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Veterans Affairs Committee**

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Regular Session

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**Representatives Law, Flowers, Coley, Uecker, Patton, S., Bulp, Evans, D.,
Key, Perry, Sayre, Blessing, Book, Brown, DeBose, Distel, Dolan, Domenick,
Driehaus, Fende, Hagan, Harwood, Hughes, Koziura, Martin, McGregor, J.,
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A B I L L

To amend sections 505.38, 737.08, 737.22, 3737.66, 1
4765.01, 4765.04, 4765.49, and 4765.55 of the 2
Revised Code to provide for the adoption of rules 3
governing firefighter training. 4

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

Section 1. That sections 505.38, 737.08, 737.22, 3737.66, 5
4765.01, 4765.04, 4765.49, and 4765.55 of the Revised Code be 6
amended to read as follows: 7

Sec. 505.38. (A) In each township or fire district that has a 8
fire department, the head of the department shall be a fire chief, 9
appointed by the board of township trustees, except that, in a 10
joint fire district, the fire chief shall be appointed by the 11
board of fire district trustees. Neither this section nor any 12
other section of the Revised Code requires, or shall be construed 13

to require, that the fire chief be a resident of the township or 14
fire district. 15

The board shall provide for the employment of firefighters as 16
it considers best and shall fix their compensation. No person 17
shall be appointed as a permanent full-time paid member, whose 18
duties include fire fighting, of the fire department of any 19
township or fire district unless that person has received a 20
certificate issued under former section 3303.07 or section 4765.55 21
of the Revised Code evidencing satisfactory completion of a 22
firefighter training program. Those appointees shall continue in 23
office until removed from office as provided by sections 733.35 to 24
733.39 of the Revised Code. To initiate removal proceedings, and 25
for that purpose, the board shall designate the fire chief or a 26
private citizen to investigate the conduct and prepare the 27
necessary charges in conformity with those sections. 28

In case of the removal of a fire chief or any member of the 29
fire department of a township or fire district, an appeal may be 30
had from the decision of the board to the court of common pleas of 31
the county in which the township or fire district fire department 32
is situated to determine the sufficiency of the cause of removal. 33
The appeal from the findings of the board shall be taken within 34
ten days. 35

No person who is appointed as a volunteer firefighter of the 36
fire department of any township or fire district shall remain in 37
that position unless either of the following applies: 38

(1) Within one year of the appointment, the person has 39
received a certificate issued under former section 3303.07 of the 40
Revised Code or ~~division (C)(1) or (2)~~ of section 4765.55 of the 41
Revised Code evidencing satisfactory completion of a firefighter 42
training program. 43

(2) The person began serving as a permanent full-time paid 44

firefighter with the fire department of a city or village prior to 45
July 2, 1970, or as a volunteer firefighter with the fire 46
department of a city, village, or other township or fire district 47
prior to July 2, 1979, and receives a certificate issued under 48
division (C)(3) of section 4765.55 of the Revised Code. 49

No person shall receive an appointment under this section, in 50
the case of a volunteer firefighter, unless the person has, not 51
more than sixty days prior to receiving the appointment, passed a 52
physical examination, given by a licensed physician, a physician 53
assistant, a clinical nurse specialist, a certified nurse 54
practitioner, or a certified nurse-midwife, showing that the 55
person meets the physical requirements necessary to perform the 56
duties of the position to which the person is appointed as 57
established by the board of township trustees having jurisdiction 58
over the appointment. The appointing authority, prior to making an 59
appointment, shall file with the Ohio police and fire pension fund 60
or the local volunteer fire fighters' dependents fund board a copy 61
of the report or findings of that licensed physician, physician 62
assistant, clinical nurse specialist, certified nurse 63
practitioner, or certified nurse-midwife. The professional fee for 64
the physical examination shall be paid for by the board of 65
township trustees. 66

(B) In each township not having a fire department, the board 67
of township trustees shall appoint a fire prevention officer who 68
shall exercise all of the duties of a fire chief except those 69
involving the maintenance and operation of fire apparatus. The 70
board may appoint one or more deputy fire prevention officers who 71
shall exercise the duties assigned by the fire prevention officer. 72

The board may fix the compensation for the fire prevention 73
officer and the fire prevention officer's deputies as it considers 74
best. The board shall appoint each fire prevention officer and 75
deputy for a one-year term. An appointee may be reappointed at the 76

end of a term to another one-year term. Any appointee may be
removed from office during a term as provided by sections 733.35
to 733.39 of the Revised Code. Section 505.45 of the Revised Code
extends to those officers.

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(C)(1) Division (A) of this section does not apply to any
township that has a population of ten thousand or more persons
residing within the township and outside of any municipal
corporation, that has its own fire department employing ten or
more full-time paid employees, and that has a civil service
commission established under division (B) of section 124.40 of the
Revised Code. The township shall comply with the procedures for
the employment, promotion, and discharge of firefighters provided
by Chapter 124. of the Revised Code, except as otherwise provided
in divisions (C)(2) and (3) of this section.

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(2) The board of township trustees of the township may
appoint the fire chief, and any person so appointed shall be in
the unclassified service under section 124.11 of the Revised Code
and shall serve at the pleasure of the board. Neither this section
nor any other section of the Revised Code requires, or shall be
construed to require, that the fire chief be a resident of the
township. A person who is appointed fire chief under these
conditions and who is removed by the board or resigns from the
position is entitled to return to the classified service in the
township fire department in the position held just prior to the
appointment as fire chief.

