

**As Reported by the House Finance and Appropriations
Committee**

**129th General Assembly
Regular Session
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Sub. H. B. No. 532

Representatives Kozlowski, Gonzales

**Cosponsors: Representatives Henne, Gardner, Derickson, Adams, J., Bubp,
Pillich, Garland, Grossman, Sears, Szollosi, Hottinger, Buchy, Fende,
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Maag, Young, Goodwin, Johnson, Landis, Butler, Fedor, Hagan, C., Martin,
Milkovich, Rosenberger, Amstutz**

A B I L L

To amend sections 307.05, 307.051, 307.055, 505.37,	1
505.375, 505.44, 505.72, 3354.121, 4503.49,	2
4513.263, 4743.05, 4765.02, 4765.03, 4765.04,	3
4765.05, 4765.06, 4765.07, 4765.08, 4765.09,	4
4765.10, 4765.101, 4765.102, 4765.11, 4765.111,	5
4765.112, 4765.113, 4765.114, 4765.115, 4765.116,	6
4765.12, 4765.15, 4765.16, 4765.17, 4765.18,	7
4765.22, 4765.23, 4765.28, 4765.29, 4765.30,	8
4765.31, 4765.32, 4765.33, 4765.37, 4765.38,	9
4765.39, 4765.40, 4765.42, 4765.48, 4765.49,	10
4765.55, 4765.56, 4766.01, 4766.03, 4766.04,	11
4766.05, 4766.07, 4766.08, 4766.09, 4766.10,	12
4766.11, 4766.12, 4766.13, 4766.15, 4766.22,	13
5502.01, 5709.40, 5709.73, 5709.77, and 5913.11;	14
and to repeal sections 4766.02 and 4766.20 of the	15
Revised Code; to amend Section 205.10 of Am. Sub.	16
H.B. 114 of the 129th General Assembly, as	17
subsequently amended, to amend Section 335.10 of	18

Am. Sub. H.B. 153 of the 129th General Assembly,	19
and to amend Section 707.10 of Am. Sub. H.B. 487	20
of the 129th General Assembly to revise the Ohio	21
Military Medal of Distinction law; to rename the	22
State Board of Emergency Medical Services the	23
"State Board of Emergency Medical, Fire, and	24
Transportation Services"; to eliminate the Ohio	25
Medical Transportation Board and assign its duties	26
to the renamed State Board of Emergency Medical,	27
Fire, and Transportation Services; to specify the	28
membership of the renamed board; to allow certain	29
community colleges to acquire, construct, and	30
maintain housing and dining facilities; to specify	31
that, with respect to tax increment financing	32
(TIF), the base taxable value of an exempt	33
improvement is the assessed value of the property	34
appearing on the most recent tax list compiled	35
before the TIF legislation takes effect; to expand	36
the areas for which a municipal corporation in	37
Stark County may use up to 5% of its water and	38
sewer funds for sewage or water system extensions	39
to include areas within a joint economic	40
development district and areas within the	41
municipal corporation's boundaries; and to make an	42
appropriation.	43

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

Section 1. That sections 307.05, 307.051, 307.055, 505.37,	44
505.375, 505.44, 505.72, 3354.121, 4503.49, 4513.263, 4743.05,	45
4765.02, 4765.03, 4765.04, 4765.05, 4765.06, 4765.07, 4765.08,	46
4765.09, 4765.10, 4765.101, 4765.102, 4765.11, 4765.111, 4765.112,	47
4765.113, 4765.114, 4765.115, 4765.116, 4765.12, 4765.15, 4765.16,	48

4765.17, 4765.18, 4765.22, 4765.23, 4765.28, 4765.29, 4765.30,	49
4765.31, 4765.32, 4765.33, 4765.37, 4765.38, 4765.39, 4765.40,	50
4765.42, 4765.48, 4765.49, 4765.55, 4765.56, 4766.01, 4766.03,	51
4766.04, 4766.05, 4766.07, 4766.08, 4766.09, 4766.10, 4766.11,	52
4766.12, 4766.13, 4766.15, 4766.22, 5502.01, 5709.40, 5709.73,	53
5709.77, and 5913.11 of the Revised Code be amended to read as follows:	54
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Sec. 307.05. As used in this section, "emergency medical service organization" has the same meaning as in section 4765.01 of the Revised Code.	56
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A board of county commissioners may operate an ambulance service organization or emergency medical service organization, or, in counties with a population of forty thousand or less, may operate a nonemergency patient transport service organization, or may enter into a contract with one or more counties, townships, municipal corporations, nonprofit corporations, joint emergency medical services districts, fire and ambulance districts, or private ambulance owners, regardless of whether such counties, townships, municipal corporations, nonprofit corporations, joint emergency medical services districts, fire and ambulance districts, or private ambulance owners are located within or without the state, in order to furnish or obtain the services of ambulance service organizations, to furnish or obtain additional services from ambulance service organizations in times of emergency, to furnish or obtain the services of emergency medical service organizations, or, in counties with a population of forty thousand or less, to furnish or obtain services of nonemergency patient transport service organizations, or may enter into a contract with any such entity to furnish or obtain the interchange of services from ambulance or emergency medical service organizations, or, within counties with a population of forty	59
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thousand or less, to furnish or obtain the interchange of services	80
from nonemergency patient transport service organizations, within	81
the territories of the contracting subdivisions. Except in the	82
case of a contract with a joint emergency medical services	83
district to obtain the services of emergency medical service	84
organizations, such contracts shall not be entered into with a	85
public agency or nonprofit corporation that receives more than	86
half of its operating funds from governmental entities with the	87
intention of directly competing with the operation of other	88
ambulance service organizations, nonemergency patient transport	89
service organizations, or emergency medical service organizations	90
in the county unless the public agency or nonprofit corporation is	91
awarded the contract after submitting the lowest and best bid to	92
the board of county commissioners. Any county wishing to commence	93
operation of a nonemergency patient transport service organization	94
or wishing to enter into a contract for the first time to furnish	95
or obtain services from a nonemergency patient transport service	96
organization on or after March 1, 1993, including a county in	97
which a private provider has been providing the service, shall	98
demonstrate the need for public funding for the service to, and	99
obtain approval from, the state board of emergency medical, <u>fire,</u>	100
<u>and transportation</u> services or its immediate successor board prior	101
to operating or funding the organization.	102
When such an organization is operated by the board, the	103
organization may be administered by the board, by the county	104
sheriff, or by another county officer or employee designated by	105
the board. All rules, including the determining of reasonable	106
rates, necessary for the establishment, operation, and maintenance	107
of such an organization shall be adopted by the board.	108
A contract for services of an ambulance service, nonemergency	109
patient transport service, or emergency medical service	110
organization shall include the terms, conditions, and stipulations	111

as agreed to by the parties to the contract. It may provide for a 112
fixed annual charge to be paid at the times agreed upon and 113
stipulated in the contract, or for compensation based upon a 114
stipulated price for each run, call, or emergency or the number of 115
persons or pieces of apparatus employed, or the elapsed time of 116
service required in such run, call, or emergency, or any 117
combination thereof. 118

Sec. 307.051. As used in this section, "emergency medical 119
service organization" has the same meaning as in section 4766.01 120
of the Revised Code. 121

A board of county commissioners, by adoption of an 122
appropriate resolution, may choose to have the ~~Ohio state board of~~ 123
~~emergency medical, fire, and transportation board services~~ license 124
any emergency medical service organization it operates. If a board 125
adopts such a resolution, Chapter 4766. of the Revised Code, 126
except for sections 4766.06 and 4766.99 of the Revised Code, 127
applies to the county emergency medical service organization. All 128
rules adopted under the applicable sections of that chapter also 129
apply to the organization. A board, by adoption of an appropriate 130
resolution, may remove its emergency medical service organization 131
from the jurisdiction of the ~~Ohio state board of emergency~~ 132
~~medical, fire, and transportation board services~~. 133

Sec. 307.055. (A) Subject to the terms and conditions of the 134
joint resolution creating it, each joint emergency medical 135
services district may furnish ambulance services and emergency 136
medical services by one of the following methods: 137

(1) By operating an emergency medical service organization as 138
defined in section 4765.01 of the Revised Code; 139

