

As Reported by the House State Government Committee

126th General Assembly

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Sub. H. B. No. 375

**Representatives Flowers, McGregor, J., Evans, D., Brown, Willamowski,
Allen, Setzer, Patton, T., Stewart, D.**

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A B I L L

To amend sections 4765.05, 4765.11, 4765.16, 4766.01, 1
4766.02, 4766.03, 4766.04, 4766.06, 4766.07, 2
4766.17, and 4766.20 and to enact sections 3
4765.101, 4765.102, 4765.111, 4765.112, 4765.113, 4
4765.114, 4765.115, and 4765.116 of the Revised 5
Code concerning the authority of the State Board 6
of Emergency Medical Services to suspend 7
certificates to practice emergency medical 8
services and revisions to the law governing air 9
medical transportation. 10

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 4765.05, 4765.11, 4765.16, 4766.01, 11
4766.02, 4766.03, 4766.04, 4766.06, 4766.07, 4766.17, and 4766.20 12
be amended and sections 4765.101, 4765.102, 4765.111, 4765.112, 13
4765.113, 4765.114, 4765.115, and 4765.116 of the Revised Code be 14
enacted to read as follows: 15

Sec. 4765.05. (A) As used in this section, "prehospital 16
emergency medical services" means an emergency medical services 17
system that provides medical services to patients who require 18
immediate assistance, because of illness or injury, prior to their 19

arrival at an emergency medical facility. 20

(B) The state board of emergency medical services shall 21
divide the state geographically into prehospital emergency medical 22
services regions for purposes of overseeing the delivery of adult 23
and pediatric prehospital emergency medical services. ~~These~~ 24
~~regions shall consist of the same geographic regions as the health~~ 25
~~service areas designated by the director of health under section~~ 26
~~3702.58 of the Revised Code.~~ For each prehospital emergency 27
medical services region, the state board of emergency medical 28
services shall appoint either a physician to serve as the regional 29
director or a physician advisory board to serve as the regional 30
advisory board. The state board of emergency medical services 31
shall specify the duties of each regional director and regional 32
advisory board. Regional directors and members of regional 33
advisory boards shall serve without compensation, but shall be 34
reimbursed for actual and necessary expenses incurred in carrying 35
out duties as regional directors and members of regional advisory 36
boards. 37

(C) Nothing in this section shall be construed to limit in 38
any way the ability of a hospital to determine the market area of 39
that hospital. 40

Sec. 4765.101. (A) The state board of emergency medical 41
services shall investigate any allegation that a person has 42
violated this chapter or a rule adopted under it. 43

Any person may submit to the board a written complaint 44
regarding an alleged violation of this chapter or a rule adopted 45
under it. In the absence of fraud or bad faith, no person 46
submitting a complaint to the board or testifying in an 47
adjudication hearing conducted in accordance with Chapter 119. of 48
the Revised Code with regard to such an alleged violation shall be 49
liable to any person in damages in a civil action as a result of 50

submitting the complaint or providing testimony. 51

(B) In investigating an allegation, the board may do any of 52
the following: 53

(1) Administer oaths; 54

(2) Order the taking of depositions; 55

(3) Issue subpoenas; 56

(4) Compel the attendance of witnesses and production of 57
books, accounts, papers, records, documents, and testimony. 58

(C) A subpoena for patient record information shall not be 59
issued without consultation with the attorney general's office and 60
approval of the executive director of the board. Before issuance 61
of a subpoena for patient record information, the executive 62
director shall determine whether there is probable cause to 63
believe that the complaint filed alleges a violation of this 64
chapter or any rule adopted under it and that the records sought 65
are relevant to the alleged violation and material to the 66
investigation. The subpoena may apply only to records that cover a 67
reasonable period of time surrounding the alleged violation. 68

(D) On failure to comply with any subpoena issued by the 69
board and after reasonable notice to the person being subpoenaed, 70
the board may move, pursuant to the Rules of Civil Procedure, for 71
an order compelling the production of persons or records. 72

(E) A subpoena issued by the board may be served by a 73
sheriff, the sheriff's deputy, or an investigator for the division 74
of emergency medical services of the department of public safety. 75
Service of a subpoena issued by the board may be made by 76
delivering a copy of the subpoena to the person named in it, 77
reading it to the person, or leaving it at the person's usual 78
place of residence. When the person being served is an individual 79
authorized by this chapter to practice emergency medical services, 80

service of the subpoena may be made by certified mail, restricted
delivery, return receipt requested, and the subpoena shall be
deemed served on the date delivery is made or on the date that the
person refuses to accept delivery.

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Sec. 4765.102. (A) As used in this section, "licensing
agency" means any entity that has the authority pursuant to Title
XLVII of the Revised Code to issue a license, and any other agency
of this or another state, other than the Ohio supreme court, that
has the authority to issue a license that authorizes an individual
to engage in an occupation or profession. "Licensing agency"
includes an administrative officer that has authority to issue a
license that authorizes an individual to engage in an occupation
or profession.

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(B) Except as provided in divisions (C) and (D) of this
section and section 4765.111 of the Revised Code, all information
the state board of emergency medical services receives pursuant to
an investigation, including information regarding an alleged
violation of this chapter or rules adopted under it or a complaint
submitted under division (A) of section 4765.101 of the Revised
Code, is confidential, and is not subject to discovery in any
civil action, during the course of the investigation and any
adjudication proceedings that result from the investigation. Upon
completion of the investigation and any resulting adjudication
proceedings, the information is a matter of public record for
purposes of section 149.43 of the Revised Code.

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(C) The board may release information otherwise made
confidential by division (B) of this section to law enforcement
officers or licensing agencies of this or another state that are
prosecuting, adjudicating, or investigating the holder of a
certificate issued under this chapter or a person who allegedly
engaged in the unauthorized provision of emergency medical

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A law enforcement officer or licensing agency with
information disclosed by the board under this division shall not
divulge the information other than for the purpose of an
adjudication by a court or licensing agency to which the subject
of the adjudication is a party.