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(3) The appointing authority of an urban township, as defined
in section 504.01 of the Revised Code, may appoint to a vacant
position any one of the three highest scorers on the eligible list
for a promotional examination.

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(4) The board of township trustees shall determine the number
of personnel required and establish salary schedules and

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conditions of employment not in conflict with Chapter 124. of the 108
Revised Code. 109

(5) No person shall receive an original appointment as a 110
permanent full-time paid member of the fire department of the 111
township described in this division unless the person has received 112
a certificate issued under former section 3303.07 or section 113
4765.55 of the Revised Code evidencing the satisfactory completion 114
of a firefighter training program. 115

(6) Persons employed as firefighters in the township 116
described in this division on the date a civil service commission 117
is appointed pursuant to division (B) of section 124.40 of the 118
Revised Code, without being required to pass a competitive 119
examination or a firefighter training program, shall retain their 120
employment and any rank previously granted them by action of the 121
board of township trustees or otherwise, but those persons are 122
eligible for promotion only by compliance with Chapter 124. of the 123
Revised Code. 124

Sec. 737.08. (A) The fire department of each city shall be 125
composed of a chief of the fire department and other officers, 126
firefighters, and employees provided for by ordinance. Neither 127
this section nor any other section of the Revised Code requires, 128
or shall be construed to require, that the fire chief be a 129
resident of the city. 130

(B) No person shall be appointed as a permanent full-time 131
paid member, whose duties include fire fighting, of the fire 132
department of any city, unless either of the following applies: 133

(1) The person has received a certificate issued under former 134
section 3303.07 of the Revised Code or ~~division (C)(1) or (2) of~~ 135
section 4765.55 of the Revised Code evidencing satisfactory 136
completion of a firefighter training program. 137

(2) The person began serving as a permanent full-time paid firefighter with the fire department of a village or other city prior to July 2, 1970, and receives a fire training certificate issued under ~~division (C)(3)~~ of section 4765.55 of the Revised Code.

(C) No person who is appointed as a volunteer firefighter of a city fire department shall remain in that position, unless either of the following applies:

(1) Within one year of the appointment, the person has received a certificate issued under former section 3303.07 of the Revised Code or ~~division (C)(1) or (2)~~ of section 4765.55 of the Revised Code evidencing satisfactory completion of a firefighter training program.

(2) The person began serving as a permanent full-time paid firefighter with the fire department of a village or other city prior to July 2, 1970, or as a volunteer firefighter with the fire department of a township, fire district, village, or other city prior to July 2, 1979, and receives a fire training certificate issued under ~~division (C)(3)~~ of section 4765.55 of the Revised Code.

(D) The director of public safety shall have the exclusive management and control of other surgeons, secretaries, clerks, and employees provided for by ordinance or resolution of the legislative authority of the city.

Sec. 737.22. (A) Each village establishing a fire department shall have a fire chief as the department's head, appointed by the mayor with the advice and consent of the legislative authority of the village, who shall continue in office until removed from office as provided by sections 733.35 to 733.39 of the Revised Code. Neither this section nor any other section of the Revised

Code requires, or shall be construed to require, that the fire 168
chief be a resident of the village. 169

In each village not having a fire department, the mayor 170
shall, with the advice and consent of the legislative authority of 171
the village, appoint a fire prevention officer who shall exercise 172
all of the duties of a fire chief except those involving the 173
maintenance and operation of fire apparatus. 174

The legislative authority of the village may fix the 175
compensation it considers best. The appointee shall continue in 176
office until removed from office as provided by sections 733.35 to 177
733.39 of the Revised Code. Section 737.23 of the Revised Code 178
shall extend to the officer. 179

(B) The legislative authority of the village may provide for 180
the appointment of permanent full-time paid firefighters as it 181
considers best and fix their compensation, or for the services of 182
volunteer firefighters, who shall be appointed by the mayor with 183
the advice and consent of the legislative authority, and shall 184
continue in office until removed from office. 185

(1) No person shall be appointed as a permanent full-time 186
paid firefighter of a village fire department, unless either of 187
the following applies: 188

(a) The person has received a certificate issued under former 189
section 3303.07 of the Revised Code or ~~division (C)(1) or (2) of~~ 190
section 4765.55 of the Revised Code evidencing satisfactory 191
completion of a firefighter training program. 192

(b) The person began serving as a permanent full-time paid 193
firefighter with the fire department of a city or other village 194
prior to July 2, 1970, and receives a fire training certificate 195
issued under ~~division (C)(3) of~~ section 4765.55 of the Revised 196
Code. 197

(2) No person who is appointed as a volunteer firefighter of 198
a village fire department shall remain in that position, unless 199
either of the following applies: 200

(a) Within one year of the appointment, the person has 201
received a certificate issued under former section 3303.07 or 202
section 4765.55 of the Revised Code evidencing satisfactory 203
completion of a firefighter training program. 204

(b) The person has served as a permanent full-time paid 205
firefighter with the fire department of a city or other village 206
prior to July 2, 1970, or as a volunteer firefighter with the fire 207
department of a city, township, fire district, or other village 208
prior to July 2, 1979, and receives a certificate issued under 209
division (C)(3) of section 4765.55 of the Revised Code. 210