(2) By contracting for the operation of one or more 140
facilities pursuant to division (C) or (D) of this section; 141

(3) By providing necessary services and equipment to the district either directly or under a contract entered into pursuant to division (B) of this section;	142 143 144
(4) By providing service through any combination of methods described in divisions (A)(1) to (3) of this section.	145 146
(B) In order to obtain ambulance service, to obtain additional ambulance service in times of emergency, or to obtain emergency medical services, a joint emergency medical services district may enter into a contract, for a period not to exceed three years, with one or more counties, townships, municipal corporations, joint fire districts, other governmental units that provide ambulance service or emergency medical services, nonprofit corporations, or private ambulance owners, regardless of whether the entities contracted with are located within or outside this state, upon such terms as are agreed to, to furnish or receive ambulance services or the interchange of ambulance services or emergency medical services within the several territories of the contracting subdivisions, if the contract is first authorized by all boards of trustees and legislative authorities in the territories to be served.	147 148 149 150 151 152 153 154 155 156 157 158 159 160 161
Such a contract may provide for a fixed annual charge to be paid at the times agreed upon and stipulated in the contract; or for compensation based on a stipulated price for each run, call, or emergency or based on the elapsed time of service required for each run, call, or emergency, or based on any combination of these.	162 163 164 165 166 167
Expenditures of a district for ambulance service or emergency medical service, whether pursuant to contract or otherwise, are lawful expenditures, regardless of whether the district or the party with which it contracts charges an additional fee to users of the service.	168 169 170 171 172

(C) The board of trustees may enter into a contract with any person, municipal corporation, township, or other political subdivision, and any political subdivision may contract with the board, for the operation and maintenance of emergency medical services facilities regardless of whether the facilities used are owned or leased by the district, by another political subdivision, or by the contractor.	173 174 175 176 177 178 179
(D) The district may purchase, lease, and maintain all materials, buildings, land, and equipment, including vehicles, the board considers necessary for the district.	180 181 182
When the board finds, by resolution, that the district has personal property that is not needed for public use, or is obsolete or unfit for the use for which it was acquired, the board may dispose of the property in the same manner as provided in section 307.12 of the Revised Code.	183 184 185 186 187
(E) Except in the case of a contract with a board of county commissioners for the provision of services of an emergency medical service organization, any contract entered into by a joint emergency medical services district shall conform to the same bidding requirements that apply to county contracts under sections 307.86 to 307.92 of the Revised Code.	188 189 190 191 192 193
(F) A county participating in a joint district may contribute any of its rights or interests in real or personal property, including money, and may contribute services to the district. Any such contributions shall be made by a written agreement between the contributing county and the district, specifying the contribution as well as the rights of the participating counties in the contributed property. Written agreements shall also be prepared specifying the rights of participating counties in property acquired by the district other than by contribution of a participating county. Written agreements required by this division may be amended only by written agreement of all parties to the	194 195 196 197 198 199 200 201 202 203 204

original agreement. 205

(G) A district's board of trustees, by adoption of an appropriate resolution, may choose to have the Ohio state board of emergency medical, fire, and transportation board services license any emergency medical service organization the district operates. If a board adopts such a resolution, Chapter 4766. of the Revised Code, except for sections 4766.06 and 4766.99 of the Revised Code, applies to the district emergency medical service organization. All rules adopted under the applicable sections of that chapter also apply to the organization. A board, by adoption of an appropriate resolution, may remove the district emergency medical service organization from the jurisdiction of the Ohio state board of emergency medical, fire, and transportation board services. 217

Sec. 505.37. (A) The board of township trustees may establish all necessary rules to guard against the occurrence of fires and to protect the property and lives of the citizens against damage and accidents, and may, with the approval of the specifications by the prosecuting attorney or, if the township has adopted limited home rule government under Chapter 504. of the Revised Code, with the approval of the specifications by the township's law director, purchase, lease, lease with an option to purchase, or otherwise provide any fire apparatus, mechanical resuscitators, or other equipment, appliances, materials, fire hydrants, and water supply for fire-fighting purposes that seems advisable to the board. The board shall provide for the care and maintenance of fire equipment, and, for these purposes, may purchase, lease, lease with an option to purchase, or construct and maintain necessary buildings, and it may establish and maintain lines of fire-alarm communications within the limits of the township. The board may employ one or more persons to maintain and operate fire-fighting equipment, or it may enter into an agreement with a volunteer fire company for the use and operation of fire-fighting equipment. The

board may compensate the members of a volunteer fire company on any basis and in any amount that it considers equitable.	237 238 239
When the estimated cost to purchase fire apparatus, mechanical resuscitators, other equipment, appliances, materials, fire hydrants, buildings, or fire-alarm communications equipment or services exceeds fifty thousand dollars, the contract shall be let by competitive bidding. When competitive bidding is required, the board shall advertise once a week for not less than two consecutive weeks in a newspaper of general circulation within the township. The board may also cause notice to be inserted in trade papers or other publications designated by it or to be distributed by electronic means, including posting the notice on the board's internet web site. If the board posts the notice on its web site, it may eliminate the second notice otherwise required to be published in a newspaper of general circulation within the township, provided that the first notice published in such newspaper meets all of the following requirements:	240 241 242 243 244 245 246 247 248 249 250 251 252 253 254
(1) It is published at least two weeks before the opening of bids.	255 256
(2) It includes a statement that the notice is posted on the board's internet web site.	257 258
(3) It includes the internet address of the board's internet web site.	259 260
(4) It includes instructions describing how the notice may be accessed on the board's internet web site.	261 262
The advertisement shall include the time, date, and place where the clerk of the township, or the clerk's designee, will read bids publicly. The time, date, and place of bid openings may be extended to a later date by the board of township trustees, provided that written or oral notice of the change shall be given	263 264 265 266 267

to all persons who have received or requested specifications not 268
later than ninety-six hours prior to the original time and date 269
fixed for the opening. The board may reject all the bids or accept 270
the lowest and best bid, provided that the successful bidder meets 271
the requirements of section 153.54 of the Revised Code when the 272
contract is for the construction, demolition, alteration, repair, 273
or reconstruction of an improvement. 274

(B) The boards of township trustees of any two or more 275
townships, or the legislative authorities of any two or more 276
political subdivisions, or any combination of these, may, through 277
joint action, unite in the joint purchase, lease, lease with an 278
option to purchase, maintenance, use, and operation of 279
fire-fighting equipment, or for any other purpose designated in 280
sections 505.37 to 505.42 of the Revised Code, and may prorate the 281
expense of the joint action on any terms that are mutually agreed 282
upon. 283

(C) The board of township trustees of any township may, by 284
resolution, whenever it is expedient and necessary to guard 285
against the occurrence of fires or to protect the property and 286
lives of the citizens against damages resulting from their 287
occurrence, create a fire district of any portions of the township 288
that it considers necessary. The board may purchase, lease, lease 289
with an option to purchase, or otherwise provide any fire 290
apparatus, appliances, materials, fire hydrants, and water supply 291
for fire-fighting purposes, or may contract for the fire 292
protection for the fire district as provided in section 9.60 of 293
the Revised Code. The fire district so created shall be given a 294
separate name by which it shall be known. 295

Additional unincorporated territory of the township may be 296
added to a fire district upon the board's adoption of a resolution 297
authorizing the addition. A municipal corporation that is within 298
or adjoining the township may be added to a fire district upon the 299

board's adoption of a resolution authorizing the addition and the municipal legislative authority's adoption of a resolution or ordinance requesting the addition of the municipal corporation to the fire district.	300 301 302 303
If the township fire district imposes a tax, additional unincorporated territory of the township or a municipal corporation that is within or adjoining the township shall become part of the fire district only after all of the following have occurred:	304 305 306 307 308
(1) Adoption by the board of township trustees of a resolution approving the expansion of the territorial limits of the district and, if the resolution proposes to add a municipal corporation, adoption by the municipal legislative authority of a resolution or ordinance requesting the addition of the municipal corporation to the district;	309 310 311 312 313 314
(2) Adoption by the board of township trustees of a resolution recommending the extension of the tax to the additional territory;	315 316 317
(3) Approval of the tax by the electors of the territory proposed for addition to the district.	318 319
Each resolution of the board adopted under division (C)(2) of this section shall state the name of the fire district, a description of the territory to be added, and the rate and termination date of the tax, which shall be the rate and termination date of the tax currently in effect in the fire district.	320 321 322 323 324 325
The board of trustees shall certify each resolution adopted under division (C)(2) of this section to the board of elections in accordance with section 5705.19 of the Revised Code. The election required under division (C)(3) of this section shall be held, canvassed, and certified in the manner provided for the submission	326 327 328 329 330

of tax levies under section 5705.25 of the Revised Code, except 331
that the question appearing on the ballot shall read: 332