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(D) If an investigation conducted under section 4765.101 of
the Revised Code requires a review of patient records, the
investigation and proceedings related to it shall be conducted in
such a manner as to protect patient confidentiality. The board
shall not make public the name or any other identifying
information about a patient unless proper consent is given in
accordance with rules adopted by the board. If the patient is less
than eighteen years of age, the board shall obtain consent from
the patient's parent, guardian, or custodian.

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Sec. 4765.11. (A) The state board of emergency medical
services shall adopt, and may amend and rescind, rules in
accordance with Chapter 119. of the Revised Code and division (C)
of this section that establish all of the following:

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(1) Procedures for its governance and the control of its
actions and business affairs;

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(2) Standards for the performance of emergency medical
services by first responders, emergency medical technicians-basic,
emergency medical technicians-intermediate, and emergency medical
technicians-paramedic;

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(3) Application fees for certificates of accreditation,
certificates of approval, certificates to teach, and certificates
to practice, which shall be deposited into the trauma and
emergency medical services fund created in section 4513.263 of the
Revised Code;

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(4) Criteria for determining when the application or renewal fee for a certificate to practice may be waived because an applicant cannot afford to pay the fee;	142 143 144
(5) Procedures for issuance and renewal of certificates of accreditation, certificates of approval, certificates to teach, and certificates to practice, including any procedures necessary to ensure that adequate notice of renewal is provided in accordance with division (D) of section 4765.30 of the Revised Code;	145 146 147 148 149 150
(6) Procedures for suspending or revoking certificates of accreditation, certificates of approval, certificates to teach, and certificates to practice;	151 152 153
(7) Grounds for suspension or revocation of a certificate to practice issued under section 4765.30 of the Revised Code and for taking any other disciplinary action against a first responder, EMT-basic, EMT-I, or paramedic;	154 155 156 157
(8) Procedures for taking disciplinary action against a first responder, EMT-basic, EMT-I, or paramedic;	158 159
(9) Standards for certificates of accreditation and certificates of approval;	160 161
(10) Qualifications for certificates to teach;	162
(11) Requirements for a certificate to practice;	163
(12) The curricula, number of hours of instruction and training, and instructional materials to be used in adult and pediatric emergency medical services training programs and adult and pediatric emergency medical services continuing education programs;	164 165 166 167 168
(13) Procedures for conducting courses in recognizing symptoms of life-threatening allergic reactions and in calculating proper dosage levels and administering injections of epinephrine	169 170 171

to adult and pediatric patients who suffer life-threatening	172
allergic reactions;	173
(14) Examinations for certificates to practice;	174
(15) Procedures for administering examinations for	175
certificates to practice;	176
(16) Procedures for approving examinations that demonstrate	177
competence to have a certificate to practice renewed without	178
completing an emergency medical services continuing education	179
program;	180
(17) Procedures for granting extensions and exemptions of	181
emergency medical services continuing education requirements;	182
(18) Procedures for approving the additional emergency	183
medical services first responders are authorized by division (C)	184
of section 4765.35 of the Revised Code to perform, EMTs-basic are	185
authorized by division (C) of section 4765.37 of the Revised Code	186
to perform, EMTs-I are authorized by division (B)(5) of section	187
4765.38 of the Revised Code to perform, and paramedics are	188
authorized by division (B)(6) of section 4765.39 of the Revised	189
Code to perform;	190
(19) Standards and procedures for implementing the	191
requirements of section 4765.06 of the Revised Code, including	192
designations of the persons who are required to report information	193
to the board and the types of information to be reported;	194
(20) Procedures for administering the emergency medical	195
services grant program established under section 4765.07 of the	196
Revised Code;	197
(21) Procedures consistent with Chapter 119. of the Revised	198
Code for appealing decisions of the board;	199
(22) Minimum qualifications and peer review and quality	200
improvement requirements for persons who provide medical direction	201

to emergency medical service personnel; 202

(23) The manner in which a patient, or a patient's parent, 203
guardian, or custodian may consent to the board releasing 204
identifying information about the patient under division (D) of 205
section 4765.102 of the Revised Code; 206

(24) Circumstances under which a training program or 207
continuing education program, or portion of either type of 208
program, may be taught by a person who does not hold a certificate 209
to teach issued under section 4765.23 of the Revised Code. 210

(B) The board may adopt, and may amend and rescind, rules in 211
accordance with Chapter 119. of the Revised Code and division (C) 212
of this section that establish the following: 213

(1) Specifications of information that may be collected under 214
the trauma system registry and incidence reporting system created 215
under section 4765.06 of the Revised Code; 216

(2) Standards and procedures for implementing any of the 217
recommendations made by any committees of the board or under 218
section 4765.57 of the Revised Code; 219

(3) Requirements that a person must meet to receive a 220
certificate to practice as a first responder pursuant to division 221
(A)(2) of section 4765.30 of the Revised Code; 222

(4) Any other rules necessary to implement this chapter. 223

(C) In developing and administering rules adopted under this 224
chapter, the state board of emergency medical services shall 225
consult with regional directors and regional physician advisory 226
boards created by section 4765.05 of the Revised Code and 227
emphasize the special needs of pediatric and geriatric patients. 228

(D) Except as otherwise provided in this division, before 229
adopting, amending, or rescinding any rule under this chapter, the 230
board shall submit the proposed rule to the director of public 231

safety for review. The director may review the proposed rule for
not more than sixty days after the date it is submitted. If,
within this sixty-day period, the director approves the proposed
rule or does not notify the board that the rule is disapproved,
the board may adopt, amend, or rescind the rule as proposed. If,
within this sixty-day period, the director notifies the board that
the proposed rule is disapproved, the board shall not adopt,
amend, or rescind the rule as proposed unless at least twelve
members of the board vote to adopt, amend, or rescind it.

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This division does not apply to an emergency rule adopted in
accordance with section 119.03 of the Revised Code.

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Sec. 4765.111. Except as provided in this section or sections
4765.112 to 4765.116 of the Revised Code, the state board of
emergency medical services shall conduct disciplinary proceedings
regarding the holder of a certificate issued under this chapter in
accordance with rules adopted by the board under section 4765.11
of the Revised Code.