(3) No person shall receive an appointment under this section 211
unless the person has, not more than sixty days prior to receiving 212
the appointment, passed a physical examination, given by a 213
licensed physician, a physician assistant, a clinical nurse 214
specialist, a certified nurse practitioner, or a certified 215
nurse-midwife, showing that the person meets the physical 216
requirements necessary to perform the duties of the position to 217
which the person is to be appointed as established by the 218
legislative authority of the village. The appointing authority 219
shall, prior to making an appointment, file with the Ohio police 220
and fire pension fund or the local volunteer fire fighters' 221
dependents fund board a copy of the report or findings of that 222
licensed physician, physician assistant, clinical nurse 223
specialist, certified nurse practitioner, or certified 224
nurse-midwife. The professional fee for the physical examination 225
shall be paid for by the legislative authority of the village. 226

Sec. 3737.66. (A) As used in this section, "firefighting 227
agency" and "private fire company" have the same meanings as in 228

section 9.60 of the Revised Code. 229

(B) No person shall claim to the public to be or act as a 230
firefighter, volunteer firefighter, member of a fire department, 231
chief of a fire department, or fire prevention officer unless ~~at~~ 232
~~least one of the following applies:~~ 233

~~(1) The the person is recognized as a firefighter, volunteer 234
firefighter, member of a fire department, member of a private fire 235
company, chief of a fire department, or fire prevention officer by 236
the fire marshal or has received a certificate issued under former 237
section 3303.07 or section 4765.55 of the Revised Code evidencing 238
satisfactory completion of a firefighter training program and has 239
been appointed by the governing board of a firefighting agency or, 240
in the case of a volunteer firefighter, receives such a 241
certificate within one year after appointment by the governing 242
board of a firefighting agency.~~ 243

~~(2) The person is a member of a private fire company and that 244
company is providing fire protection in accordance with division 245
(B), (C), or (D) of section 9.60 of the Revised Code. 246~~

Sec. 4765.01. As used in this chapter: 247

(A) "First responder" means an individual who holds a 248
current, valid certificate issued under section 4765.30 of the 249
Revised Code to practice as a first responder. 250

(B) "Emergency medical technician-basic" or "EMT-basic" means 251
an individual who holds a current, valid certificate issued under 252
section 4765.30 of the Revised Code to practice as an emergency 253
medical technician-basic. 254

(C) "Emergency medical technician-intermediate" or "EMT-I" 255
means an individual who holds a current, valid certificate issued 256
under section 4765.30 of the Revised Code to practice as an 257
emergency medical technician-intermediate. 258

(D) "Emergency medical technician-paramedic" or "paramedic" 259
means an individual who holds a current, valid certificate issued 260
under section 4765.30 of the Revised Code to practice as an 261
emergency medical technician-paramedic. 262

(E) "Ambulance" means any motor vehicle that is used, or is 263
intended to be used, for the purpose of responding to emergency 264
medical situations, transporting emergency patients, and 265
administering emergency medical service to patients before, 266
during, or after transportation. 267

(F) "Cardiac monitoring" means a procedure used for the 268
purpose of observing and documenting the rate and rhythm of a 269
patient's heart by attaching electrical leads from an 270
electrocardiograph monitor to certain points on the patient's body 271
surface. 272

(G) "Emergency medical service" means any of the services 273
described in sections 4765.35, 4765.37, 4765.38, and 4765.39 of 274
the Revised Code that are performed by first responders, emergency 275
medical technicians-basic, emergency medical 276
technicians-intermediate, and paramedics. "Emergency medical 277
service" includes such services performed before or during any 278
transport of a patient, including transports between hospitals and 279
transports to and from helicopters. 280

(H) "Emergency medical service organization" means a public 281
or private organization using first responders, EMTs-basic, 282
EMTs-I, or paramedics, or a combination of first responders, 283
EMTs-basic, EMTs-I, and paramedics, to provide emergency medical 284
services. 285

(I) "Physician" means an individual who holds a current, 286
valid certificate issued under Chapter 4731. of the Revised Code 287
authorizing the practice of medicine and surgery or osteopathic 288
medicine and surgery. 289

(J) "Registered nurse" means an individual who holds a 290
current, valid license issued under Chapter 4723. of the Revised 291
Code authorizing the practice of nursing as a registered nurse. 292

(K) "Volunteer" means a person who provides services either 293
for no compensation or for compensation that does not exceed the 294
actual expenses incurred in providing the services or in training 295
to provide the services. 296

(L) "Emergency medical service personnel" means first 297
responders, emergency medical service technicians-basic, emergency 298
medical service technicians-intermediate, emergency medical 299
service technicians-paramedic, and persons who provide medical 300
direction to such persons. 301

(M) "Hospital" has the same meaning as in section 3727.01 of 302
the Revised Code. 303

(N) "Trauma" or "traumatic injury" means severe damage to or 304
destruction of tissue that satisfies both of the following 305
conditions: 306

(1) It creates a significant risk of any of the following: 307

(a) Loss of life; 308

(b) Loss of a limb; 309

(c) Significant, permanent disfigurement; 310

(d) Significant, permanent disability. 311

(2) It is caused by any of the following: 312

(a) Blunt or penetrating injury; 313

(b) Exposure to electromagnetic, chemical, or radioactive 314
energy; 315

(c) Drowning, suffocation, or strangulation; 316

(d) A deficit or excess of heat. 317

(O) "Trauma victim" or "trauma patient" means a person who 318
has sustained a traumatic injury. 319