"Shall the territory within 333
(description of the proposed territory to be added) be added to 334
..... (name) fire district, and a property tax 335
at a rate of taxation not exceeding (here insert tax rate) 336
be in effect for (here insert the number of years the 337
tax is to be in effect or "a continuing period of time," as 338
applicable)?" 339

If the question is approved by at least a majority of the 340
electors voting on it, the joinder shall be effective as of the 341
first day of July of the year following approval, and on that 342
date, the township fire district tax shall be extended to the 343
taxable property within the territory that has been added. If the 344
territory that has been added is a municipal corporation and if it 345
had adopted a tax levy for fire purposes, the levy is terminated 346
on the effective date of the joinder. 347

Any municipal corporation may withdraw from a township fire 348
district created under division (C) of this section by the 349
adoption by the municipal legislative authority of a resolution or 350
ordinance ordering withdrawal. On the first day of July of the 351
year following the adoption of the resolution or ordinance of 352
withdrawal, the municipal corporation withdrawing ceases to be a 353
part of the district, and the power of the fire district to levy a 354
tax upon taxable property in the withdrawing municipal corporation 355
terminates, except that the fire district shall continue to levy 356
and collect taxes for the payment of indebtedness within the 357
territory of the fire district as it was composed at the time the 358
indebtedness was incurred. 359

Upon the withdrawal of any municipal corporation from a 360
township fire district created under division (C) of this section, 361
the county auditor shall ascertain, apportion, and order a 362

division of the funds on hand, moneys and taxes in the process of	363
collection except for taxes levied for the payment of	364
indebtedness, credits, and real and personal property, either in	365
money or in kind, on the basis of the valuation of the respective	366
tax duplicates of the withdrawing municipal corporation and the	367
remaining territory of the fire district.	368
A board of township trustees may remove unincorporated	369
territory of the township from the fire district upon the adoption	370
of a resolution authorizing the removal. On the first day of July	371
of the year following the adoption of the resolution, the	372
unincorporated township territory described in the resolution	373
ceases to be a part of the district, and the power of the fire	374
district to levy a tax upon taxable property in that territory	375
terminates, except that the fire district shall continue to levy	376
and collect taxes for the payment of indebtedness within the	377
territory of the fire district as it was composed at the time the	378
indebtedness was incurred.	379
(D) The board of township trustees of any township, the board	380
of fire district trustees of a fire district created under section	381
505.371 of the Revised Code, or the legislative authority of any	382
municipal corporation may purchase, lease, or lease with an option	383
to purchase the necessary fire-fighting equipment, buildings, and	384
sites for the township, fire district, or municipal corporation	385
and issue securities for that purpose with maximum maturities as	386
provided in section 133.20 of the Revised Code. The board of	387
township trustees, board of fire district trustees, or legislative	388
authority may also construct any buildings necessary to house	389
fire-fighting equipment and issue securities for that purpose with	390
maximum maturities as provided in section 133.20 of the Revised	391
Code.	392
The board of township trustees, board of fire district	393
trustees, or legislative authority may issue the securities of the	394

township, fire district, or municipal corporation, signed by the 395
board or designated officer of the municipal corporation and 396
attested by the signature of the township fiscal officer, fire 397
district clerk, or municipal clerk, covering any deferred payments 398
and payable at the times provided, which securities shall bear 399
interest not to exceed the rate determined as provided in section 400
9.95 of the Revised Code, and shall not be subject to Chapter 133. 401
of the Revised Code. The legislation authorizing the issuance of 402
the securities shall provide for levying and collecting annually 403
by taxation, amounts sufficient to pay the interest on and 404
principal of the securities. The securities shall be offered for 405
sale on the open market or given to the vendor or contractor if no 406
sale is made. 407

Section 505.40 of the Revised Code does not apply to any 408
securities issued, or any lease with an option to purchase entered 409
into, in accordance with this division. 410

(E) A board of township trustees of any township or a board 411
of fire district trustees of a fire district created under section 412
505.371 of the Revised Code may purchase a policy or policies of 413
liability insurance for the officers, employees, and appointees of 414
the fire department, fire district, or joint fire district 415
governed by the board that includes personal injury liability 416
coverage as to the civil liability of those officers, employees, 417
and appointees for false arrest, detention, or imprisonment, 418
malicious prosecution, libel, slander, defamation or other 419
violation of the right of privacy, wrongful entry or eviction, or 420
other invasion of the right of private occupancy, arising out of 421
the performance of their duties. 422

When a board of township trustees cannot, by deed of gift or 423
by purchase and upon terms it considers reasonable, procure land 424
for a township fire station that is needed in order to respond in 425
reasonable time to a fire or medical emergency, the board may 426

appropriate land for that purpose under sections 163.01 to 163.22 of the Revised Code. If it is necessary to acquire additional adjacent land for enlarging or improving the fire station, the board may purchase, appropriate, or accept a deed of gift for the land for these purposes.	427 428 429 430 431
(F) As used in this division, "emergency medical service organization" has the same meaning as in section 4766.01 of the Revised Code.	432 433 434
A board of township trustees, by adoption of an appropriate resolution, may choose to have the <u>Ohio state board of emergency</u> <u>medical, fire, and transportation board services</u> license any emergency medical service organization it operates. If the board adopts such a resolution, Chapter 4766. of the Revised Code, except for sections 4766.06 and 4766.99 of the Revised Code, applies to the organization. All rules adopted under the applicable sections of that chapter also apply to the organization. A board of township trustees, by adoption of an appropriate resolution, may remove its emergency medical service organization from the jurisdiction of the <u>Ohio state board of</u> <u>emergency medical, fire, and transportation board services</u> .	435 436 437 438 439 440 441 442 443 444 445 446
Sec. 505.375. (A)(1)(a) The boards of township trustees of one or more townships and the legislative authorities of one or more municipal corporations, or the legislative authorities of two or more municipal corporations, or the boards of township trustees of two or more townships, may negotiate an agreement to form a fire and ambulance district for the delivery of both fire and ambulance services. The agreement shall be ratified by the adoption of a joint resolution by a majority of the members of each board of township trustees involved and a majority of the members of the legislative authority of each municipal corporation involved. The joint resolution shall specify a date on which the	447 448 449 450 451 452 453 454 455 456 457

fire and ambulance district shall come into being. 458

(b) If a joint fire district created under section 505.371 of the Revised Code or a joint ambulance district created under section 505.71 of the Revised Code is dissolved to facilitate the creation of a fire and ambulance district under division (A)(1)(a) of this section, the townships and municipal corporations forming the fire and ambulance district may transfer to the fire and ambulance district any of the funds on hand, moneys and taxes in the process of collection, credits, and real and personal property apportioned to them under division (D) of section 505.371 of the Revised Code or section 505.71 of the Revised Code, as applicable, for use by the fire and ambulance district in accordance with this section. 470

(2)(a) The board of trustees of a joint ambulance district created under section 505.71 of the Revised Code and the board of fire district trustees of a joint fire district created under section 505.371 of the Revised Code may negotiate to combine their two joint districts into a single fire and ambulance district for the delivery of both fire and ambulance services, if the geographic area covered by the combining joint districts is exactly the same. Both boards shall adopt a joint resolution ratifying the agreement and setting a date on which the fire and ambulance district shall come into being. 480

(b) On that date, the joint fire district and the joint ambulance district shall cease to exist, and the power of each to levy a tax upon taxable property shall terminate, except that any levy of a tax for the payment of indebtedness within the territory of the joint fire or joint ambulance district as it was composed at the time the indebtedness was incurred shall continue to be collected by the successor fire and ambulance district if the indebtedness remains unpaid. All funds and other property of the 488

joint districts shall become the property of the fire and 489
ambulance district, unless otherwise provided in the negotiated 490
agreement. The agreement shall provide for the settlement of all 491
debts and obligations of the joint districts. 492