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The board and a holder of a certificate are the parties to a
hearing conducted under this chapter. Either party may submit a
written request to the other party for a list of witnesses and
copies of documents intended to be introduced at the hearing. The
request shall be in writing and shall be served not less than
thirty-seven days prior to the commencement of the hearing, unless
the hearing officer or presiding board member grants an extension
of time to make the request. Not later than thirty days before the
hearing, the responding party shall provide the requested list of
witnesses and copies of documents to the requesting party, unless
the hearing officer or presiding board member grants an extension
of time to provide the list and copies.

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Failure to timely provide a list or copies requested in
accordance with this section shall result in exclusion from the

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hearing of the witnesses, testimony, or documents.

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Sec. 4765.112. (A) The state board of emergency medical services, by an affirmative vote of the majority of its members, may suspend without a prior hearing a certificate to practice issued under this chapter if the board determines that there is clear and convincing evidence that continued practice by the certificate holder presents a danger of immediate and serious harm to the public and that the certificate holder has done any of the following:

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(1) Furnished false, fraudulent, or misleading information to the board;

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(2) Engaged in activities that exceed those permitted by the individual's certificate;

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(3) In a court of this or any other state or federal court been convicted of, pleaded guilty to, or been the subject of a judicial finding of guilt of, a judicial finding of guilt resulting from a plea of no contest to, or a judicial finding of eligibility for intervention in lieu of conviction for, a felony or for a misdemeanor committed in the course of practice or involving gross immorality or moral turpitude.

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(B) Immediately following the decision to impose a summary suspension, the board, in accordance with section 119.07 of the Revised Code, shall issue a written order of suspension, cause it to be delivered to the certificate holder, and notify the certificate holder of the opportunity for a hearing. If timely requested by the certificate holder, a hearing shall be conducted in accordance with section 4765.115 of the Revised Code.

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Sec. 4765.113. If the state board of emergency medical services imposes a suspension on the basis of a conviction, judicial finding, or plea as described in division (A)(3) of

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section 4765.112 of the Revised Code that is overturned on appeal, 293
the certificate holder, on exhaustion of the criminal appeal 294
process, may file with the board a petition for reconsideration of 295
the suspension along with appropriate court documents. On receipt 296
of the petition and documents, the board shall reinstate the 297
certificate holder's certificate to practice. 298

Sec. 4765.114. (A) A certificate to practice emergency 299
medical services issued under this chapter is automatically 300
suspended on the certificate holder's conviction of, plea of 301
guilty to, or judicial finding of guilt of any of the following: 302
aggravated murder, murder, voluntary manslaughter, felonious 303
assault, kidnapping, rape, sexual battery, gross sexual 304
imposition, aggravated arson, aggravated burglary, aggravated 305
robbery, or a substantially equivalent offense committed in this 306
or another jurisdiction. Continued practice after the suspension 307
is practicing without a certificate. 308

(B) If the state board of emergency medical services has 309
knowledge that an automatic suspension has occurred, it shall 310
notify, in accordance with section 119.07 of the Revised Code, the 311
certificate holder of the suspension and of the opportunity for a 312
hearing. If timely requested by the certificate holder, a hearing 313
shall be conducted in accordance with section 4765.115 of the 314
Revised Code. 315

Sec. 4765.115. (A) A suspension order issued under section 316
4765.112 or automatic suspension under section 4765.114 of the 317
Revised Code is not subject to suspension by a court prior to a 318
hearing under this section or during the pendency of any appeal 319
filed under section 119.12 of the Revised Code. 320

(B) A suspension order issued under section 4765.112 or 321
automatic suspension under section 4765.114 of the Revised Code 322

remains in effect, unless reversed by the state board of emergency 323
medical services, until a final adjudication order issued by the 324
board pursuant to this section becomes effective. 325

(C) Hearings requested pursuant to section 4765.112 or 326
4765.114 of the Revised Code shall be conducted under this section 327
in accordance with Chapter 119. of the Revised Code. 328

(D) A hearing under this section shall be held not later than 329
forty-five days but not earlier than forty days after the 330
certificate holder requests it, unless another date is agreed to 331
by the certificate holder and the board. 332

(E) After completion of an adjudication hearing, the board 333
may adopt, by an affirmative vote of the majority of its members, 334
a final adjudication order that imposes any of the following 335
sanctions: 336

(1) Suspension of the holder's certificate to practice; 337

(2) Revocation of the holder's certificate to practice; 338

(3) Issuance of a written reprimand; 339

(4) A refusal to renew or a limitation on the holder's 340
certificate to practice. 341

The board shall issue its final adjudication order not later 342
than forty-five days after completion of an adjudication hearing. 343
If the board does not issue a final order within that time period, 344
the suspension order is void, but any final adjudication order 345
subsequently issued is not affected. 346

(F) Any action taken by the board under this section 347
resulting in a suspension from practice shall be accompanied by a 348
written statement of the conditions under which the certificate to 349
practice may be reinstated. Reinstatement of a certificate 350
suspended under this section requires an affirmative vote by the 351
majority of the members of the board. 352

(G) When the board revokes or refuses to reinstate a 353
certificate to practice, the board may specify that its action is 354
permanent. An individual subject to permanent action taken by the 355
board is forever ineligible to hold a certificate of the type 356
revoked or refused, and the board shall not accept from the 357
individual an application for reinstatement of the certificate or 358
for a new certificate. 359

Sec. 4765.116. If a certificate holder subject to a 360
suspension order issued by the state board of emergency medical 361
services under section 4765.112 or an automatic suspension order 362
under section 4765.114 of the Revised Code fails to make a timely 363
request for a hearing, the following apply: 364

(A) In the case of a certificate holder subject to a summary 365
suspension order, the board is not required to hold a hearing, but 366
may adopt, by an affirmative vote of a majority of its members, a 367
final order that contains the board's findings. In the final 368
order, the board may order any of the sanctions listed in division 369
(E) of section 4765.115 of the Revised Code. 370

(B) In the case of a certificate holder subject to an 371
automatic suspension order, the board may adopt, by an affirmative 372
vote of a majority of its members, a final order that permanently 373
revokes the holder's certificate to practice. 374

