

As Introduced

**129th General Assembly
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H. B. No. 166

Representative Phillips

Cosponsors: Representatives Murray, Carey, Garland, Clyde

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A B I L L

To amend sections 4765.30 and 4765.55 of the Revised 1
Code to require the State Board of Emergency 2
Medical Services to notify EMS and firefighter 3
personnel in writing when their certifications are 4
due for renewal. 5

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

Section 1. That sections 4765.30 and 4765.55 of the Revised 6
Code be amended to read as follows: 7

Sec. 4765.30. (A)(1) The state board of emergency medical 8
services shall issue a certificate to practice as a first 9
responder to an applicant who meets all of the following 10
conditions: 11

(a) Except as provided in division (A)(2) of this section, is 12
a volunteer for a nonprofit emergency medical service organization 13
or a nonprofit fire department; 14

(b) Holds the appropriate certificate of completion issued in 15
accordance with section 4765.24 of the Revised Code; 16

(c) Passes the appropriate examination conducted under 17
section 4765.29 of the Revised Code; 18

(d) Is not in violation of any provision of this chapter or the rules adopted under it;	19 20
(e) Meets any other certification requirements established in rules adopted under section 4765.11 of the Revised Code.	21 22
(2) The board may waive the requirement to be a volunteer for a nonprofit entity if the applicant meets other requirements established in rules adopted under division (B)(3) of section 4765.11 of the Revised Code relative to a person's eligibility to practice as a first responder.	23 24 25 26 27
(B) The state board of emergency medical services shall issue a certificate to practice as an emergency medical technician-basic to an applicant who meets all of the following conditions:	28 29 30
(1) Holds a certificate of completion in emergency medical services training-basic issued in accordance with section 4765.24 of the Revised Code;	31 32 33
(2) Passes the examination for emergency medical technicians-basic conducted under section 4765.29 of the Revised Code;	34 35 36
(3) Is not in violation of any provision of this chapter or the rules adopted under it;	37 38
(4) Meets any other certification requirements established in rules adopted under section 4765.11 of the Revised Code.	39 40
(C) The state board of emergency medical services shall issue a certificate to practice as an emergency medical technician-intermediate or emergency medical technician-paramedic to an applicant who meets all of the following conditions:	41 42 43 44
(1) Holds a certificate to practice as an emergency medical technician-basic;	45 46
(2) Holds the appropriate certificate of completion issued in accordance with section 4765.24 of the Revised Code;	47 48

(3) Passes the appropriate examination conducted under section 4765.29 of the Revised Code; 49 50

(4) Is not in violation of any provision of this chapter or the rules adopted under it; 51 52

(5) Meets any other certification requirements established in rules adopted under section 4765.11 of the Revised Code. 53 54

(D) A certificate to practice shall have a certification cycle established by the board and may be renewed by the board pursuant to rules adopted under section 4765.11 of the Revised Code. Not later than sixty days prior to the expiration date of an individual's certificate to practice, the board shall notify the individual of the scheduled expiration by mailing a written notification to the individual at the individual's residence. 55 56 57 58 59 60 61

An application for renewal shall be accompanied by the appropriate renewal fee established in rules adopted under section 4765.11 of the Revised Code, unless the board waives the fee on determining pursuant to those rules that the applicant cannot afford to pay the fee. Except as provided in division (B) of section 4765.31 of the Revised Code, the application shall include evidence of either of the following: 62 63 64 65 66 67 68

(1) That the applicant received a certificate of completion from the appropriate emergency medical services continuing education program pursuant to section 4765.24 of the Revised Code; 69 70 71

(2) That the applicant has successfully passed an examination that demonstrates the competence to have a certificate renewed without completing an emergency medical services continuing education program. The board shall approve such examinations in accordance with rules adopted under section 4765.11 of the Revised Code. 72 73 74 75 76 77

(E) The board shall not require an applicant for renewal of a certificate to practice to take an examination as a condition of 78 79

renewing the certificate. This division does not preclude the use 80
of examinations by operators of approved emergency medical 81
services continuing education programs as a condition for issuance 82
of a certificate of completion in emergency medical services 83
continuing education. 84

Sec. 4765.55. (A) The executive director of the state board 85
of emergency medical services, with the advice and counsel of the 86
firefighter and fire safety inspector training committee of the 87
state board of emergency medical services, shall assist in the 88
establishment and maintenance by any state agency, or any county, 89
township, city, village, school district, or educational service 90
center of a fire service training program for the training of all 91
persons in positions of any fire training certification level 92
approved by the executive director, including full-time paid 93
firefighters, part-time paid firefighters, volunteer firefighters, 94
and fire safety inspectors in this state. The executive director, 95
with the advice and counsel of the committee, shall adopt rules to 96
regulate those firefighter and fire safety inspector training 97
programs, and other training programs approved by the executive 98
director. The rules may include, but need not be limited to, 99
training curriculum, certification examinations, training 100
schedules, minimum hours of instruction, attendance requirements, 101
required equipment and facilities, basic physical requirements, 102
and methods of training for all persons in positions of any fire 103
training certification level approved by the executive director, 104
including full-time paid firefighters, part-time paid 105
firefighters, volunteer firefighters, and fire safety inspectors. 106
The rules adopted to regulate training programs for volunteer 107
firefighters shall not require more than thirty-six hours of 108
training. 109

The executive director, with the advice and counsel of the 110
committee, shall provide for the classification and chartering of 111

fire service training programs in accordance with rules adopted 112
under division (B) of this section, and may take action against 113
any chartered training program or applicant, in accordance with 114
rules adopted under divisions (B)~~(4)~~(5) and ~~(5)~~(6) of this 115
section, for failure to meet standards set by the adopted rules. 116