(B)(1) The governing body of a fire and ambulance district 493
created under division (A)(1) or (2) of this section shall be a 494
board of trustees of at least three but no more than nine members, 495
appointed as provided in the agreement creating the district. 496
Members of the board may be compensated at a rate not to exceed 497
thirty dollars per meeting for not more than fifteen meetings per 498
year, and may be reimbursed for all necessary expenses incurred, 499
as provided in the agreement creating the district. 500

(2) The board shall employ a clerk and other employees as it 501
considers best, including a fire chief or fire prevention 502
officers, and shall fix their compensation. Neither this section 503
nor any other section of the Revised Code requires, or shall be 504
construed to require, that the fire chief of a fire and ambulance 505
district be a resident of the district. 506

Before entering upon the duties of office, the clerk shall 507
execute a bond, in the amount and with surety to be approved by 508
the board, payable to the state, conditioned for the faithful 509
performance of all of the clerk's official duties. The clerk shall 510
deposit the bond with the presiding officer of the board, who 511
shall file a copy of it, certified by the presiding officer, with 512
the county auditor of the county containing the most territory in 513
the district. 514

The board also shall provide for the appointment of a fiscal 515
officer for the district and may enter into agreements with 516
volunteer fire companies for the use and operation of 517
fire-fighting equipment. Volunteer firefighters acting under such 518
an agreement are subject to the requirements for volunteer 519
firefighters set forth in division (A) of section 505.38 of the 520

Revised Code.	521
(3) Employees of the district shall not be removed from office except as provided by sections 733.35 to 733.39 of the Revised Code, except that, to initiate removal proceedings, the board shall designate a private citizen or, if the employee is employed as a firefighter, the board may designate the fire chief, to investigate, conduct the proceedings, and prepare the necessary charges in conformity with those sections, and except that the board shall perform the functions and duties specified for the municipal legislative authority under those sections. The board may pay reasonable compensation to any private citizen hired for services rendered in the matter.	522 523 524 525 526 527 528 529 530 531 532
(4) No person shall be appointed as a permanent full-time paid member of the district whose duties include fire fighting, or be appointed as a volunteer firefighter, unless that person has received a certificate issued under former section 3303.07 or section 4765.55 of the Revised Code evidencing satisfactory completion of a firefighter training program. The board may send its officers and firefighters to schools of instruction designed to promote the efficiency of firefighters and, if authorized in advance, may pay their necessary expenses from the funds used for the maintenance and operation of the district.	533 534 535 536 537 538 539 540 541 542
The board may choose, by adoption of an appropriate resolution, to have the <u>Ohio state board of emergency medical, fire, and transportation board services</u> license any emergency medical service organization it operates. If the board adopts such a resolution, Chapter 4766. of the Revised Code, except for sections 4766.06 and 4766.99 of the Revised Code, applies to the organization. All rules adopted under the applicable sections of that chapter also apply to the organization. The board may remove, by resolution, its emergency medical service organization from the jurisdiction of the <u>Ohio state board of emergency medical, fire,</u>	543 544 545 546 547 548 549 550 551 552

<u>and transportation board services.</u>	553
(C) The board of trustees of a fire and ambulance district created under division (A)(1) or (2) of this section may exercise the following powers:	554
(1) Purchase or otherwise provide any fire apparatus, mechanical resuscitators, or other fire or ambulance equipment, appliances, or materials; fire hydrants; and water supply for firefighting purposes that seems advisable to the board;	555
(2) Provide for the care and maintenance of equipment and, for that purpose, purchase, lease, lease with an option to purchase, or construct and maintain necessary buildings;	556
(3) Establish and maintain lines of fire-alarm communications within the limits of the district;	557
(4) Appropriate land for a fire station or medical emergency unit needed in order to respond in reasonable time to a fire or medical emergency, in accordance with Chapter 163. of the Revised Code;	558
(5) Purchase, appropriate, or accept a deed or gift of land to enlarge or improve a fire station or medical emergency unit;	559
(6) Purchase, lease, lease with an option to purchase, maintain, and use all materials, equipment, vehicles, buildings, and land necessary to perform its duties;	560
(7) Contract for a period not to exceed three years with one or more townships, municipal corporations, counties, joint fire districts, joint ambulance districts, governmental agencies, nonprofit corporations, or private ambulance owners located either within or outside the state, to furnish or receive ambulance services or emergency medical services within the several territories of the contracting parties, if the contract is first authorized by all boards of trustees and legislative authorities	561

concerned;	583
(8) Establish reasonable charges for the use of ambulance or emergency medical services under the same conditions under which a board of fire district trustees may establish those charges under section 505.371 of the Revised Code;	584 585 586 587
(9) Establish all necessary rules to guard against the occurrence of fires and to protect property and lives against damage and accidents;	588 589 590
(10) Adopt a standard code pertaining to fire, fire hazards, and fire prevention prepared and promulgated by the state or by a public or private organization that publishes a model or standard code;	591 592 593 594
(11) Provide for charges for false alarms at commercial establishments in the same manner as joint fire districts are authorized to do under section 505.391 of the Revised Code;	595 596 597
(12) Issue bonds and other evidences of indebtedness, subject to Chapter 133. of the Revised Code, but only after approval by a vote of the electors of the district as provided by section 133.18 of the Revised Code;	598 599 600 601
(13) To provide the services and equipment it considers necessary, levy a sufficient tax, subject to Chapter 5705. of the Revised Code, on all the taxable property in the district.	602 603 604
(D) Any municipal corporation or township may join an existing fire and ambulance district, whether created under division (A)(1) or (2) of this section, by its legislative authority's adoption of a resolution requesting the membership and upon approval of the board of trustees of the district. Any municipal corporation or township may withdraw from a district, whether created under division (A)(1) or (2) of this section, by its legislative authority's adoption of a resolution ordering withdrawal. Upon its withdrawal, the municipal corporation or	605 606 607 608 609 610 611 612 613

township ceases to be a part of the district, and the district's power to levy a tax on taxable property in the withdrawing township or municipal corporation terminates, except that the district shall continue to levy and collect taxes for the payment of indebtedness within the territory of the district as it was composed at the time the indebtedness was incurred.	614 615 616 617 618 619
Upon the withdrawal of any township or municipal corporation from a district, the county auditor of the county containing the most territory in the district shall ascertain, apportion, and order a division of the funds on hand, including funds in the ambulance and emergency medical services fund, moneys and taxes in the process of collection, except for taxes levied for the payment of indebtedness, credits, and real and personal property on the basis of the valuation of the respective tax duplicates of the withdrawing municipal corporation or township and the remaining territory of the district.	620 621 622 623 624 625 626 627 628 629
(E) As used in this section:	630
(1) "Governmental agency" includes all departments, boards, offices, commissions, agencies, colleges, universities, institutions, and other instrumentalities of this or another state.	631 632 633 634
(2) "Emergency medical service organization" has the same meaning as in section 4766.01 of the Revised Code.	635 636
Sec. 505.44. As used in this section:	637
(A) "Emergency medical service organization" has the same meaning as in section 4765.01 of the Revised Code.	638 639
(B) "State agency" means all departments, boards, offices, commissions, agencies, colleges, universities, institutions, and other instrumentalities of this or another state.	640 641 642
In order to obtain the services of ambulance service	643

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

after submitting the lowest and best bid to the board of township trustees. 677
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The contract may provide for compensation upon such terms as 679
the parties may agree. 680

Any township wishing to commence providing or wishing to 681
enter into a contract for the first time to furnish or obtain 682
services from nonemergency patient transport service organizations 683
on or after March 1, 1993, including a township in which a private 684
provider has been providing the service, shall demonstrate the 685
need for public funding for the service to, and obtain approval 686
from, the state board of emergency medical, fire, and 687
transportation services or its immediate successor board prior to 688
the establishment of a township-operated or township-funded 689
service. 690