Sec. 4765.16. (A) All courses offered through an emergency 375
medical services training program or an emergency medical services 376
continuing education program, other than ambulance driving, shall 377
be developed under the direction of a physician who specializes in 378
emergency medicine. Each course that deals with trauma care shall 379
be developed in consultation with a physician who specializes in 380
trauma surgery. ~~Each~~ Except as specified by the state board of 381
emergency medical services pursuant to rules adopted under section 382

4765.11 of the Revised Code, each course offered through a 383
training program or continuing education program shall be taught 384
by a person who holds the appropriate certificate to teach issued 385
under section 4765.23 of the Revised Code. 386

(B) A training program for first responders shall meet the 387
standards established in rules adopted by the ~~state board of~~ 388
~~emergency medical services~~ under section 4765.11 of the Revised 389
Code. The program shall include courses in both of the following 390
areas for at least the number of hours established by the board's 391
rules: 392

(1) Emergency victim care; 393

(2) Reading and interpreting a trauma victim's vital signs. 394

(C) A training program for emergency medical 395
technicians-basic shall meet the standards established in rules 396
adopted by the board under section 4765.11 of the Revised Code. 397
The program shall include courses in each of the following areas 398
for at least the number of hours established by the board's rules: 399

(1) Emergency victim care; 400

(2) Reading and interpreting a trauma victim's vital signs; 401

(3) Triage protocols for adult and pediatric trauma victims; 402

(4) In-hospital training; 403

(5) Clinical training; 404

(6) Training as an ambulance driver. 405

Each operator of a training program for emergency medical 406
technicians-basic shall allow any pupil in the twelfth grade in a 407
secondary school who is at least seventeen years old and who 408
otherwise meets the requirements for admission into such a 409
training program to be admitted to and complete the program and, 410
as part of the training, to ride in an ambulance with emergency 411
medical technicians-basic, emergency medical 412

technicians-intermediate, and emergency medical 413
technicians-paramedic. Each emergency medical service organization 414
shall allow pupils participating in training programs to ride in 415
an ambulance with emergency medical technicians-basic, advanced 416
emergency medical technicians-intermediate, and emergency medical 417
technicians-paramedic. 418

(D) A training program for emergency medical 419
technicians-intermediate shall meet the standards established in 420
rules adopted by the board under section 4765.11 of the Revised 421
Code. The program shall include, or require as a prerequisite, the 422
training specified in division (C) of this section and courses in 423
each of the following areas for at least the number of hours 424
established by the board's rules: 425

(1) Recognizing symptoms of life-threatening allergic 426
reactions and in calculating proper dosage levels and 427
administering injections of epinephrine to persons who suffer 428
life-threatening allergic reactions, conducted in accordance with 429
rules adopted by the board under section 4765.11 of the Revised 430
Code; 431

(2) Venous access procedures; 432

(3) Cardiac monitoring and electrical interventions to 433
support or correct the cardiac function. 434

(E) A training program for emergency medical 435
technicians-paramedic shall meet the standards established in 436
rules adopted by the board under section 4765.11 of the Revised 437
Code. The program shall include, or require as a prerequisite, the 438
training specified in divisions (C) and (D) of this section and 439
courses in each of the following areas for at least the number of 440
hours established by the board's rules: 441

(1) Medical terminology; 442

(2) Venous access procedures;	443
(3) Airway procedures;	444
(4) Patient assessment and triage;	445
(5) Acute cardiac care, including administration of parenteral injections, electrical interventions, and other emergency medical services;	446 447 448
(6) Emergency and trauma victim care beyond that required under division (C) of this section;	449 450
(7) Clinical training beyond that required under division (C) of this section.	451 452
(F) A continuing education program for first responders, EMTs-basic, EMTs-I, or paramedics shall meet the standards established in rules adopted by the board under section 4765.11 of the Revised Code. A continuing education program shall include instruction and training in subjects established by the board's rules for at least the number of hours established by the board's rules.	453 454 455 456 457 458 459
Sec. 4766.01. As used in this chapter:	460
(A) "Advanced life support" means treatment described in section 4765.39 of the Revised Code that a paramedic is certified to perform.	461 462 463
(B) "Air medical service organization program " means a program operated by a person that provides air medical transportation to the public <u>which furnishes, conducts, maintains,</u> <u>advertises, promotes, or otherwise engages in providing emergency</u> <u>medical services with a rotorcraft air ambulance or fixed wing air</u> <u>ambulance.</u>	464 465 466 467 468 469
(C) "Air medical transportation" is the use of a rotorcraft air ambulance or fixed wing air ambulance to provide	470 471

~~transportation and advanced life support to seriously ill,~~ 472
~~injured, wounded, or otherwise incapacitated or helpless~~ 473
~~individuals who require use of a stretcher from airport to airport~~ 474
~~or from an emergency scene to a hospital or other medical care~~ 475
setting means the transporting of a patient by rotorcraft air 476
ambulance or fixed wing air ambulance with appropriately licensed 477
and certified medical personnel. 478

(D) "Ambulance" means any motor vehicle that is specifically 479
designed, constructed, or modified and equipped and is intended to 480
be used to provide basic life support, intermediate life support, 481
advanced life support, or mobile intensive care unit services and 482
transportation upon the streets or highways of this state of 483
persons who are seriously ill, injured, wounded, or otherwise 484
incapacitated or helpless. "Ambulance" does not include air 485
medical transportation or a vehicle designed and used solely for 486
the transportation of nonstretcher-bound persons, whether 487
hospitalized or handicapped or whether ambulatory or confined to a 488
wheelchair. 489

(E) "Ambulette" means a motor vehicle that is specifically 490
designed, constructed, or modified and equipped and is intended to 491
be used for transportation upon the streets or highways of this 492
state of persons who require use of a wheelchair. 493

(F) "Basic life support" means treatment described in section 494
4765.37 of the Revised Code that an EMT-basic is certified to 495
perform. 496

(G) "Disaster situation" means any condition or situation 497
described by rule of the Ohio medical transportation board as a 498
mass casualty, major emergency, natural disaster, or national 499
emergency. 500

