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Representatives Carey, Peterson

Cosponsors: Representatives Balderson, Combs, Kozlowski, Slaby, Hollington, Maag, Antonio, Boose, Grossman, Derickson, Amstutz, DeGeeter, Ruhl, Anielski, Baker, Barnes, Beck, Blair, Blessing, Bubp, Butler, Carney, Clyde, Fedor, Fende, Gardner, Garland, Gentile, Gerberry, Gonzales, Goyal, Hackett, Hagan, C., Hall, Hottinger, Johnson, Letson, Luckie, Lundy, Mallory, McClain, Mecklenborg, Milkovich, Newbold, O'Brien, Patmon, Phillips, Roegner, Rosenberger, Sears, Sprague, Stebelton, Stinziano, Thompson, Uecker, Wachtmann, Weddington, Williams, Winburn, Young

Speaker Batchelder

Senators Patton, Coley, Schiavoni, Turner, Wilson, Bacon, Daniels, Hite, Hughes, LaRose, Manning, Obhof, Sawyer, Schaffer, Stewart, Tavares

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A B I L L

To amend sections 505.44, 505.84, 3743.75, 4765.07, 1
4765.43, and 4766.03, to enact sections 505.441 2
and 4765.011, and to repeal section 4765.431 of 3
the Revised Code to revise the requirements for 4
staffing ambulances and the priorities for 5
distributing grants for emergency medical 6
services, and to specify additional titles to be 7
used by emergency medical service personnel; and 8
extends until December 15, 2015, a moratorium on 9
issuing fireworks manufacturer and wholesaler 10
licenses. 11

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

Section 1. That sections 505.44, 505.84, 3743.75, 4765.07, 12
4765.43, and 4766.03 be amended and sections 505.441 and 4765.011 13
of the Revised Code be enacted to read as follows: 14

Sec. 505.44. As used in this section: 15

(A) "Emergency medical service organization" has the same 16
meaning as in section 4765.01 of the Revised Code. 17

(B) "State agency" means all departments, boards, offices, 18
commissions, agencies, colleges, universities, institutions, and 19
other instrumentalities of this or another state. 20

In order to obtain the services of ambulance service 21
organizations, to obtain additional services from ambulance 22
service organizations in times of emergency, to obtain the 23
services of emergency medical service organizations, or, if the 24
township is located in a county with a population of forty 25
thousand or less, to obtain the services of nonemergency patient 26
transport service organizations, a township may enter into a 27
contract with one or more state agencies, townships, municipal 28
corporations, counties, nonprofit corporations, joint emergency 29
medical services districts, fire and ambulance districts, or 30
private ambulance owners, regardless of whether such state 31
agencies, townships, municipal corporations, counties, nonprofit 32
corporations, joint emergency medical services districts, fire and 33
ambulance districts, or private ambulance owners are located 34
within or outside the state, upon such terms as are agreed to by 35
them, to furnish or receive services from ambulance or emergency 36
medical service organizations or, if the township is located in a 37
county with a population of forty thousand or less, to furnish or 38
receive services from nonemergency patient transport service 39

organizations, or may enter into a contract for the interchange of 40
services from ambulance or emergency medical service organizations 41
or, if the township is located in a county with a population of 42
forty thousand or less, the interchange of services from 43
nonemergency patient transport service organizations, within the 44
several territories of the contracting parties, if the contract is 45
first authorized by the respective boards of township trustees, 46
the other legislative bodies, or the officer or body authorized to 47
contract on behalf of the state agency. Such contracts shall not 48
be entered into with a state agency or nonprofit corporation that 49
receives more than half of its operating funds from governmental 50
entities with the intention of directly competing with the 51
operation of other ambulance, emergency medical, or nonemergency 52
patient transport service organizations in the township unless the 53
state agency or nonprofit corporation is awarded the contract 54
after submitting the lowest and best bid to the board of township 55
trustees. 56

The contract may provide for ~~a fixed annual charge to be paid~~ 57
~~at the times agreed upon and stipulated in the contract, or for~~ 58
~~compensation based upon a stipulated price for each run, call, or~~ 59
~~emergency, or such terms as the elapsed time of service required~~ 60
~~in such run, call, or emergency, or any combination thereof~~ 61
parties may agree. 62