Sec. 505.72. (A) The board of trustees of a joint ambulance 691
district shall provide for the employment of such employees as it 692
considers best, and shall fix their compensation. Such employees 693
shall continue in office until removed as provided by sections 694
733.35 to 733.39 of the Revised Code. To initiate removal 695
proceedings, and for such purpose, the board shall designate a 696
private citizen to investigate the conduct and prepare the 697
necessary charges in conformity with sections 733.35 to 733.39 of 698
the Revised Code. The board may pay reasonable compensation to 699
such person for the person's services. 700

In case of the removal of an employee of the district, an 701
appeal may be had from the decision of the board to the court of 702
common pleas of the county in which such district, or part of it, 703
is situated, to determine the sufficiency of the cause of removal. 704
Such appeal from the findings of the board shall be taken within 705
ten days. 706

(B) As used in this division, "emergency medical service" 707

organization" has the same meaning as in section 4765.01 of the Revised Code. 708
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(1) In order to obtain the services of ambulance service organizations, to obtain additional services from ambulance service organizations in times of emergency, or to obtain the services of emergency medical service organizations, a district may enter into a contract, for a period not to exceed three years, with one or more townships, municipal corporations, joint fire districts, nonprofit corporations, any other governmental unit that provides ambulance services or emergency medical services, or with private ambulance owners, regardless of whether such townships, municipal corporations, joint fire districts, nonprofit corporations, governmental unit, or private ambulance owners are located within or without this state, upon such terms as are agreed to, to furnish or receive services from ambulance or emergency medical service organizations or the interchange of services from ambulance or emergency medical service organizations within the several territories of the contracting subdivisions, if such contract is first authorized by all boards of trustees and legislative authorities concerned. 710
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The contract may provide for a fixed annual charge to be paid at the times agreed upon and stipulated in the contract, or for compensation based upon a stipulated price for each run, call, or emergency, or the elapsed time of service required in such run, call, or emergency, or any combination thereof. 728
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(2) Expenditures of a district for the services of ambulance service organizations or emergency medical service organizations, whether pursuant to contract or otherwise, are lawful expenditures, regardless of whether the district or the party with which it contracts charges additional fees to users of the services. 733
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(3) A district's board of trustees, by adoption of an 739

appropriate resolution, may choose to have the Ohio state board of emergency medical, fire, and transportation board services license 740
any emergency medical service organization the district operates. 741
If a board adopts such a resolution, Chapter 4766. of the Revised 742
Code, except for sections 4766.06 and 4766.99 of the Revised Code, 743
applies to the district emergency medical service organization. 744
All rules adopted under the applicable sections of that chapter 745
also apply to the organization. A board, by adoption of an 746
appropriate resolution, may remove the district emergency medical 747
service organization from the jurisdiction of the Ohio state board 748
of emergency medical, fire, and transportation board services. 749

(C) Ambulance services or emergency medical services rendered 751
for a joint ambulance district under this section and section 752
505.71 of the Revised Code shall be deemed services of the 753
district. These sections do not authorize suits against a district 754
or any township or municipal corporation providing or receiving, 755
or contracting to provide or receive, such services under these 756
sections for damages for injury or loss to persons or property or 757
for wrongful death caused by persons providing such services. 758

Sec. 3354.121. (A)(1) Each community college district may 759
acquire, by purchase, lease, lease-purchase, lease with option to 760
purchase, or otherwise, construct, equip, furnish, reconstruct, 761
alter, enlarge, remodel, renovate, rehabilitate, improve, 762
maintain, repair, and operate, and lease to or from others, 763
auxiliary facilities or education facilities, except housing and 764
dining facilities, and may pay for the facilities out of available 765
receipts of such district. To pay all or part of the costs of 766
auxiliary facilities or education facilities, except housing and 767
dining facilities, and any combination of them, and to refund 768
obligations previously issued for such purpose, each community 769
college district may issue obligations in the manner provided by 770
and subject to the applicable provisions of section 3345.12 of the 771

Revised Code.	772
(2) A community college district that is located within one mile of a four-year private, nonprofit institution of higher education in the state may acquire, by purchase, lease, lease-purchase, lease with option to purchase, or otherwise, construct, equip, furnish, reconstruct, alter, enlarge, remodel, renovate, rehabilitate, improve, maintain, repair, and operate, and lease to or from others, housing and dining facilities, and may pay for the facilities out of the available receipts of such district. To pay all or part of the costs of the housing and dining facilities, and to refund obligations previously issued for such purpose, the community college district may issue obligations in the manner provided by and subject to the applicable provisions of section 3345.12 of the Revised Code.	773 774 775 776 777 778 779 780 781 782 783 784 785
(B) Except as otherwise provided in this section, the definitions set forth in section 3345.12 of the Revised Code apply to this section.	786 787 788
(C) Fee variations provided for in division (G) of section 3354.09 of the Revised Code need not be applied to fees pledged to secure obligations.	789 790 791
(D) The obligations authorized by this section are not bonded indebtedness of the community college district, shall not constitute general obligations or the pledge of the full faith and credit of such district, and the holders or owners thereof shall have no right to require the board to levy or collect any taxes for the payment of bond service charges, but they shall have the right to payment thereof solely from the available receipts and funds pledged for such payment as authorized by section 3345.12 of the Revised Code and this section.	792 793 794 795 796 797 798 799 800
The bond proceedings may provide the method whereby the general administrative overhead expense of the district shall be	801 802

allocated among the several operations and facilities of the district for purposes of determining any operating and maintenance expenses payable from the pledged available receipts prior to the provision for payment of bond service charges, and for other purposes of the bond proceedings.	803 804 805 806 807
(E) The powers granted in this section are in addition to any other powers at any time granted by the Constitution and laws of the state, and not in derogation thereof or restrictions thereon.	808 809 810
Sec. 4503.49. (A) As used in this section, "ambulance," "ambulette," "emergency medical service organization," "nonemergency medical service organization," and "nontransport vehicle" have the same meanings as in section 4766.01 of the Revised Code.	811 812 813 814 815
(B) Each private emergency medical service organization and each private nonemergency medical service organization shall apply to the registrar of motor vehicles for the registration of any ambulance, ambulette, or nontransport vehicle it owns or leases. The application shall be accompanied by a copy of the certificate of licensure issued to the organization by the <u>Ohio state board of emergency medical, fire, and transportation board services</u> and the following fees:	816 817 818 819 820 821 822 823
(1) The regular license tax as prescribed under section 4503.04 of the Revised Code;	824 825
(2) Any local license tax levied under Chapter 4504. of the Revised Code;	826 827
(3) An additional fee of seven dollars and fifty cents. The additional fee shall be for the purpose of compensating the bureau of motor vehicles for additional services required to be performed under this section and shall be transmitted by the registrar to the treasurer of state for deposit in the state bureau of motor	828 829 830 831 832

vehicles fund created by section 4501.25 of the Revised Code.	833
(C) On receipt of a complete application, the registrar shall issue to the applicant the appropriate certificate of registration for the vehicle and do one of the following:	834
(1) Issue a set of license plates with a validation sticker and a set of stickers to be attached to the plates as an identification of the vehicle's classification as an ambulance, ambulette, or nontransport vehicle;	835
(2) Issue a validation sticker alone when so required by section 4503.191 of the Revised Code.	836
Sec. 4513.263. (A) As used in this section and in section 4513.99 of the Revised Code:	841
(1) "Automobile" means any commercial tractor, passenger car, commercial car, or truck that is required to be factory-equipped with an occupant restraining device for the operator or any passenger by regulations adopted by the United States secretary of transportation pursuant to the "National Traffic and Motor Vehicle Safety Act of 1966," 80 Stat. 719, 15 U.S.C.A. 1392.	842
(2) "Occupant restraining device" means a seat safety belt, shoulder belt, harness, or other safety device for restraining a person who is an operator of or passenger in an automobile and that satisfies the minimum federal vehicle safety standards established by the United States department of transportation.	843
(3) "Passenger" means any person in an automobile, other than its operator, who is occupying a seating position for which an occupant restraining device is provided.	844
(4) "Commercial tractor," "passenger car," and "commercial car" have the same meanings as in section 4501.01 of the Revised Code.	845
(5) "Vehicle" and "motor vehicle," as used in the definitions	860

of the terms set forth in division (A)(4) of this section, have 863
the same meanings as in section 4511.01 of the Revised Code. 864