(H) "Emergency medical service organization" means an 501
organization that uses EMTs-basic, EMTs-I, or paramedics, or a 502

combination ~~thereof~~ of EMTs-basic, EMTs-I, and paramedics, to 503
provide medical care to victims of illness or injury. An emergency 504
medical service organization includes, but is not limited to, a 505
commercial ambulance service organization, a hospital, and a 506
funeral home. 507

(I) "EMT-basic," "EMT-I," and "paramedic" have the same 508
meanings as in section 4765.01 of the Revised Code. 509

(J) "Fixed wing air ambulance" means a fixed wing aircraft 510
operated that is specifically designed, constructed, or modified 511
and equipped and is intended to be used as a means of air medical 512
transportation. 513

(K) "Intermediate life support" means treatment described in 514
section 4765.38 of the Revised Code that an EMT-I is certified to 515
perform. 516

(L) "Major emergency" means any emergency event that cannot 517
be resolved through the use of locally available emergency 518
resources. 519

(M) "Mass casualty" means an emergency event that results in 520
ten or more persons being injured, incapacitated, made ill, or 521
killed. 522

(N) "Medical emergency" means an unforeseen event affecting 523
an individual in such a manner that a need for immediate care is 524
created. 525

(O) "Mobile intensive care unit" means an ambulance used only 526
for maintaining specialized or intensive care treatment and used 527
primarily for interhospital transports of patients whose 528
conditions require care beyond the scope of a paramedic as 529
provided in section 4765.39 of the Revised Code. 530

(P)(1) "Nonemergency medical service organization" means a 531
person that does both of the following: 532

(a) Provides services to the public on a regular basis for 533
the purpose of transporting individuals who require the use of a 534
wheelchair or are confined to a wheelchair to receive health care 535
services at health care facilities or health care practitioners' 536
offices in nonemergency circumstances; 537

(b) Provides the services for a fee, regardless of whether 538
the fee is paid by the person being transported, a third party 539
payer, as defined in section 3702.51 of the Revised Code, or any 540
other person or government entity. 541

(2) "Nonemergency medical service organization" does not 542
include a health care facility, as defined in section 1751.01 of 543
the Revised Code, that provides ambulette services only to 544
patients of that facility. 545

~~(P) "Mobile intensive care unit" means an ambulance used only 546
for maintaining specialized or intensive care treatment and used 547
primarily for interhospital transports of patients whose 548
conditions require care beyond the scope of a paramedic as 549
provided in section 4765.39 of the Revised Code. 550~~

(Q) "Nontransport vehicle" means a motor vehicle operated by 551
a licensed emergency medical service organization not as an 552
ambulance, but as a vehicle for providing services in conjunction 553
with the ambulances operated by the organization or other 554
emergency medical service organizations. 555

(R) "Patient" means any individual who as a result of illness 556
or injury needs medical attention, whose physical or mental 557
condition is such that there is imminent danger of loss of life or 558
significant health impairment, who may be otherwise incapacitated 559
or helpless as a result of a physical or mental condition, or 560
whose physical condition requires the use of a wheelchair. 561

(S) "Rotorcraft air ambulance" means a helicopter or other 562
aircraft capable of vertical takeoffs, vertical landings, and 563

hovering that is specifically designed, constructed, or modified 564
and equipped and is intended to be used as a means of air medical 565
transportation. 566

Sec. 4766.02. (A) There is hereby created the Ohio medical 567
transportation board, consisting of nine voting members and one 568
nonvoting member, who shall be residents of this state and 569
appointed by the governor with the advice and consent of the 570
senate. Except as provided in division (B) of this section, 571
members shall serve terms of two years. One voting member shall be 572
a member of the Ohio ambulance association; two voting members, 573
one of whom shall be a licensed funeral director, shall be owners 574
or operators of private emergency medical service organizations 575
operating in this state; one voting member shall be a consumer of 576
emergency medical services who is not associated with any public 577
or private emergency medical service organization; one voting 578
member shall be an official with a public emergency medical 579
service organization; two voting members shall be owners or 580
operators of nonemergency medical service organizations that 581
provide ambulette services only, and two voting members shall be 582
members of the Ohio association of critical care transport, one 583
member representing air-based services and the other representing 584
a ground-based mobile intensive care unit organization. A 585
physician who holds a certificate to practice issued under Chapter 586
4731. of the Revised Code and who is a member of the American 587
college of emergency physicians shall serve as the nonvoting 588
member. The board shall annually select from its membership a 589
chair and a vice-chair to act as chair in the chair's absence. 590

(B) Any member appointed to fill a vacancy occurring prior to 591
the expiration date of the term for which the member's predecessor 592
was appointed shall hold office for the remainder of that term. 593
Every member shall continue in office subsequent to the expiration 594

date of the member's term until the member's successor takes
office, or until a period of sixty days has elapsed, whichever
occurs first.

(C) Five members shall constitute a quorum for the
transaction of business, and the affirmative vote of five members
is required for the board to take any official action. The board,
after notice and hearing, may remove a member by majority vote for
malfeasance, misfeasance, or nonfeasance.

Members of the board shall be reimbursed for actual and
necessary expenses incurred in attending meetings of the board and
in the performance of their official duties. The board may hire
~~such~~ employees ~~as are~~ necessary to enable it to execute its
duties.

(D) The division of emergency medical services within the
department of public safety shall provide the board with office
space, but the board shall not be a part of the division or the
department.

(E) The board is the sole supervisory body regarding the
licensing of private ambulance service organizations in this
state.

(F) The board is the sole supervisory body regarding the
licensing of private nonemergency medical service organizations in
this state.

(G) The board is the sole supervisory body regarding the
licensing of private air medical ~~service organizations~~ programs in
this state.