(P) "Trauma care" means the assessment, diagnosis, 320
transportation, treatment, or rehabilitation of a trauma victim by 321
emergency medical service personnel or by a physician, nurse, 322
physician assistant, respiratory therapist, physical therapist, 323
chiropractor, occupational therapist, speech-language pathologist, 324
audiologist, or psychologist licensed to practice as such in this 325
state or another jurisdiction. 326

(Q) "Trauma center" means all of the following: 327

(1) Any hospital that is verified by the American college of 328
surgeons as an adult or pediatric trauma center; 329

(2) Any hospital that is operating as an adult or pediatric 330
trauma center under provisional status pursuant to section 331
3727.101 of the Revised Code; 332

(3) Until December 31, 2004, any hospital in this state that 333
is designated by the director of health as a level II pediatric 334
trauma center under section 3727.081 of the Revised Code; 335

(4) Any hospital in another state that is licensed or 336
designated under the laws of that state as capable of providing 337
specialized trauma care appropriate to the medical needs of the 338
trauma patient. 339

(R) "Pediatric" means involving a patient who is less than 340
sixteen years of age. 341

(S) "Adult" means involving a patient who is not a pediatric 342
patient. 343

(T) "Geriatric" means involving a patient who is at least 344
seventy years old or exhibits significant anatomical or 345
physiological characteristics associated with advanced aging. 346

(U) "Air medical organization" means an organization that 347

provides emergency medical services, or transports emergency 348
victims, by means of fixed or rotary wing aircraft. 349

(V) "Emergency care" and "emergency facility" have the same 350
meanings as in section 3727.01 of the Revised Code. 351

(W) "Stabilize," except as it is used in division (B) of 352
section 4765.35 of the Revised Code with respect to the manual 353
stabilization of fractures, has the same meaning as in section 354
1753.28 of the Revised Code. 355

(X) "Transfer" has the same meaning as in section 1753.28 of 356
the Revised Code. 357

(Y) "Firefighter" means any member of a fire department as 358
defined in section 742.01 of the Revised Code. 359

(Z) "Volunteer firefighter" has the same meaning as in 360
section 146.01 of the Revised Code. 361

(AA) "Part-time paid firefighter" means a person who provides 362
firefighting services on less than a full-time basis, is routinely 363
scheduled to be present on site at a fire station or other 364
designated location for purposes of responding to a fire or other 365
emergency, and receives more than nominal compensation for the 366
provision of firefighting services. 367

Sec. 4765.04. (A) The firefighter and fire safety inspector 368
training committee of the state board of emergency medical 369
services is hereby created and shall consist of the members of the 370
board who are chiefs of fire departments, and the members of the 371
board who are emergency medical technicians-basic, emergency 372
medical technicians-intermediate, and emergency medical 373
technicians-paramedic appointed from among persons nominated by 374
the Ohio association of professional fire fighters or the northern 375
Ohio fire fighters and from among persons nominated by the Ohio 376
state firefighter's association. Each member of the committee, 377

except the chairperson, may designate a person with fire 378
experience to serve in that member's place. The members of the 379
committee or their designees shall select a chairperson from among 380
the members or their designees. 381

The committee may conduct investigations in the course of 382
discharging its duties under this chapter. In the course of an 383
investigation, the committee may issue subpoenas. If a person 384
subpoenaed fails to comply with the subpoena, the committee may 385
authorize its chairperson to apply to the court of common pleas in 386
the county where the person to be subpoenaed resides for an order 387
compelling compliance in the same manner as compliance with a 388
subpoena issued by the court is compelled. 389

(B) The trauma committee of the state board of emergency 390
medical services is hereby created and shall consist of the 391
following members appointed by the director of public safety: 392

(1) A physician who is certified by the American board of 393
surgery or American osteopathic board of surgery and actively 394
practices general trauma surgery, appointed from among three 395
persons nominated by the Ohio chapter of the American college of 396
surgeons, three persons nominated by the Ohio state medical 397
association, and three persons nominated by the Ohio osteopathic 398
association; 399

(2) A physician who is certified by the American board of 400
surgery or the American osteopathic board of surgery and actively 401
practices orthopedic trauma surgery, appointed from among three 402
persons nominated by the Ohio orthopedic society and three persons 403
nominated by the Ohio osteopathic association; 404

(3) A physician who is certified by the American board of 405
neurological surgeons or the American osteopathic board of surgery 406
and actively practices neurosurgery on trauma victims, appointed 407
from among three persons nominated by the Ohio state neurological 408

society and three persons nominated by the Ohio osteopathic
association; 409
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(4) A physician who is certified by the American board of 411
surgeons or American osteopathic board of surgeons and actively 412
specializes in treating burn victims, appointed from among three 413
persons nominated by the Ohio chapter of the American college of 414
surgeons and three persons nominated by the Ohio osteopathic 415
association; 416

(5) A dentist who is certified by the American board of oral 417
and maxillofacial surgery and actively practices oral and 418
maxillofacial surgery, appointed from among three persons 419
nominated by the Ohio dental association; 420

(6) A physician who is certified by the American board of 421
physical medicine and rehabilitation or American osteopathic board 422
of rehabilitation medicine and actively provides rehabilitative 423
care to trauma victims, appointed from among three persons 424
nominated by the Ohio society of physical medicine and 425
rehabilitation and three persons nominated by the Ohio osteopathic 426
association; 427