(6) "Tort action" means a civil action for damages for 865
injury, death, or loss to person or property. "Tort action" 866
includes a product liability claim, as defined in section 2307.71 867
of the Revised Code, and an asbestos claim, as defined in section 868
2307.91 of the Revised Code, but does not include a civil action 869
for damages for breach of contract or another agreement between 870
persons. 871

(B) No person shall do any of the following: 872

(1) Operate an automobile on any street or highway unless 873
that person is wearing all of the available elements of a properly 874
adjusted occupant restraining device, or operate a school bus that 875
has an occupant restraining device installed for use in its 876
operator's seat unless that person is wearing all of the available 877
elements of the device, as properly adjusted; 878

(2) Operate an automobile on any street or highway unless 879
each passenger in the automobile who is subject to the requirement 880
set forth in division (B)(3) of this section is wearing all of the 881
available elements of a properly adjusted occupant restraining 882
device; 883

(3) Occupy, as a passenger, a seating position on the front 884
seat of an automobile being operated on any street or highway 885
unless that person is wearing all of the available elements of a 886
properly adjusted occupant restraining device; 887

(4) Operate a taxicab on any street or highway unless all 888
factory-equipped occupant restraining devices in the taxicab are 889
maintained in usable form. 890

(C) Division (B)(3) of this section does not apply to a 891
person who is required by section 4511.81 of the Revised Code to 892
be secured in a child restraint device or booster seat. Division 893

(B)(1) of this section does not apply to a person who is an 894
employee of the United States postal service or of a newspaper 895
home delivery service, during any period in which the person is 896
engaged in the operation of an automobile to deliver mail or 897
newspapers to addressees. Divisions (B)(1) and (3) of this section 898
do not apply to a person who has an affidavit signed by a 899
physician licensed to practice in this state under Chapter 4731. 900
of the Revised Code or a chiropractor licensed to practice in this 901
state under Chapter 4734. of the Revised Code that states that the 902
person has a physical impairment that makes use of an occupant 903
restraining device impossible or impractical. 904

(D) Notwithstanding any provision of law to the contrary, no 905
law enforcement officer shall cause an operator of an automobile 906
being operated on any street or highway to stop the automobile for 907
the sole purpose of determining whether a violation of division 908
(B) of this section has been or is being committed or for the sole 909
purpose of issuing a ticket, citation, or summons for a violation 910
of that nature or causing the arrest of or commencing a 911
prosecution of a person for a violation of that nature, and no law 912
enforcement officer shall view the interior or visually inspect 913
any automobile being operated on any street or highway for the 914
sole purpose of determining whether a violation of that nature has 915
been or is being committed. 916

(E) All fines collected for violations of division (B) of 917
this section, or for violations of any ordinance or resolution of 918
a political subdivision that is substantively comparable to that 919
division, shall be forwarded to the treasurer of state for deposit 920
into the state treasury to the credit of the trauma and emergency 921
medical services fund, which is hereby created. In addition, sixty 922
cents of each fee collected under sections 4501.34, 4503.26, 923
4505.14, 4506.08, 4509.05, and 4519.63 of the Revised Code as 924
specified in those sections, plus the portion of the driver's 925

license reinstatement fee described in division (F)(2)(g) of 926
section 4511.191 of the Revised Code, plus all fees collected 927
under section 4765.11 of the Revised Code, plus all fines imposed 928
under section 4765.55 of the Revised Code, plus the fees and other 929
moneys specified in section 4766.05 of the Revised Code, and plus 930
five per cent of fines and moneys arising from bail forfeitures as 931
directed by section 5503.04 of the Revised Code, also shall be 932
deposited into the trauma and emergency medical services fund. All 933
money deposited into the trauma and emergency medical services 934
fund shall be used by the department of public safety for the 935
administration and operation of the division of emergency medical 936
services and the state board of emergency medical, fire, and 937
transportation services, and by the state board of emergency 938
medical, fire, and transportation services to make grants, in 939
accordance with section 4765.07 of the Revised Code and rules the 940
board adopts under section 4765.11 of the Revised Code. The 941
director of budget and management may transfer excess money from 942
the trauma and emergency medical services fund to the state 943
highway safety fund if the director of public safety determines 944
that the amount of money in the trauma and emergency medical 945
services fund exceeds the amount required to cover such costs 946
incurred by the emergency medical services agency and the grants 947
made by the state board of emergency medical, fire, and 948
transportation services and requests the director of budget and 949
management to make the transfer. 950

(F)(1) Subject to division (F)(2) of this section, the 951
failure of a person to wear all of the available elements of a 952
properly adjusted occupant restraining device in violation of 953
division (B)(1) or (3) of this section or the failure of a person 954
to ensure that each minor who is a passenger of an automobile 955
being operated by that person is wearing all of the available 956
elements of a properly adjusted occupant restraining device in 957
violation of division (B)(2) of this section shall not be 958

considered or used by the trier of fact in a tort action as 959
evidence of negligence or contributory negligence. But, the trier 960
of fact may determine based on evidence admitted consistent with 961
the Ohio Rules of Evidence that the failure contributed to the 962
harm alleged in the tort action and may diminish a recovery of 963
compensatory damages that represents noneconomic loss, as defined 964
in section 2307.011 of the Revised Code, in a tort action that 965
could have been recovered but for the plaintiff's failure to wear 966
all of the available elements of a properly adjusted occupant 967
restraining device. Evidence of that failure shall not be used as 968
a basis for a criminal prosecution of the person other than a 969
prosecution for a violation of this section; and shall not be 970
admissible as evidence in a criminal action involving the person 971
other than a prosecution for a violation of this section. 972

(2) If, at the time of an accident involving a passenger car 973
equipped with occupant restraining devices, any occupant of the 974
passenger car who sustained injury or death was not wearing an 975
available occupant restraining device, was not wearing all of the 976
available elements of such a device, or was not wearing such a 977
device as properly adjusted, then, consistent with the Rules of 978
Evidence, the fact that the occupant was not wearing the available 979
occupant restraining device, was not wearing all of the available 980
elements of such a device, or was not wearing such a device as 981
properly adjusted is admissible in evidence in relation to any 982
claim for relief in a tort action to the extent that the claim for 983
relief satisfies all of the following: 984

(a) It seeks to recover damages for injury or death to the 985
occupant. 986

(b) The defendant in question is the manufacturer, designer, 987
distributor, or seller of the passenger car. 988

(c) The claim for relief against the defendant in question is 989
that the injury or death sustained by the occupant was enhanced or 990

As Reported by the House Finance and Appropriations Committee

aggravated by some design defect in the passenger car or that the 991
passenger car was not crashworthy. 992

(G)(1) Whoever violates division (B)(1) of this section shall 993
be fined thirty dollars. 994

(2) Whoever violates division (B)(3) of this section shall be 995
fined twenty dollars. 996

(3) Except as otherwise provided in this division, whoever 997
violates division (B)(4) of this section is guilty of a minor 998
misdemeanor. If the offender previously has been convicted of or 999
pleaded guilty to a violation of division (B)(4) of this section, 1000
whoever violates division (B)(4) of this section is guilty of a 1001
misdemeanor of the third degree. 1002

Sec. 4743.05. Except as otherwise provided in sections 1003
4701.20, 4723.062, 4723.082, 4729.65, 4781.121, and 4781.28 of the 1004
Revised Code, all money collected under Chapters 3773., 4701., 1005
4703., 4709., 4713., 4715., 4717., 4723., 4725., 4729., 4732., 1006
4733., 4734., 4736., 4741., 4753., 4755., 4757., 4758., 4759., 1007
4761., ~~4766.~~, 4771., 4775., 4779., and 4781. of the Revised Code 1008
shall be paid into the state treasury to the credit of the 1009
occupational licensing and regulatory fund, which is hereby 1010
created for use in administering such chapters. 1011

At the end of each quarter, the director of budget and 1012
management shall transfer from the occupational licensing and 1013
regulatory fund to the nurse education assistance fund created in 1014
section 3333.28 of the Revised Code the amount certified to the 1015
director under division (B) of section 4723.08 of the Revised 1016
Code. 1017