Sec. 4766.03. (A) The Ohio medical transportation board shall
adopt rules, in accordance with Chapter 119. of the Revised Code,
implementing the requirements of this chapter. The rules shall
include provisions relating to the following:

(1) Requirements for an emergency medical service organization to receive a permit for an ambulance or nontransport vehicle;	625 626 627
(2) Requirements for an emergency medical service organization to receive a license as a basic life-support, intermediate life-support, advanced life-support, or mobile intensive care unit organization;	628 629 630 631
(3) Requirements for a nonemergency medical service organization to receive a permit for an ambulette vehicle;	632 633
(4) Requirements for a nonemergency medical service organization to receive a license for an ambulette service;	634 635
(5) Requirements for an air medical service organization <u>program</u> to receive a permit for a rotorcraft air ambulance or fixed wing air ambulance;	636 637 638
(6) Requirements for licensure of air medical service organizations <u>programs</u> ;	639 640
(7) Forms for applications and renewals of licenses and permits;	641 642
(8) Requirements for record keeping of service responses made by licensed emergency medical service organizations;	643 644
(9) Fee amounts for licenses and permits, and <u>their</u> renewals thereof ;	645 646
(10) Inspection requirements for licensees' vehicles or aircraft, records, and physical facilities;	647 648
(11) Fee amounts for inspections of ambulances, ambulettes, rotorcraft air ambulances, fixed wing air ambulances, and nontransport vehicles;	649 650 651
(12) Requirements for ambulances and nontransport vehicles used by licensed emergency medical service organizations, for	652 653

ambulette vehicles used by licensed nonemergency medical service 654
organizations, and for rotorcraft air ambulances or fixed wing air 655
ambulances used by licensed air medical ~~service organizations~~ 656
programs that specify for each type of vehicle or aircraft the 657
types of equipment that must be carried, the communication systems 658
that must be maintained, and the personnel who must staff the 659
vehicle or aircraft; 660

(13) The level of care each type of emergency medical service 661
organization, nonemergency medical service organization, and air 662
medical ~~service organization~~ program is authorized to provide; 663

(14) Eligibility requirements for employment as an ambulette 664
driver, including grounds for disqualification due to the results 665
of a motor vehicle law violation check, chemical test, or criminal 666
records check. The rule may require that an applicant for 667
employment as an ambulette driver provide a set of fingerprints to 668
law enforcement authorities if the applicant comes under final 669
consideration for employment. 670

(15) Any other rules that the board determines necessary for 671
the implementation and enforcement of this chapter. 672

(B) In the rules for ambulances and nontransport vehicles 673
adopted under division (A)(12) of this section, the board may 674
establish requirements that vary according to whether the 675
emergency medical service organization using the vehicles is 676
licensed as a basic life-support, intermediate life-support, 677
advanced life-support, or mobile intensive care unit organization. 678

(C) A mobile intensive care unit that is not dually certified 679
to provide advanced life-support and meets the requirements of the 680
rules adopted under this section is not required to carry 681
immobilization equipment, including board splint kits, traction 682
splints, backboards, backboard straps, cervical immobilization 683
devices, cervical collars, ~~stairchairs~~ stair chairs, folding cots, 684

or other types of immobilization equipment determined by the board 685
to be unnecessary for mobile intensive care units. 686

A mobile intensive care unit is exempt from the emergency 687
medical technician staffing requirements of division (B) of 688
section 4765.43 of the Revised Code when it is staffed by at least 689
one physician or registered nurse and another person, designated 690
by a physician, who holds a valid license or certificate to 691
practice in a health care profession, and when at least one of the 692
persons staffing the mobile intensive care unit is a registered 693
nurse whose training meets or exceeds the training required for a 694
paramedic. 695

Sec. 4766.04. (A) Except as otherwise provided in this 696
chapter, no person shall furnish, operate, conduct, maintain, 697
advertise, engage in, or propose or profess to engage in the 698
business or service in this state of transporting persons who are 699
seriously ill, injured, or otherwise incapacitated or who require 700
the use of a wheelchair or are confined to a wheelchair unless the 701
person is licensed pursuant to this section. 702

(B) To qualify for a license as a basic life-support, 703
intermediate life-support, advanced life-support, or mobile 704
intensive care unit organization, an emergency medical service 705
organization shall do all of the following: 706

(1) Apply for a permit for each ambulance and nontransport 707
vehicle owned or leased as provided in section 4766.07 of the 708
Revised Code; 709

(2) Meet all requirements established in rules adopted by the 710
Ohio medical transportation board regarding ambulances and 711
nontransport vehicles, including requirements pertaining to 712
equipment, communications systems, staffing, and level of care the 713
particular organization is permitted to render; 714

(3) Maintain the appropriate type and amount of insurance as 715
specified in section 4766.06 of the Revised Code; 716

(4) Meet all other requirements established under rules 717
adopted by the board for the particular license. 718

(C) To qualify for a license to provide ambulette service, a 719
nonemergency medical service organization shall do all of the 720
following: 721

(1) Apply for a permit for each ambulette owned or leased as 722
provided in section 4766.07 of the Revised Code; 723

(2) Meet all requirements established in rules adopted by the 724
Ohio medical transportation board regarding ambulettes, including 725
requirements pertaining to equipment, communication systems, 726
staffing, and level of care the organization is permitted to 727
render; 728

(3) Maintain the appropriate type and amount of insurance as 729
specified in section 4766.06 of the Revised Code; 730

(4) Meet all other requirements established under rules 731
adopted by the board for the license. 732

(D) To qualify for a license to provide air medical 733
transportation, ~~an the operator of an~~ air medical ~~service~~ 734
~~organization program~~ shall do all of the following: 735

(1) Apply for a permit for each rotorcraft air ambulance and 736
fixed wing air ambulance owned or leased as provided in section 737
4766.07 of the Revised Code; 738

(2) Meet all requirements established in rules adopted by the 739
Ohio medical transportation board regarding rotorcraft air 740
ambulances and fixed wing air ambulances, including requirements 741
pertaining to equipment, communication systems, staffing, and 742
level of care the ~~organization program~~ is permitted to render; 743

(3) Maintain the appropriate type and amount of insurance as 744

specified in section 4766.06 of the Revised Code; 745

(4) Meet all other requirements established under rules 746
adopted by the board for the license. 747