(7) A physician who is certified by the American board of 428
surgery or American osteopathic board of surgery with special 429
qualifications in pediatric surgery and actively practices 430
pediatric trauma surgery, appointed from among three persons 431
nominated by the Ohio chapter of the American academy of 432
pediatrics and three persons nominated by the Ohio osteopathic 433
association; 434

(8) A physician who is certified by the American board of 435
emergency medicine or American osteopathic board of emergency 436
medicine, actively practices emergency medicine, and is actively 437
involved in emergency medical services, appointed from among three 438
persons nominated by the Ohio chapter of the American college of 439

emergency physicians and three persons nominated by the Ohio 440
osteopathic association; 441

(9) A physician who is certified by the American board of 442
pediatrics, American osteopathic board of pediatrics, or American 443
board of emergency medicine, is sub-boarded in pediatric emergency 444
medicine, actively practices pediatric emergency medicine, and is 445
actively involved in emergency medical services, appointed from 446
among three persons nominated by the Ohio chapter of the American 447
academy of pediatrics, three persons nominated by the Ohio chapter 448
of the American college of emergency physicians, and three persons 449
nominated by the Ohio osteopathic association; 450

(10) A physician who is certified by the American board of 451
surgery, American osteopathic board of surgery, or American board 452
of emergency medicine and is the chief medical officer of an air 453
medical organization, appointed from among three persons nominated 454
by the Ohio association of air medical services; 455

(11) A coroner or medical examiner appointed from among three 456
people nominated by the Ohio state coroners' association; 457

(12) A registered nurse who actively practices trauma nursing 458
at an adult or pediatric trauma center, appointed from among three 459
persons nominated by the Ohio association of trauma nurse 460
coordinators; 461

(13) A registered nurse who actively practices emergency 462
nursing and is actively involved in emergency medical services, 463
appointed from among three persons nominated by the Ohio chapter 464
of the emergency nurses' association; 465

(14) The chief trauma registrar of an adult or pediatric 466
trauma center, appointed from among three persons nominated by the 467
alliance of Ohio trauma registrars; 468

(15) The administrator of an adult or pediatric trauma 469

center, appointed from among three persons nominated by OHA: the 470
association for hospitals and health systems, three persons 471
nominated by the Ohio osteopathic association, three persons 472
nominated by the association of Ohio children's hospitals, and 473
three persons nominated by the health forum of Ohio; 474

(16) The administrator of a hospital that is not a trauma 475
center and actively provides emergency care to adult or pediatric 476
trauma patients, appointed from among three persons nominated by 477
OHA: the association for hospitals and health systems, three 478
persons nominated by the Ohio osteopathic association, three 479
persons nominated by the association of Ohio children's hospitals, 480
and three persons nominated by the health forum of Ohio; 481

(17) The operator of an ambulance company that actively 482
provides trauma care to emergency patients, appointed from among 483
three persons nominated by the Ohio ambulance association; 484

(18) The chief of a fire department that actively provides 485
trauma care to emergency patients, appointed from among three 486
persons nominated by the Ohio fire chiefs' association; 487

(19) An EMT or paramedic who is certified under this chapter 488
and actively provides trauma care to emergency patients, appointed 489
from among three persons nominated by the Ohio association of 490
professional firefighters, three persons nominated by the northern 491
Ohio fire fighters, three persons nominated by the Ohio state 492
firefighters' association, and three persons nominated by the Ohio 493
association of emergency medical services; 494

(20) A person who actively advocates for trauma victims, 495
appointed from three persons nominated by the Ohio brain injury 496
association and three persons nominated by the governor's council 497
on people with disabilities; 498

(21) A physician or nurse who has substantial administrative 499
responsibility for trauma care provided in or by an adult or 500

pediatric trauma center, appointed from among three persons 501
nominated by OHA: the association for hospitals and health 502
systems, three persons nominated by the Ohio osteopathic 503
association, three persons nominated by the association of Ohio 504
children's hospitals, and three persons nominated by the health 505
forum of Ohio; 506

(22) Three representatives of hospitals that are not trauma 507
centers and actively provide emergency care to trauma patients, 508
appointed from among three persons nominated by OHA: the 509
association for hospitals and health systems, three persons 510
nominated by the Ohio osteopathic association, three persons 511
nominated by the association of Ohio children's hospitals, and 512
three persons nominated by the health forum of Ohio. The 513
representatives may be hospital administrators, physicians, 514
nurses, or other clinical professionals. 515

Members of the committee shall have substantial experience in 516
the categories they represent, shall be residents of this state, 517
and may be members of the state board of emergency medical 518
services. In appointing members of the committee, the director 519
shall attempt to include members representing urban and rural 520
areas, various geographical areas of the state, and various 521
schools of training. The director shall not appoint to the 522
committee more than one member who is employed by or practices at 523
the same hospital, health system, or emergency medical service 524
organization. 525

The director may refuse to appoint any of the persons 526
nominated by an organization or organizations under this division. 527
In that event, the organization or organizations shall continue to 528
nominate the required number of persons until the director 529
appoints to the committee one or more of the persons nominated by 530
the organization or organizations. 531