At the end of each quarter, the director shall transfer from 1018
the occupational licensing and regulatory fund to the certified 1019
public accountant education assistance fund created in section 1020

4701.26 of the Revised Code the amount certified to the director 1021
under division (H)(2) of section 4701.10 of the Revised Code. 1022

Sec. 4765.02. (A)(1) There is hereby created the state board 1023
of emergency medical, fire, and transportation services within the 1024
division of emergency medical services of the department of public 1025
safety. The board shall consist of the members specified in this 1026
section who are residents of this state. The governor, with the 1027
advice and consent of the senate, shall appoint all members of the 1028
board, except the employee of the department of public safety 1029
designated by the director of public safety under this section to 1030
be a member of the board. In making the appointments, the governor 1031
shall appoint only members with background or experience in 1032
emergency medical services or trauma care and shall attempt to 1033
include members representing urban and rural areas, various 1034
geographical regions of the state, and various schools of 1035
training. 1036

(2) One member of the board shall be a physician certified by 1037
the American board of emergency medicine or the American 1038
osteopathic board of emergency medicine who is active in the 1039
practice of emergency medicine and is actively involved with an 1040
emergency medical service organization. The governor shall appoint 1041
this member from among three persons nominated by the Ohio chapter 1042
of the American college of emergency physicians and three persons 1043
nominated by the Ohio osteopathic association. One member shall be 1044
a physician certified by the American board of surgery or the 1045
American osteopathic board of surgery who is active in the 1046
practice of trauma surgery and is actively involved with emergency 1047
medical services. The governor shall appoint this member from 1048
among three persons nominated by the Ohio chapter of the American 1049
college of surgeons and three persons nominated by the Ohio 1050
osteopathic association. One member shall be a physician certified 1051
by the American academy of pediatrics or American osteopathic 1052

board of pediatrics who is active in the practice of pediatric 1053
emergency medicine and actively involved with an emergency medical 1054
service organization. The governor shall appoint this member from 1055
among three persons nominated by the Ohio chapter of the American 1056
academy of pediatrics and three persons nominated by the Ohio 1057
osteopathic association. One member shall be the administrator of 1058
~~an adult or pediatric trauma center. The governor shall appoint~~ 1059
~~this member from among three persons nominated by the OHA: the~~ 1060
~~association for hospitals and health systems, three persons~~ 1061
~~nominated by the Ohio osteopathic association, three persons~~ 1062
~~nominated by the association of Ohio children's hospitals, and~~ 1063
~~three persons nominated by the health forum of Ohio.~~ One member 1064
shall be the administrator of a hospital ~~that is not a trauma~~ 1065
~~center located in this state.~~ The governor shall appoint this 1066
member from among three persons nominated by OHA: the association 1067
for hospitals and health systems, three persons nominated by the 1068
Ohio osteopathic association, and three persons nominated by the 1069
association of Ohio children's hospitals, ~~and three persons~~ 1070
~~nominated by the health forum of Ohio.~~ One member shall be a 1071
registered nurse with EMS certification who ~~is in the active~~ 1072
~~practice of emergency nursing performs mobile intensive care or~~ 1073
~~air medical transport.~~ The governor shall appoint this member from 1074
among three persons nominated by the Ohio nurses association, 1075
three persons nominated by the Ohio association of critical care 1076
transport, and three persons nominated by the Ohio state council 1077
of the emergency nurses association. One member shall be the chief 1078
of a fire department that is also an emergency medical service 1079
organization in which more than fifty per cent of the persons who 1080
provide emergency medical services are full-time paid employees. 1081
The governor shall appoint this member from among three persons 1082
nominated by the Ohio fire chiefs' association. One member shall 1083
be the chief of a fire department that is also an emergency 1084
medical service organization in which more than fifty per cent of 1085

the persons who provide emergency medical services are volunteers. 1086
The governor shall appoint this member from among three persons 1087
nominated by the Ohio fire chiefs' association. One member shall 1088
be a person who is certified to teach under section 4765.23 of the 1089
Revised Code ~~or, if the board has not yet certified persons to~~ 1090
~~teach under that section, a person who is qualified to be~~ 1091
~~certified to teach under that section and holds a valid~~ 1092
~~certificate to practice as an EMT, advanced EMT, or paramedic.~~ 1093
The governor shall appoint this member from among three persons 1094
nominated by the Ohio emergency medical technician instructors 1095
association and the Ohio instructor/coordinators' society. One 1096
member shall be an ~~EMT basic, one shall be an EMT-I EMT, advanced~~ 1097
~~EMT, or paramedic, and one member~~ shall be a paramedic. The 1098
governor shall appoint these members from among three ~~EMTs basic,~~ 1099
~~three EMTs-I, EMTs or advanced EMTs~~ and three paramedics nominated 1100
by the Ohio association of professional fire fighters ~~and three~~ 1101
~~EMTs basic, three EMTs-I, and three paramedics nominated by the~~ 1102
~~northern Ohio fire fighters.~~ One member shall be an ~~EMT basic, one~~ 1103
~~shall be an EMT-I EMT, advanced EMT, or paramedic, and one member~~ 1104
shall be a paramedic ~~whom the~~. The governor shall appoint ~~these~~ 1105
~~members~~ from among three ~~EMTs basic, three EMTs-I, EMTs or~~ 1106
~~advanced EMTs~~ and three paramedics nominated by the Ohio state 1107
firefighter's association. One member shall be a person whom the 1108
governor shall appoint from among an ~~EMT basic, an EMT-I, and EMT,~~ 1109
~~an advanced EMT, or a paramedic~~ nominated by the Ohio association 1110
of emergency medical services ~~or the Ohio ambulance and medical~~ 1111
~~transportation association.~~ One member shall be an ~~EMT, an~~ 1112
~~advanced EMT, or a paramedic, whom the governor shall appoint from~~ 1113
~~among three persons nominated by the Ohio ambulance and medical~~ 1114
~~transportation association.~~ One member shall be a paramedic, whom 1115
~~the governor shall appoint from among three persons nominated by~~ 1116
~~the Ohio ambulance and medical transportation association.~~ The 1117
~~governor shall appoint one member who is an EMT basic, EMT-I, or~~ 1118

paramedic affiliated with an emergency medical services 1119
organization. One member shall be a member of the Ohio ambulance 1120
association whom the governor shall appoint from among three 1121
persons nominated by the Ohio ambulance association. One member 1122
shall be a physician certified by the American board of surgery, 1123
American board of osteopathic surgery, American osteopathic board 1124
of emergency medicine, or American board of emergency medicine who 1125
is the chief medical officer of an air medical agency and is 1126
currently active in providing emergency medical services. The 1127
governor shall appoint this member from among three persons 1128
nominated by the Ohio association of air medical services. One 1129
member shall be the owner or operator of a private emergency 1130
medical service organization whom the governor shall appoint from 1131
among three persons nominated by the Ohio ambulance and medical 1132
transportation association. One member shall be a provider of 1133
mobile intensive care unit transportation in this state whom the 1134
governor shall appoint from among not more than three persons 1135
nominated by both the Ohio association of critical care transport 1136
and the Ohio ambulance and medical transportation association, and 1137
each person nominated shall be a member of both organizations at 1138
the time of nomination. One member shall be a provider of 1139
air-medical transportation in this state whom the governor shall 1140
appoint from among three persons nominated by the Ohio association 1141
of critical care transport. One member shall be the owner or 1142
operator of a nonemergency medical service organization in this 1143
state that provides ambulette services whom the governor shall 1144
appoint from among three persons nominated by the Ohio ambulance 1145
and medical transportation association. 1146