(E) An emergency medical service organization that applies 748
for a license as a basic life-support, intermediate life-support, 749
advanced life-support, or mobile intensive care unit organization; 750
a nonemergency medical service organization that applies for a 751
license to provide ambulette service; or an operator of an air 752
medical ~~service organization~~ program that applies for a license to 753
provide air medical transportation shall submit a completed 754
application to the board, on a form provided by the board for each 755
particular license, together with the appropriate fees established 756
under section 4766.05 of the Revised Code. The application form 757
shall include all of the following: 758

(1) The name and business address of the operator of the 759
organization or program for which licensure is sought; 760

(2) The name under which the applicant will operate the 761
organization or program; 762

(3) A list of the names and addresses of all officers and 763
directors of the organization or program; 764

(4) For emergency medical service organizations and 765
nonemergency medical service organizations, a description of each 766
vehicle to be used, including the make, model, year of 767
manufacture, mileage, vehicle identification number, and the color 768
scheme, insignia, name, monogram, or other distinguishing 769
characteristics to be used to designate the applicant's vehicle; 770

(5) For air medical ~~service organizations~~ programs using 771
fixed wing air ambulances, a description of each aircraft to be 772
used, including the make, model, year of manufacture, and aircraft 773
Hobbs meter hour reading; 774

(6) For air medical ~~service organizations~~ programs using 775
rotorcraft air ambulances, a description of each aircraft to be 776
used, including the make, model, year of manufacture, aircraft 777
Hobbs meter hour reading, aircraft identification number, and the 778
color scheme, insignia, name, monogram, or other distinguishing 779
characteristics to be used to designate the applicant's rotorcraft 780
air ambulance; 781

(7) The location and description of each place from which the 782
organization or program will operate; 783

(8) A description of the geographic area to be served by the 784
applicant; 785

(9) Any other information the board, by rule, determines 786
necessary. 787

(F) Within sixty days after receiving a completed application 788
for licensure as a basic life-support, intermediate life-support, 789
advanced life-support, or mobile intensive care unit organization; 790
an ambulette service; or an air medical ~~service organization~~ 791
program, the board shall approve or deny the application. The 792
board shall deny an application if it determines that the 793
applicant does not meet the requirements of this chapter or any 794
rules adopted under it. The board shall send notice of the denial 795
of an application by certified mail to the applicant. The 796
applicant may request a hearing within ten days after receipt of 797
the notice. If the board receives a timely request, it shall hold 798
a hearing in accordance with Chapter 119. of the Revised Code. 799

(G) If an applicant or licensee operates or plans to operate 800
an organization in more than one location under the same or 801
different identities, the applicant or licensee shall apply for 802
and meet all requirements for licensure or renewal of a license, 803
other than payment of a license fee or renewal fee, for operating 804
the organization at each separate location. An applicant or 805

licensee that operates or plans to operate under the same 806
organization identity in separate locations shall pay only a 807
single license fee. 808

(H) An emergency medical service organization that wishes to 809
provide ambulette services to the public must apply for a separate 810
license under division (C) of this section. 811

(I) Each license issued under this section and each permit 812
issued under section 4766.07 of the Revised Code expires one year 813
after the date of issuance and may be renewed in accordance with 814
the standard renewal procedures of Chapter 4745. of the Revised 815
Code, ~~except that a license or permit issued in 1998 or in 1999~~ 816
~~prior to June 30, 1999, shall expire two years after the date of~~ 817
~~issuance.~~ An application for renewal shall include the license or 818
permit renewal fee established under section 4766.05 of the 819
Revised Code. An applicant for renewal of a permit also shall 820
submit to the board proof of an annual inspection of the vehicle 821
or aircraft for which permit renewal is sought. The board shall 822
renew a license if the applicant meets the requirements for 823
licensure and shall renew a permit if the applicant and vehicle or 824
aircraft meet the requirements to maintain a permit for that 825
vehicle or aircraft. 826

(J) Each licensee shall maintain accurate records of all 827
service responses conducted. The records shall be maintained on 828
forms prescribed by the board and shall contain information as 829
specified by rule by the board. 830

Sec. 4766.06. (A)(1) Every emergency medical service 831
organization and nonemergency medical service organization 832
licensee under this chapter shall furnish adequate evidence of 833
liability insurance coverage, in an amount of not less than five 834
hundred thousand dollars per occurrence and not less than five 835
hundred thousand dollars in the aggregate, for any cause for which 836

the licensee would be liable. 837

(2) Every ~~operator of an~~ air medical ~~service organization~~ 838
~~licensee~~ program licensed under this chapter shall furnish 839
adequate evidence of liability insurance coverage, in an amount 840
not less than twenty million dollars per occurrence and not less 841
than twenty million dollars in the aggregate, for any cause for 842
which the licensee would be liable. 843

(B) In addition to the insurance requirements of division (A) 844
of this section, every licensee shall carry bodily injury and 845
property damage insurance with solvent and responsible insurers 846
licensed to do business in this state for any loss or damage 847
resulting from any occurrence arising out of or caused by the 848
operation or use of any ambulance, ambulette, rotorcraft air 849
ambulance, fixed wing air ambulance, or nontransport vehicle. The 850
insurance shall insure each vehicle or aircraft for the sum of not 851
less than one hundred thousand dollars for bodily injury to or 852
death of any one person arising out of any one accident and the 853
sum of not less than three hundred thousand dollars for bodily 854
injury to or death of more than one person in any one accident and 855
for the sum of fifty thousand dollars for damage to property 856
arising from any one accident. 857

(C) Each policy or contract of insurance issued shall provide 858
for the payment and satisfaction of any financial judgment entered 859
against the licensee and any person operating the vehicle or 860
aircraft and for a thirty-day cancellation notice to the board. 861