Any township wishing to commence providing or wishing to 63
enter into a contract for the first time to furnish or obtain 64
services from nonemergency patient transport service organizations 65
on or after March 1, 1993, including a township in which a private 66
provider has been providing the service, shall demonstrate the 67
need for public funding for the service to, and obtain approval 68
from, the state board of emergency medical services or its 69
immediate successor board prior to the establishment of a 70
township-operated or township-funded service. 71

Sec. 505.441. (A) As used in this section, "run" includes a
call and an emergency to which a contracting party responds under
a contract executed pursuant to section 505.44 of the Revised
Code.

(B) A township that enters into a contract with another party
for services pursuant to section 505.44 of the Revised Code may
provide in the contract that the contracting party shall collect
and retain any fee that the township may charge for each run
involving ambulance service, emergency medical service, or
nonemergency patient transport service. The contract shall require
that once each month, the contracting party shall provide the
township with a written report that shall include for the previous
month the number of runs the contracting party made in the
township, the amount that was billed for each run, and the amount
received for each run from the person that was billed for that
particular run. The report also shall include the total amount
collected that calendar year to date and the total amount
outstanding that calendar year to date.

Sec. 505.84. As used in this section, "authorized medicare
reimbursement rate" means such rate established for the locality
under Title XVIII of the "Social Security Act," 49 Stat. 620
(1935), 42 U.S.C.A. 301, as amended.

A board of township trustees may establish reasonable charges
for the use of fire and rescue services, ambulance services, or
emergency medical services. The board may establish different
charges for township residents and nonresidents, and may, in its
discretion, waive all or part of the charge for any resident. The
charge for ambulance transportation for nonresidents shall be an
amount not less than the authorized medicare reimbursement rate,
except that, if prior to September 9, 1988, the board had
different charges for residents and nonresidents and the charge

for nonresidents was less than the authorized medicare 103
reimbursement rate, the board may charge nonresidents less than 104
the authorized medicare reimbursement rate. 105

~~Charges~~ Except as provided in section 505.441 of the Revised 106
Code, charges collected under this section shall be kept in a 107
separate fund designated as "the fire and rescue services, 108
ambulance services, and emergency medical services fund," and 109
shall be appropriated and administered by the board. The fund 110
shall be used for the payment of the costs of the management, 111
maintenance, and operation of fire and rescue services, ambulance 112
services, and emergency medical services in the township. If the 113
fire and rescue services, ambulance services, and emergency 114
medical services are discontinued in the township, any balance 115
remaining in the fund shall be paid into the general fund of the 116
township. 117

Sec. 3743.75. (A) During the period beginning on June 29, 118
2001, and ending on December 15, ~~2011~~ 2015, the state fire marshal 119
shall not do any of the following: 120

(1) Issue a license as a manufacturer of fireworks under 121
sections 3743.02 and 3743.03 of the Revised Code to a person for a 122
particular fireworks plant unless that person possessed such a 123
license for that fireworks plant immediately prior to June 29, 124
2001; 125

(2) Issue a license as a wholesaler of fireworks under 126
sections 3743.15 and 3743.16 of the Revised Code to a person for a 127
particular location unless that person possessed such a license 128
for that location immediately prior to June 29, 2001; 129

(3) Except as provided in division (B) of this section, 130
approve the geographic transfer of a license as a manufacturer or 131
wholesaler of fireworks issued under this chapter to any location 132
other than a location for which a license was issued under this 133

chapter immediately prior to June 29, 2001. 134

(B) Division (A)(3) of this section does not apply to a 135
transfer that the state fire marshal approves under division (F) 136
of section 3743.17 of the Revised Code. 137

(C) Notwithstanding section 3743.59 of the Revised Code, the 138
prohibited activities established in divisions (A)(1) and (2) of 139
this section, geographic transfers approved pursuant to division 140
(F) of section 3743.17 of the Revised Code, and storage locations 141
allowed pursuant to division (I) of section 3743.04 of the Revised 142
Code or division (G) of section 3743.17 of the Revised Code are 143
not subject to any variance, waiver, or exclusion. 144