Initial appointments to the committee shall be made by the 532
director not later than ninety days after November 3, 2000. 533
Members of the committee shall serve at the pleasure of the 534
director, except that any member of the committee who ceases to be 535
qualified for the position to which the member was appointed shall 536
cease to be a member of the committee. Vacancies on the committee 537
shall be filled in the same manner as original appointments. 538

The members of the committee shall serve without compensation 539
but shall be reimbursed for actual and necessary expenses incurred 540
in carrying out duties as members of the committee. 541

The committee shall select a chairperson and vice-chairperson 542
from among its members. A majority of all members of the committee 543
shall constitute a quorum. No action shall be taken without the 544
concurrence of a majority of all members of the committee. The 545
committee shall meet at the call of the chair, upon written 546
request of five members of the committee, and at the direction of 547
the state board of emergency medical services. The committee shall 548
not meet at times or locations that conflict with meetings of the 549
board. The executive director and medical director of the state 550
board of emergency medical services may participate in any meeting 551
of the committee and shall do so at the request of the committee. 552

The committee shall advise and assist the state board of 553
emergency medical services in matters related to adult and 554
pediatric trauma care and the establishment and operation of the 555
state trauma registry. In matters relating to the state trauma 556
registry, the board and the committee shall consult with trauma 557
registrars from adult and pediatric trauma centers in the state. 558
The committee may appoint a subcommittee to advise and assist with 559
the trauma registry. The subcommittee may include persons with 560
expertise relevant to the trauma registry who are not members of 561
the board or committee. 562

(C) The state board of emergency medical services may appoint 563
other committees and subcommittees as it considers necessary. 564

(D) The state board of emergency medical services, and any of 565
its committees or subcommittees, may request assistance from any 566
state agency. The board and its committees and subcommittees may 567
permit persons who are not members of those bodies to participate 568
in deliberations of those bodies, but no person who is not a 569
member of the board shall vote on the board and no person who is 570
not a member of a committee created under division (A) or (B) of 571
this section shall vote on that committee. 572

(E) Sections 101.82 to 101.87 of the Revised Code do not 573
apply to the committees established under division (A) or (B) of 574
this section. 575

Sec. 4765.49. (A) A first responder, emergency medical 576
technician-basic, emergency medical technician-intermediate, or 577
emergency medical technician-paramedic is not liable in damages in 578
a civil action for injury, death, or loss to person or property 579
resulting from the individual's administration of emergency 580
medical services, unless the services are administered in a manner 581
that constitutes willful or wanton misconduct. A physician or 582
registered nurse designated by a physician, who is advising or 583
assisting in the emergency medical services by means of any 584
communication device or telemetering system, is not liable in 585
damages in a civil action for injury, death, or loss to person or 586
property resulting from the individual's advisory communication or 587
assistance, unless the advisory communication or assistance is 588
provided in a manner that constitutes willful or wanton 589
misconduct. Medical directors and members of cooperating physician 590
advisory boards of emergency medical service organizations are not 591
liable in damages in a civil action for injury, death, or loss to 592
person or property resulting from their acts or omissions in the 593

performance of their duties, unless the act or omission 594
constitutes willful or wanton misconduct. 595

(B) A political subdivision, joint ambulance district, joint 596
emergency medical services district, or other public agency, and 597
any officer or employee of a public agency or of a private 598
organization operating under contract or in joint agreement with 599
one or more political subdivisions, that provides emergency 600
medical services, or that enters into a joint agreement or a 601
contract with the state, any political subdivision, joint 602
ambulance district, or joint emergency medical services district 603
for the provision of emergency medical services, is not liable in 604
damages in a civil action for injury, death, or loss to person or 605
property arising out of any actions taken by a first responder, 606
EMT-basic, EMT-I, or paramedic working under the officer's or 607
employee's jurisdiction, or for injury, death, or loss to person 608
or property arising out of any actions of licensed medical 609
personnel advising or assisting the first responder, EMT-basic, 610
EMT-I, or paramedic, unless the services are provided in a manner 611
that constitutes willful or wanton misconduct. 612

(C) A student who is enrolled in an emergency medical 613
services training program accredited under section 4765.17 of the 614
Revised Code or an emergency medical services continuing education 615
program approved under that section is not liable in damages in a 616
civil action for injury, death, or loss to person or property 617
resulting from either of the following: 618

(1) The student's administration of emergency medical 619
services or patient care or treatment, if the services, care, or 620
treatment is administered while the student is under the direct 621
supervision and in the immediate presence of an EMT-basic, EMT-I, 622
paramedic, registered nurse, or physician and while the student is 623
receiving clinical training that is required by the program, 624
unless the services, care, or treatment is provided in a manner 625

that constitutes willful or wanton misconduct; 626

(2) The student's training as an ambulance driver, unless the 627
driving is done in a manner that constitutes willful or wanton 628
misconduct. 629

(D) An EMT-basic, EMT-I, paramedic, or other operator, who 630
holds a valid commercial driver's license issued pursuant to 631
Chapter 4506. of the Revised Code or driver's license issued 632
pursuant to Chapter 4507. of the Revised Code and who is employed 633
by an emergency medical service organization that is not owned or 634
operated by a political subdivision as defined in section 2744.01 635
of the Revised Code, is not liable in damages in a civil action 636
for injury, death, or loss to person or property that is caused by 637
the operation of an ambulance by the EMT-basic, EMT-I, paramedic, 638
or other operator while responding to or completing a call for 639
emergency medical services, unless the operation constitutes 640
willful or wanton misconduct or does not comply with the 641
precautions of section 4511.03 of the Revised Code. An emergency 642
medical service organization is not liable in damages in a civil 643
action for any injury, death, or loss to person or property that 644
is caused by the operation of an ambulance by its employee or 645
agent, if this division grants the employee or agent immunity from 646
civil liability for the injury, death, or loss. 647