Sec. 4766.07. (A) Each emergency medical service 862
organization, nonemergency medical service organization, and 863
~~operator of an~~ air medical ~~service organization~~ program subject to 864
licensure under this chapter shall possess a valid permit for each 865
ambulance, ambulette, rotorcraft air ambulance, fixed wing air 866

ambulance, and nontransport vehicle it owns or leases that is or 867
will be used by the licensee to perform the services permitted by 868
the license. Each licensee and license applicant shall submit the 869
appropriate fee and an application for a permit for each 870
ambulance, ambulette, rotorcraft air ambulance, fixed wing air 871
ambulance, and nontransport vehicle to the Ohio medical 872
transportation board on forms provided by the board. The 873
application shall include documentation that the vehicle or 874
aircraft meets the appropriate standards set by the board, that 875
the vehicle or aircraft has been inspected pursuant to division 876
(C) of this section, that the permit applicant maintains insurance 877
as provided in section 4766.06 of the Revised Code, and that the 878
vehicle or aircraft and permit applicant meet any other 879
requirements established under rules adopted by the board. 880

(B)(1) Within sixty days after receiving a completed 881
application for a permit, the board shall issue or deny the 882
permit. The board shall deny an application if it determines that 883
the permit applicant, vehicle, or aircraft does not meet the 884
requirements of this chapter and the rules adopted under it that 885
apply to permits for ambulances, ambulettes, rotorcraft air 886
ambulances, fixed wing air ambulances, and nontransport vehicles. 887
The board shall send notice of the denial of an application by 888
certified mail to the permit applicant. The permit applicant may 889
request a hearing within ten days after receipt of the notice. If 890
the board receives a timely request, it shall hold a hearing in 891
accordance with Chapter 119. of the Revised Code. 892

(2) If the board issues the vehicle permit for an ambulance, 893
ambulette, or nontransport vehicle, it also shall issue a decal, 894
in a form prescribed by rule, to be displayed on the rear window 895
of the vehicle. The board shall not issue a decal until all of the 896
requirements for licensure and permit issuance have been met. 897

(3) If the board issues the aircraft permit for a rotorcraft 898
air ambulance or fixed wing air ambulance, it also shall issue a 899
decal, in a form prescribed by rule, to be displayed on the left 900
fuselage aircraft window in a manner that complies with all 901
applicable federal aviation regulations. The board shall not issue 902
a decal until all of the requirements for licensure and permit 903
issuance have been met. 904

(C) In addition to any other requirements that the board 905
establishes by rule, a licensee or license applicant applying for 906
an initial vehicle or aircraft permit under division (A) of this 907
section shall submit to the board the vehicle or aircraft for 908
which the permit is sought. Thereafter, a licensee shall annually 909
submit to the board each vehicle or aircraft for which a permit 910
has been issued. 911

(1) The board shall conduct a physical inspection of an 912
ambulance, ambulette, or nontransport vehicle to determine its 913
roadworthiness and compliance with standard motor vehicle 914
requirements. 915

(2) The board shall conduct a physical inspection of the 916
medical equipment, communication system, and interior of an 917
ambulance to determine the operational condition and safety of the 918
equipment and the ambulance's interior and to determine whether 919
the ambulance is in compliance with the federal requirements for 920
ambulance construction that were in effect at the time the 921
ambulance was manufactured, as specified by the general services 922
administration in the various versions of its publication titled 923
"federal specification for the star-of-life ambulance, 924
KKK-A-1822." 925

(3) The board shall conduct a physical inspection of the 926
equipment, communication system, and interior of an ambulette to 927
determine the operational condition and safety of the equipment 928

and the ambulette's interior and to determine whether the
ambulette is in compliance with state requirements for ambulette
construction. The board shall determine by rule requirements for
the equipment, communication system, interior, and construction of
an ambulette.

(4) The board shall conduct a physical inspection of the
medical equipment, communication system, and interior of a
rotorcraft air ambulance or fixed wing air ambulance to determine
the operational condition and safety of the equipment and the
aircraft's interior.

(5) The board shall issue a certificate to the applicant for
each vehicle or aircraft that passes the inspection and may assess
a fee for each inspection, as established by the board.

(6) The board shall adopt rules regarding the implementation
and coordination of inspections. The rules may permit the board to
contract with a third party to conduct the inspections required of
the board under this section.

Sec. 4766.17. (A) An air medical ~~service organization program~~
licensed under this chapter that uses a rotorcraft air ambulance
shall do both of the following:

(1) Use at a minimum ~~both of the following to provide~~
~~advanced life support to seriously ill, injured, wounded, or~~
~~otherwise incapacitated or helpless individuals who require use of~~
~~a stretcher;~~

~~(a) A paramedic~~ a physician or registered nurse, both as
defined in section 4765.01 of the Revised Code;

~~(b) One, and one other person,~~ designated by the medical
director of the air medical ~~service organization program~~, who
holds a current, valid certificate or license to practice a health
care profession in this state;

(2) Employ as a medical director an individual who holds a
current, valid certificate issued under Chapter 4731. of the
Revised Code ~~authorizing the practice of medicine and surgery or~~
~~osteopathic medicine and surgery.~~

(B) An air medical program licensed under this chapter that
uses a fixed wing air ambulance shall do both of the following:

(1) Use at a minimum a person, designated by the medical
director of the air medical program, who holds a current, valid
certificate or license to practice a health care profession in the
state;

(2) Employ as a medical director a person who holds a
current, valid certificate issued under Chapter 4731. of the
Revised Code.

(C) The medical director employed by a licensed air medical
service organization program pursuant to division (A)(2) of this
section is ultimately responsible for the medical care provided to
each patient by the ~~organization~~ program.

Sec. 4766.20. The Ohio medical transportation board may
create committees to review and make recommendations regarding
medical transportation services provided in this state. A
committee created under this section may receive information about
medical transportation services provided in this state from
emergency medical service organizations, nonemergency medical
service organizations, air medical ~~service organizations~~ programs,
experts in the field of medical transportation, and other entities
or individuals designated by the board.

A committee created under this section shall meet all of the
following requirements:

(A) Be composed of at least one member of the board and any
experts in the field of medical transportation designated by the

board;	989
(B) Not exceed a total of six members;	990
(C) Cease to exist at the pleasure of the board;	991
(D) Meet any other requirements established by the board.	992
Section 2. That existing sections 4765.05, 4765.11, 4765.16,	993
4766.01, 4766.02, 4766.03, 4766.04, 4766.06, 4766.07, 4766.17, and	994
4766.20 of the Revised Code are hereby repealed.	995