimony of witnesses and the production of books, records, and other documents pertaining to the investigation. if a person fails to obey a subpoena from the board, the board may apply to the court of common pleas in the county where the investigation is being conducted for an order compelling the person to comply with the subpoena. on application by the board. The court shall compel obedience by attachment proceedings for contempt, as in the case of disobedience of the requirements of a subpoena from the court or a refusal to TESTIFY therein.

Sec. 4766.12. If a county ~~or~~, township, joint ambulance district, or joint emergency medical services district chooses to have the Ohio ambulance licensing board license its emergency medical service organizations and issue permits for its vehicles pursuant to this chapter, except as may be otherwise provided, all provisions of ~~these sections~~ this chapter and all rules adopted by the board thereunder are fully applicable. However, a county ~~or~~, township, joint ambulance district, or joint emergency medical services district is not required to obtain any type of permit from the board for any of its nontransport vehicles.

Sec. 4766.13. The Ohio ambulance licensing board, by endorsement, may license and issue vehicle permits to an emergency medical service organization that is regulated by another state. To qualify for a license and vehicle permits by endorsement, an organization must submit evidence satisfactory to the board that it has met standards in another state that are equal to or more stringent than the standards established by this chapter and the rules adopted under it.

Sec. 4931.40. As used in sections 4931.40 to 4931.53 of the Revised Code:

(A) "9-1-1 system" means a system through which individuals can request emergency service using the telephone number 9-1-1.

(B) "Basic 9-1-1" means a 9-1-1 system in which a caller provides information on the nature of and the location of an emergency, and the personnel receiving the call must determine the appropriate emergency service provider to respond at that location.

(C) "Enhanced 9-1-1" means a 9-1-1 system in which the telephone network system automatically provides to personnel receiving the call, immediately on answering the 9-1-1 call, information on the location and the telephone number from which the call is being made, and routes the call to emergency service providers that serve the location from which the call is made.

(D) "Subdivision" means a county, municipal corporation, township,

township fire district, joint fire district, township police district, ~~or~~ joint ambulance district, or joint emergency medical services district that provides emergency service within its territory, or that contracts with another municipal corporation, township, or district or with a private entity to provide such service; and a state college or university, port authority, or park district of any kind that employs law enforcement officers that act as the primary police force on the grounds of the college or university or port authority or in the parks operated by the district.

(E) "Emergency service" means emergency police, firefighting, ambulance, rescue, and medical service.

(F) "Emergency service provider" means the state highway patrol and an emergency service department or unit of a subdivision or that operates in a subdivision under contract with the subdivision.

(G) "Public safety answering point" means a facility to which 9-1-1 system calls for a specific territory are initially routed for response and where subdivision personnel respond to specific requests for emergency service by directly dispatching the appropriate emergency service provider, relaying a message to the appropriate provider, or transferring the call to the appropriate provider.

(H) "Customer premises equipment" means telecommunications equipment, including telephone instruments, on the premises of a public safety answering point that is used in answering and responding to 9-1-1 system calls.

(I) "Municipal corporation in the county" includes any municipal corporation that is wholly contained in the county and each municipal corporation located in more than one county that has a greater proportion of its territory in the county to which the term refers than in any other county.

(J) "Board of county commissioners" includes the legislative authority of a county established under Section 3 of Article X, Ohio Constitution, or Chapter 302. of the Revised Code.

(K) "Final plan" means a final plan adopted under division (B) of section 4931.44 of the Revised Code and, except as otherwise expressly provided, an amended final plan adopted under section 4931.45 of the Revised Code.

(L) "Subdivision served by a public safety answering point" means a subdivision that provides emergency service for any part of its territory that is located within the territory of a public safety answering point whether the subdivision provides the emergency service with its own employees or pursuant to a contract.

(M) A township's population includes only population of the

unincorporated portion of the township.

(N) "Telephone ~~Company~~ company" means a company engaged in the business of providing local exchange telephone service by making available or furnishing access and a dial tone to persons within a local calling area for use in originating and receiving voice grade communications over a switched network operated by the provider of the service within the area and gaining access to other telecommunications services.

SECTION 2. That existing sections 9.60, 307.05, 307.051, 307.055, 505.37, 505.375, 505.44, 505.72, 2909.01, 4503.49, 4765.09, 4765.10, 4765.37, 4765.56, 4766.01, 4766.03, 4766.04, 4766.07, 4766.08, 4766.09, 4766.10, 4766.11, 4766.12, and 4931.40 of the Revised Code are hereby repealed.

SECTION 3. Sections 307.05 and 505.44 of the Revised Code are presented in this act as composites of those sections as amended by both Am. H.B. 192 and Am. Sub. S.B. 150 of the 121st General Assembly, with the new language of neither of the acts shown in capital letters. This is in recognition of the principle stated in division (B) of section 1.52 of the Revised Code that such amendments are to be harmonized where not substantively irreconcilable and constitutes a legislative finding that such is the resulting version in effect prior to the effective date of this act.

Speaker _____ of the House of Representatives.

President _____ of the Senate.

Passed _____, 20____

Approved _____, 20____

Governor.

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the
____ day of _____, A. D. 20____.

Secretary of State.

File No. _____ Effective Date _____