(E) An employee or agent of an emergency medical service 648
organization who receives requests for emergency medical services 649
that are directed to the organization, dispatches first 650
responders, EMTs-basic, EMTs-I, or paramedics in response to those 651
requests, communicates those requests to those employees or agents 652
of the organization who are authorized to dispatch first 653
responders, EMTs-basic, EMTs-I, or paramedics, or performs any 654
combination of these functions for the organization, is not liable 655
in damages in a civil action for injury, death, or loss to person 656
or property resulting from the individual's acts or omissions in 657

the performance of those duties for the organization, unless an
act or omission constitutes willful or wanton misconduct.

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(F) A person who is performing the functions of a first
responder, EMT-basic, EMT-I, or paramedic under the authority of
the laws of a state that borders this state and who provides
emergency medical services to or transportation of a patient in
this state is not liable in damages in a civil action for injury,
death, or loss to person or property resulting from the person's
administration of emergency medical services, unless the services
are administered in a manner that constitutes willful or wanton
misconduct. A physician or registered nurse designated by a
physician, who is licensed to practice in the adjoining state and
who is advising or assisting in the emergency medical services by
means of any communication device or telemetering system is not
liable in damages in a civil action for injury, death, or loss to
person or property resulting from the person's advisory
communication or assistance, unless the advisory communication or
assistance is provided in a manner that constitutes willful or
wanton misconduct.

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(G) A person certified under section 4765.23 of the Revised
Code to teach in an emergency medical services training program or
emergency medical services continuing education program, and a
person who teaches at the Ohio fire academy established under
section 3737.33 of the Revised Code or in a fire service training
program described in division ~~(B)~~(A) of section 4765.55 of the
Revised Code, is not liable in damages in a civil action for
injury, death, or loss to person or property resulting from the
person's acts or omissions in the performance of the person's
duties, unless an act or omission constitutes willful or wanton
misconduct.

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(H) In the accreditation of emergency medical services
training programs or approval of emergency medical services

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continuing education programs, the state board of emergency
medical services and any person or entity authorized by the board
to evaluate applications for accreditation or approval are not
liable in damages in a civil action for injury, death, or loss to
person or property resulting from their acts or omissions in the
performance of their duties, unless an act or omission constitutes
willful or wanton misconduct.

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(I) A person authorized by an emergency medical service
organization to review the performance of first responders,
EMTs-basic, EMTs-I, and paramedics or to administer quality
assurance programs is not liable in damages in a civil action for
injury, death, or loss to person or property resulting from the
person's acts or omissions in the performance of the person's
duties, unless an act or omission constitutes willful or wanton
misconduct.

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Sec. 4765.55. (A) ~~This section does not apply to a
cooperative education school district.~~

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~~(B)~~ The executive director of the state board of emergency
medical services ~~shall~~, with the advice and counsel of the
firefighter and fire safety inspector training committee of the
state board of emergency medical services, shall assist in the
establishment and maintenance by any state agency, or any county,
township, city, village, school district, or educational service
center of a fire service training program for the training of all
paid and persons in positions of any fire training certification
level approved by the executive director, including full-time paid
firefighters, part-time paid firefighters, volunteer firefighters
and, fire safety inspectors in this state. The executive director,
with the advice and counsel of the committee, shall adopt
~~standards~~ rules to regulate ~~such~~ those firefighter and fire safety
inspector training programs, and other training programs approved

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by the executive director. The ~~standards~~ rules may include, but 721
need not be limited to, ~~provisions for minimum courses of study~~ 722
training curriculum, certification examinations, training 723
schedules, minimum hours of instruction, attendance requirements, 724
required equipment and facilities, ~~qualifications of instructors,~~ 725
basic physical requirements, and methods of training for all 726
persons in positions of any fire training certification level 727
approved by the executive director, including full-time paid 728
firefighters, part-time paid firefighters, volunteer firefighters, 729
and fire safety inspectors, ~~and training schedules.~~ The ~~standards~~ 730
rules adopted to regulate training programs for volunteer 731
firefighters shall not require more than thirty-six hours of 732
training. The 733

The executive director, with the advice and counsel of the 734
committee, shall provide for the classification and chartering of 735
~~such~~ fire service training programs in accordance with rules 736
adopted under division (B) of this section, and may ~~revoke~~ take 737
action against any ~~charter~~ chartered training program or 738
applicant, in accordance with rules adopted under divisions (B)(4) 739
and (5) of this section, for failure to meet standards set by the 740
adopted rules. 741

~~(C)~~(B) The executive director, with the advice and counsel of 742
the firefighter and fire safety inspector training committee of 743
the state board of emergency medical services, shall adopt, and 744
may amend or rescind, rules under Chapter 119. of the Revised Code 745
that establish all of the following: 746

(1) Requirements for, and procedures for chartering, the 747
training programs regulated by this section; 748

(2) Requirements for, and requirements and procedures for 749
obtaining and renewing, an instructor certificate to teach the 750
training programs and continuing education classes regulated by 751
this section; 752