(D) As used in division (A) of this section: 145

(1) "Person" includes any person or entity, in whatever form 146
or name, that acquires possession of a manufacturer or wholesaler 147
of fireworks license issued pursuant to this chapter by transfer 148
of possession of a license, whether that transfer occurs by 149
purchase, assignment, inheritance, bequest, stock transfer, or any 150
other type of transfer, on the condition that the transfer is in 151
accordance with division (D) of section 3743.04 of the Revised 152
Code or division (D) of section 3743.17 of the Revised Code and is 153
approved by the fire marshal. 154

(2) "Particular location" includes a licensed premises and, 155
regardless of when approved, any storage location approved in 156
accordance with section 3743.04 or 3743.17 of the Revised Code. 157

(3) "Such a license" includes a wholesaler of fireworks 158
license that was issued in place of a manufacturer of fireworks 159
license that existed prior to June 29, 2001, and was requested to 160
be canceled by the license holder pursuant to division (D) of 161
section 3743.03 of the Revised Code. 162

Sec. 4765.011. (A) With respect to the following individuals 163

who receive certificates to practice issued under this chapter, 164
all of the following apply: 165

(1) A first responder shall be also known as an emergency 166
medical responder or EMR; 167

(2) An emergency medical technician-basic or EMT-basic shall 168
be also known as an emergency medical technician or EMT, 169
respectively; 170

(3) An emergency medical technician-intermediate or EMT-I 171
shall be also known as an advanced emergency medical technician or 172
AEMT, respectively. 173

(B) With respect to the provisions of this chapter and all 174
other provisions of the Revised Code that refer to the individuals 175
specified in division (A) of this section, all of the following 176
apply: 177

(1) A reference to a first responder is deemed to be a 178
reference to an emergency medical responder or EMR; 179

(2) A reference to an emergency medical technician-basic or 180
EMT-basic is deemed to be a reference to an emergency medical 181
technician or EMT, respectively; 182

(3) A reference to an emergency medical 183
technician-intermediate or EMT-I is deemed to be a reference to an 184
advanced emergency medical technician or AEMT, respectively. 185

Sec. 4765.07. (A) The state board of emergency medical 186
services shall adopt rules under section 4765.11 of the Revised 187
Code to establish and administer a grant program under which 188
grants are distributed according to the following priorities: 189

(1) First priority shall be given to emergency medical 190
service organizations for the training of personnel, for the 191
purchase of equipment and vehicles, and to improve the 192
availability, accessibility, and quality of emergency medical 193

services in this state. In this category, the board shall give 194
priority to grants that fund training and equipping of emergency 195
medical service personnel. 196

(2) Second priority shall be given to entities that research, 197
test, and evaluate medical procedures and systems related to adult 198
and pediatric trauma care. 199

(3) Third priority shall be given to entities that research 200
the causes, nature, and effects of traumatic injuries, educate the 201
public about injury prevention, and implement, test, and evaluate 202
injury prevention strategies. 203

~~(3) Third~~ (4) Fourth priority shall be given to entities that 204
research, test, and evaluate procedures that promote the 205
rehabilitation, retraining, and reemployment of adult or pediatric 206
trauma victims and social service support mechanisms for adult or 207
pediatric trauma victims and their families. 208

~~(4) Fourth~~ (5) Fifth priority shall be given to entities that 209
~~research, test, and evaluate medical procedures related to adult~~ 210
~~and pediatric trauma care~~ conduct research on, test, or evaluate 211
one or more of the following: 212

(a) Procedures governing the performance of emergency medical 213
services in this state; 214

(b) The training of emergency medical service personnel; 215

(c) The staffing of emergency medical service organizations. 216

(6) For grants distributed for the grant award years 217
occurring not later than the award year ending June 30, 2017, 218
sixth priority shall be given to entities that operate paramedic 219
training programs and are seeking national accreditation of the 220
programs. 221

(B) To be eligible for a grant distributed pursuant to 222
division (A)(6) of this section, an applicant for the grant shall 223

meet all of the following conditions: 224

(1) Hold a certificate of accreditation issued by the board 225
under section 4765.17 of the Revised Code to operate a paramedic 226
training program; 227

(2) Be seeking initial national accreditation of the program 228
from an accrediting organization approved by the board; 229