(B) The executive director, with the advice and counsel of 117
the firefighter and fire safety inspector training committee of 118
the state board of emergency medical services, shall adopt, and 119
may amend or rescind, rules under Chapter 119. of the Revised Code 120
that establish all of the following: 121

(1) Requirements for, and procedures for chartering, the 122
training programs regulated by this section; 123

(2) Requirements for, and requirements and procedures for 124
obtaining and renewing, an instructor certificate to teach the 125
training programs and continuing education classes regulated by 126
this section; 127

(3) Requirements for, and requirements and procedures for 128
obtaining and renewing, any of the fire training certificates 129
regulated by this section; 130

(4)(a) A requirement that the board mail written notification 131
to an individual at the individual's residence not later than 132
sixty days prior to the expiration date of the individual's fire 133
training certificate; 134

(b) A requirement that the board annually mail to the chief 135
of each fire department in the state, a list of fire training 136
certificate expiration dates for each individual providing 137
fire-fighting services in that department. As used in this 138
division, "fire department" has the meaning defined in section 139
146.01 of the Revised Code. 140

(5) Grounds and procedures for suspending, revoking, 141
restricting, or refusing to issue or renew any of the certificates 142

or charters regulated by this section, which grounds shall be	143
limited to one of the following:	144
(a) Failure to satisfy the education or training requirements	145
of this section;	146
(b) Conviction of a felony offense;	147
(c) Conviction of a misdemeanor involving moral turpitude;	148
(d) Conviction of a misdemeanor committed in the course of	149
practice;	150
(e) In the case of a chartered training program or applicant,	151
failure to meet standards set by the rules adopted under this	152
division.	153
(5) <u>(6)</u> Grounds and procedures for imposing and collecting	154
finances, not to exceed one thousand dollars, in relation to actions	155
taken under division (B) (4) <u>(5)</u> of this section against persons	156
holding certificates and charters regulated by this section, the	157
finances to be deposited into the trauma and emergency medical	158
services fund established under section 4513.263 of the Revised	159
Code;	160
(6) <u>(7)</u> Continuing education requirements for certificate	161
holders, including a requirement that credit shall be granted for	162
in-service training programs conducted by local entities;	163
(7) <u>(8)</u> Procedures for considering the granting of an	164
extension or exemption of fire service continuing education	165
requirements;	166
(8) <u>(9)</u> Certification cycles for which the certificates and	167
charters regulated by this section are valid.	168
(C) The executive director, with the advice and counsel of	169
the firefighter and fire safety inspector training committee of	170
the state board of emergency medical services, shall issue or	171
renew an instructor certificate to teach the training programs and	172

continuing education classes regulated by this section to any 173
applicant that the executive director determines meets the 174
qualifications established in rules adopted under division (B) of 175
this section, and may take disciplinary action against an 176
instructor certificate holder or applicant in accordance with 177
rules adopted under division (B) of this section. The executive 178
director, with the advice and counsel of the committee, shall 179
charter or renew the charter of any training program that the 180
executive director determines meets the qualifications established 181
in rules adopted under division (B) of this section, and may take 182
disciplinary action against the holder of a charter in accordance 183
with rules adopted under division (B) of this section. 184

(D) The executive director shall issue or renew a fire 185
training certificate for a firefighter, a fire safety inspector, 186
or another position of any fire training certification level 187
approved by the executive director, to any applicant that the 188
executive director determines meets the qualifications established 189
in rules adopted under division (B) of this section and may take 190
disciplinary actions against a certificate holder or applicant in 191
accordance with rules adopted under division (B) of this section. 192

(E) Certificates issued under this section shall be on a form 193
prescribed by the executive director, with the advice and counsel 194
of the firefighter and fire safety inspector training committee of 195
the state board of emergency medical services. 196

(F)(1) The executive director, with the advice and counsel of 197
the firefighter and fire safety inspector training committee of 198
the state board of emergency medical services, shall establish 199
criteria for evaluating the standards maintained by other states 200
and the branches of the United States military for firefighter, 201
fire safety inspector, and fire instructor training programs, and 202
other training programs recognized by the executive director, to 203
determine whether the standards are equivalent to those 204

established under this section and shall establish requirements 205
and procedures for issuing a certificate to each person who 206
presents proof to the executive director of having satisfactorily 207
completed a training program that meets those standards. 208

(2) The executive director, with the committee's advice and 209
counsel, shall adopt rules establishing requirements and 210
procedures for issuing a fire training certificate in lieu of 211
completing a chartered training program. 212

(G) Nothing in this section invalidates any other section of 213
the Revised Code relating to the fire training academy. Section 214
4765.11 of the Revised Code does not affect any powers and duties 215
granted to the executive director under this section. 216

Section 2. That existing sections 4765.30 and 4765.55 of the 217
Revised Code are hereby repealed. 218

Section 3. A volunteer firefighter whose fire training 219
certificate expired, who did not renew the certificate, and who 220
meets all of the following criteria is entitled to apply for and 221
obtain a fire training certificate in the same manner, and by 222
meeting the same requirements, as if the firefighter had applied 223
for renewal of the certificate before its expiration: 224

(1) The firefighter is a "volunteer firefighter" as defined 225
in section 4765.01 of the Revised Code; 226

(2) The firefighter received a certificate under former 227
section 3303.07 or section 4765.55 of the Revised Code; 228

(3) The firefighter was a duly appointed member of a fire 229
department; and 230

(4) The firefighter has provided to the Executive Director of 231
the State Board of Emergency Medical Services an affidavit stating 232
that the firefighter did not renew the firefighter's fire training 233
certificate because the firefighter was unaware of the requirement 234

to do so that was established by rule pursuant to Sub. H.B. 401 of 235
the 126th General Assembly. 236

This section expires six months after its effective date. 237