<u>(3) Requirements for, and requirements and procedures for</u>	753
<u>obtaining and renewing, any of the fire training certificates</u>	754
<u>regulated by this section;</u>	755
<u>(4) Grounds and procedures for suspending, revoking,</u>	756
<u>restricting, or refusing to issue or renew any of the certificates</u>	757
<u>or charters regulated by this section, which grounds shall be</u>	758
<u>limited to one of the following:</u>	759
<u>(a) Failure to satisfy the education or training requirements</u>	760
<u>of this section;</u>	761
<u>(b) Conviction of a felony offense;</u>	762
<u>(c) Conviction of a misdemeanor involving moral turpitude;</u>	763
<u>(d) Conviction of a misdemeanor committed in the course of</u>	764
<u>practice;</u>	765
<u>(e) In the case of a chartered training program or applicant,</u>	766
<u>failure to meet standards set by the rules adopted under this</u>	767
<u>division.</u>	768
<u>(5) Grounds and procedures for imposing and collecting fines,</u>	769
<u>not to exceed one thousand dollars, in relation to actions taken</u>	770
<u>under division (B)(4) of this section against persons holding</u>	771
<u>certificates and charters regulated by this section, the fines to</u>	772
<u>be deposited into the trauma and emergency medical services fund</u>	773
<u>established under section 4513.263 of the Revised Code;</u>	774
<u>(6) Continuing education requirements for certificate</u>	775
<u>holders, including a requirement that credit shall be granted for</u>	776
<u>in-service training programs conducted by local entities;</u>	777
<u>(7) Procedures for considering the granting of an extension</u>	778
<u>or exemption of fire service continuing education requirements;</u>	779
<u>(8) Certification cycles for which the certificates and</u>	780
<u>charters regulated by this section are valid.</u>	781

(C) The executive director, with the advice and counsel of the firefighter and fire safety inspector training committee of the state board of emergency medical services, shall issue or renew an instructor certificate to teach the training programs and continuing education classes regulated by this section to any applicant that the executive director determines meets the qualifications established in rules adopted under division (B) of this section, and may take disciplinary action against an instructor certificate holder or applicant in accordance with rules adopted under division (B) of this section. The executive director, with the advice and counsel of the committee, shall charter or renew the charter of any training program that the executive director determines meets the qualifications established in rules adopted under division (B) of this section, and may take disciplinary action against the holder of a charter in accordance with rules adopted under division (B) of this section.

(D) The executive director shall issue or renew a fire training certificate for a firefighter, a fire safety inspector, or another position of any fire training certification level approved by the executive director, to any applicant that the executive director determines meets the qualifications established in rules adopted under division (B) of this section and may take disciplinary actions against a certificate holder or applicant in accordance with rules adopted under division (B) of this section.

(E) Certificates issued under this ~~division~~ section shall be on a form prescribed by the executive director, with the advice and counsel of the firefighter and fire safety inspector training committee of the state board of emergency medical services.

~~(1) The executive director shall issue a certificate to each person satisfactorily completing a chartered training program.~~

~~(2)~~(F)(1) The executive director, with the ~~committee's~~ advice

and counsel of the firefighter and fire safety inspector training 813
committee of the state board of emergency medical services, shall 814
establish criteria for evaluating the standards maintained by 815
other states and the branches of the United States military for 816
firefighter, fire safety inspector, and fire instructor training 817
programs, and other training programs recognized by the executive 818
director, to determine whether the standards are equivalent to 819
those established under this section and shall establish 820
requirements and procedures for issuing a certificate to each 821
person who presents proof to the executive director of having 822
satisfactorily completed a training program that meets those 823
standards. 824

~~(3)~~(2) The executive director, with the committee's advice 825
and counsel, shall ~~establish~~ adopt rules establishing requirements 826
and procedures for issuing a fire training certificate in lieu of 827
completing a chartered ~~firefighter~~ training program ~~to any person~~ 828
~~requesting a certificate who began serving as a permanent~~ 829
~~full-time paid firefighter with the fire department of a city or~~ 830
~~village prior to July 2, 1970, or as a volunteer firefighter with~~ 831
~~the fire department of a township, fire district, city, or village~~ 832
~~prior to July 2, 1979.~~ 833

~~(D)~~(G) Nothing in this section invalidates any other section 834
of the Revised Code relating to the fire training academy. Section 835
4765.11 of the Revised Code does not affect any powers and duties 836
granted to the executive director under this section. 837

Section 2. That existing sections 505.38, 737.08, 737.22, 838
3737.66, 4765.01, 4765.04, 4765.49, and 4765.55 of the Revised 839
Code are hereby repealed. 840

Section 3. The Executive Director of the State Board of 841
Emergency Medical Services shall adopt the rules required by this 842

act within twelve months after the act's effective date. The 843
Executive Director shall phase in the renewal of current 844
certificates over a twelve-month period following the rules' 845
effective date in accordance with a schedule determined by the 846
Executive Director. 847

Section 4. Section 505.38 of the Revised Code is presented in 848
this act as a composite of the section as amended by both Am. H.B. 849
515 and Sub. S.B. 245 of the 124th General Assembly. The General 850
Assembly, applying the principle stated in division (B) of section 851
1.52 of the Revised Code that amendments are to be harmonized if 852
reasonably capable of simultaneous operation, finds that the 853
composite is the resulting version of the section in effect prior 854
to the effective date of the section as presented in this act. 855
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