(3) Apply for the national accreditation on or after February 230
25, 2010. 231

(C) The grant program shall be funded from the trauma and 232
emergency medical services grants fund created by section 4513.263 233
of the Revised Code. 234

Sec. 4765.43. ~~(A) A person who drives an ambulance that is~~ 235
~~equipped for emergency medical services, is not required by this~~ 236
~~chapter to be certified as an emergency medical technician basic,~~ 237
~~emergency medical technician intermediate, or emergency medical~~ 238
~~technician paramedic.~~ 239

~~(B)(1) During each emergency run made by an ambulance that is~~ 240
~~equipped for emergency medical services and is operated by an~~ 241
~~emergency medical service organization that does not utilize any~~ 242
~~volunteer emergency medical service providers or does not~~ 243
~~substantially utilize those providers~~ During each emergency run 244
made by an ambulance that is equipped for emergency medical 245
services, the emergency medical service organization operating the 246
ambulance shall staff the ambulance in accordance with this 247
section. 248

For purposes of determining the applicable staffing 249
requirements, both of the following apply: 250

(1) An emergency run consists of components that are 251
distinguished between the period during which the ambulance is 252
traveling to the scene of an emergency and, if applicable, the 253

period during which the ambulance is transporting a patient from 254
the scene of the emergency. 255

(2) In the case of an emergency medical service organization 256
that utilizes a combination of volunteer and paid first 257
responders, emergency medical service technicians-basic, emergency 258
medical service technicians-intermediate, or emergency medical 259
service technicians-paramedic, the organization is considered to 260
be substantially utilizing volunteers in a particular week when 261
the paid individuals, taken as a whole, are scheduled for a total 262
of not more than one hundred ninety-two hours in that week. 263

(B) With respect to the driver of an ambulance during an 264
emergency run, both of the following apply: 265

(1) The driver must be at least eighteen years of age. 266

(2) The driver must hold a certificate issued under section 267
4765.30 of the Revised Code to practice as a first responder, 268
EMT-basic, EMT-I, or paramedic or a fire training certificate 269
issued pursuant to section 4765.55 of the Revised Code to provide 270
services as a firefighter. 271

(C) With respect to the component of an emergency run during 272
which the ambulance is traveling to the scene of the emergency, 273
the ambulance shall be staffed by at least one EMT-basic, EMT-I, 274
or paramedic. This individual may serve as the driver. 275

(D) With respect to the component of an emergency run during 276
which a patient is being transported, the ambulance shall be 277
staffed as follows: 278

(1) If the emergency medical service organization utilizes 279
only paid individuals or utilizes volunteers on a basis that is 280
not considered to be substantially utilizing volunteers, the 281
ambulance shall be staffed by at least two EMTs-basic, EMTs-I, or 282
paramedics. When an ambulance is so staffed, it may be driven by a 283
person who is not certified as an EMT basic, EMT I, or paramedic 284

One of these individuals may serve as the driver. 285

~~(2) During each emergency run made by an ambulance that is~~ 286
~~equipped for emergency medical services and is operated by an~~ 287
~~If~~ 287
~~the~~ emergency medical service organization ~~that is~~ substantially 288
~~utilizes volunteer emergency medical service providers~~ utilizing 289
volunteers or utilizes only volunteers, the ambulance shall be 290
staffed by at least two EMTs-basic, EMTs-I, or paramedics or by at 291
least one first responder and one EMT-basic, EMT-I, or paramedic. 292
~~When an ambulance is so staffed, it may be driven by a person who~~ 293
~~is not certified as a first responder, EMT basic, EMT I, or~~ 294
~~paramedic. If circumstances so require, an ambulance that is~~ 295
~~staffed by only one first responder and one EMT basic, EMT I, or~~ 296
~~paramedic may be driven by the first responder who is staffing the~~ 297
~~ambulance with the EMT basic, EMT I, or paramedic~~ One of these 298
individuals may serve as the driver, but if the staffing 299
requirement is being met by utilizing a first responder, the first 300
responder shall serve as the driver. 301

~~(C) For purposes of division (B) of this section, an~~ 302
~~emergency medical service organization substantially utilizes~~ 303
~~volunteer emergency medical service providers if, on any given~~ 304
~~date, for the six month period immediately prior to that date, the~~ 305
~~organization's daily average number of hours during which the~~ 306
~~organization used only volunteer first responders, volunteer~~ 307
~~EMTs basic, volunteer EMTs I, or volunteer paramedics, or a~~ 308
~~combination of such volunteers, was fifty per cent or more of the~~ 309
~~daily average number of hours that the organization made emergency~~ 310
~~medical services available to the public.~~ 311

Sec. 4766.03. (A) The Ohio medical transportation board shall 312
adopt rules, in accordance with Chapter 119. of the Revised Code, 313
implementing the requirements of this chapter. The rules shall 314
include provisions relating to the following: 315

(1) Requirements for an emergency medical service organization to receive a permit for an ambulance or nontransport vehicle;	316 317 318
(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;	319 320 321 322
(3) Requirements for a nonemergency medical service organization to receive a permit for an ambulette vehicle;	323 324
(4) Requirements for a nonemergency medical service organization to receive a license for an ambulette service;	325 326
(5) Requirements for an air medical service organization to receive a permit for a rotorcraft air ambulance or fixed wing air ambulance;	327 328 329
(6) Requirements for licensure of air medical service organizations;	330 331
(7) Forms for applications and renewals of licenses and permits;	332 333
(8) Requirements for record keeping of service responses made by licensed emergency medical service organizations;	334 335
(9) Fee amounts for licenses and permits, and their renewals;	336
(10) Inspection requirements for licensees' vehicles or aircraft, records, and physical facilities;	337 338
(11) Fee amounts for inspections of ambulances, ambulettes, rotorcraft air ambulances, fixed wing air ambulances, and nontransport vehicles;	339 340 341
(12) Requirements for ambulances and nontransport vehicles used by licensed emergency medical service organizations, for ambulette vehicles used by licensed nonemergency medical service organizations, and for rotorcraft air ambulances or fixed wing air	342 343 344 345

ambulances used by licensed air medical service organizations that 346
specify for each type of vehicle or aircraft the types of 347
equipment that must be carried, the communication systems that 348
must be maintained, and the personnel who must staff the vehicle 349
or aircraft; 350

(13) The level of care each type of emergency medical service 351
organization, nonemergency medical service organization, and air 352
medical service organization is authorized to provide; 353

(14) Eligibility requirements for employment as an ambulette 354
driver, including grounds for disqualification due to the results 355
of a motor vehicle law violation check, chemical test, or criminal 356
records check. The rule may require that an applicant for 357
employment as an ambulette driver provide a set of fingerprints to 358
law enforcement authorities if the applicant comes under final 359
consideration for employment. 360

(15) Any other rules that the board determines necessary for 361
the implementation and enforcement of this chapter. 362

(B) In the rules for ambulances and nontransport vehicles 363
adopted under division (A)(12) of this section, the board may 364
establish requirements that vary according to whether the 365
emergency medical service organization using the vehicles is 366
licensed as a basic life-support, intermediate life-support, 367
advanced life-support, or mobile intensive care unit organization. 368

(C) A mobile intensive care unit that is not dually certified 369
to provide advanced life-support and meets the requirements of the 370
rules adopted under this section is not required to carry 371
immobilization equipment, including board splint kits, traction 372
splints, backboards, backboard straps, cervical immobilization 373
devices, cervical collars, stair chairs, folding cots, or other 374
types of immobilization equipment determined by the board to be 375
unnecessary for mobile intensive care units. 376

A mobile intensive care unit is exempt from the emergency 377
medical technician staffing requirements of ~~division (B) of~~ 378
section 4765.43 of the Revised Code when it is staffed by at least 379
one physician or registered nurse and another person, designated 380
by a physician, who holds a valid license or certificate to 381
practice in a health care profession, and when at least one of the 382
persons staffing the mobile intensive care unit is a registered 383
nurse whose training meets or exceeds the training required for a 384
paramedic. 385

Section 2. That existing sections 505.44, 505.84, 3743.75, 386
4765.07, 4765.43, and 4766.03 and section 4765.431 of the Revised 387
Code are hereby repealed. 388