The governor may refuse to appoint any of the persons 1147
nominated by one or more organizations under division (A)(2) of 1148
this section, except the employee of the department of public 1149
safety designated by the director of public safety under this 1150
section to be a member of the board. In that event, the 1151

organization or organizations shall continue to nominate the required number of persons until the governor appoints to the board one or more of the persons nominated by the organization or organizations. 1152
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The director of public safety shall designate an employee of the department of public safety to serve as a member of the board at the director's pleasure. This member shall serve as a liaison between the department and the division of emergency medical services in cooperation with the executive director of the board. 1156
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~~Initial appointments to the board by the governor and the director of public safety shall be made within ninety days after November 12, 1992. Of the initial appointments by the governor, five shall be for terms ending one year after November 12, 1992, six shall be for terms ending two years after November 12, 1992, and six shall be for terms ending three years after November 12, 1992. Within ninety days after the effective date of this amendment, the governor shall appoint the member of the board who is the chief medical officer of an air medical agency for an initial term ending November 12, 2000. Thereafter, terms~~ 1161
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(B) Terms of office of all members appointed by the governor shall be for three years, each term ending on the same day of the same month as did the term it succeeds. Each member shall hold office from the date of appointment until the end of the term for which the member was appointed. A member shall continue in office subsequent to the expiration date of the member's term until the member's successor takes office, or until a period of sixty days has elapsed, whichever occurs first. 1171
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Each vacancy shall be filled in the same manner as the original appointment. A member appointed to fill a vacancy occurring prior to the expiration of the term for which the member's predecessor was appointed shall hold office for the remainder of the unexpired term. 1179
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The term of a member shall expire if the member ceases to meet any of the requirements to be appointed as that member. The governor may remove any member from office for neglect of duty, malfeasance, misfeasance, or nonfeasance, after an adjudication hearing held in accordance with Chapter 119. of the Revised Code.	1184 1185 1186 1187 1188
<u>(C)</u> The members of the board shall serve without compensation but shall be reimbursed for their actual and necessary expenses incurred in carrying out their duties as board members.	1189 1190 1191
<u>(D)</u> The board shall organize by annually selecting a chair and vice-chair from among its members. The board may adopt bylaws to regulate its affairs. A majority of all members of the board shall constitute a quorum. No action shall be taken without the concurrence of a majority of all members of the board. The board shall meet at least four times annually and at the call of the chair. The chair shall call a meeting on the request of the executive director or the medical director of the board or on the written request of five members. The board shall maintain written or electronic records of its meetings.	1192 1193 1194 1195 1196 1197 1198 1199 1200 1201
<u>(E)</u> Upon twenty-four hours' notice from a member of the board, the member's employer shall release the member from the member's employment duties to attend meetings of the full board. Nothing in this <u>paragraph division</u> requires the employer of a member of the board to compensate the member for time the member is released from employment duties under this paragraph, but any civil immunity, workers' compensation, disability, or similar coverage that applies to a member of the board as a result of the member's employment shall continue to apply while the member is released from employment duties under this paragraph.	1202 1203 1204 1205 1206 1207 1208 1209 1210 1211
Sec. 4765.03. (A) The director of public safety shall appoint a full-time executive director for the state board of emergency <u>medical, fire, and transportation</u> services. The executive director	1212 1213 1214

shall be knowledgeable in emergency medical services and trauma care and shall serve at the pleasure of the director of public safety. The director of public safety shall appoint the executive director from among three persons nominated by the board. The director of public safety may refuse, for cause, to appoint any of the board's nominees. If the director fails to appoint any of the board's nominees, the board shall continue to nominate groups of three persons until the director does appoint one of the board's nominees. The executive director shall serve as the chief executive officer of the board and as the executive director of the division of emergency medical services. The executive director shall attend each meeting of the board, except the board may exclude the executive director from discussions concerning the employment or performance of the executive director or medical director of the board. The executive director shall give a surety bond to the state in such sum as the board determines, conditioned on the faithful performance of the duties of the executive director's office. The executive director shall receive a salary from the board and shall be reimbursed for actual and necessary expenses incurred in carrying out duties as executive director.

The executive director shall submit a report to the director of public safety at least every three months regarding the status of emergency medical services in this state. The executive director shall meet with the director of public safety at the director's request.

(B) The board shall appoint a medical director, who shall serve at the pleasure of the board. The medical director shall be a physician certified by the American board of emergency medicine or the American osteopathic board of emergency medicine who is active in the practice of emergency medicine and has been actively involved with an emergency medical service organization for at

least five years prior to being appointed. The board shall	1247
consider any recommendations for this appointment from the Ohio	1248
chapter of the American college of emergency physicians, the Ohio	1249
chapter of the American college of surgeons, the Ohio chapter of	1250
the American academy of pediatrics, the Ohio osteopathic	1251
association, and the Ohio state medical association.	1252
The medical director shall direct the executive director and	1253
advise the board with regard to adult and pediatric trauma and	1254
emergency medical services issues. The medical director shall	1255
attend each meeting of the board, except the board may exclude the	1256
medical director from discussions concerning the appointment or	1257
performance of the medical director or executive director of the	1258
board. The medical director shall be employed and paid by the	1259
board and shall be reimbursed for actual and necessary expenses	1260
incurred in carrying out duties as medical director.	1261
(C) The board may appoint employees as it determines	1262
necessary. The board shall prescribe the duties and titles of its	1263
employees.	1264
Sec. 4765.04. (A) The firefighter and fire safety inspector	1265
training committee of the state board of emergency medical, <u>fire,</u>	1266
<u>and transportation</u> services is hereby created and shall consist of	1267
the members of the board who are chiefs of fire departments, and	1268
the members of the board who are emergency medical	1269
technicians-basic, emergency medical technicians-intermediate, and	1270
emergency medical technicians-paramedic appointed from among	1271
persons nominated by the Ohio association of professional fire	1272
fighters or the northern Ohio fire fighters and from among persons	1273
nominated by the Ohio state firefighter's association. Each member	1274
of the committee, except the chairperson, may designate a person	1275
with fire experience to serve in that member's place. The members	1276
of the committee or their designees shall select a chairperson	1277

from among the members or their designees.	1278
The committee may conduct investigations in the course of discharging its duties under this chapter. In the course of an investigation, the committee may issue subpoenas. If a person subpoenaed fails to comply with the subpoena, the committee may authorize its chairperson to apply to the court of common pleas in the county where the person to be subpoenaed resides for an order compelling compliance in the same manner as compliance with a subpoena issued by the court is compelled.	1279 1280 1281 1282 1283 1284 1285 1286
(B) The trauma committee of the state board of emergency medical, <u>fire, and transportation</u> services is hereby created and shall consist of the following members appointed by the director of public safety:	1287 1288 1289 1290
(1) A physician who is certified by the American board of surgery or American osteopathic board of surgery and actively practices general trauma surgery, appointed from among three persons nominated by the Ohio chapter of the American college of surgeons, three persons nominated by the Ohio state medical association, and three persons nominated by the Ohio osteopathic association;	1291 1292 1293 1294 1295 1296 1297
(2) A physician who is certified by the American board of surgery or the American osteopathic board of surgery and actively practices orthopedic trauma surgery, appointed from among three persons nominated by the Ohio orthopedic society and three persons nominated by the Ohio osteopathic association;	1298 1299 1300 1301 1302
(3) A physician who is certified by the American board of neurological surgeons or the American osteopathic board of surgery and actively practices neurosurgery on trauma victims, appointed from among three persons nominated by the Ohio state neurological society and three persons nominated by the Ohio osteopathic association;	1303 1304 1305 1306 1307 1308

(4) A physician who is certified by the American board of surgeons or American osteopathic board of surgeons and actively specializes in treating burn victims, appointed from among three persons nominated by the Ohio chapter of the American college of surgeons and three persons nominated by the Ohio osteopathic association;	1309 1310 1311 1312 1313 1314
(5) A dentist who is certified by the American board of oral and maxillofacial surgery and actively practices oral and maxillofacial surgery, appointed from among three persons nominated by the Ohio dental association;	1315 1316 1317 1318
(6) A physician who is certified by the American board of physical medicine and rehabilitation or American osteopathic board of rehabilitation medicine and actively provides rehabilitative care to trauma victims, appointed from among three persons nominated by the Ohio society of physical medicine and rehabilitation and three persons nominated by the Ohio osteopathic association;	1319 1320 1321 1322 1323 1324 1325
(7) A physician who is certified by the American board of surgery or American osteopathic board of surgery with special qualifications in pediatric surgery and actively practices pediatric trauma surgery, appointed from among three persons nominated by the Ohio chapter of the American academy of pediatrics and three persons nominated by the Ohio osteopathic association;	1326 1327 1328 1329 1330 1331 1332
(8) A physician who is certified by the American board of emergency medicine or American osteopathic board of emergency medicine, actively practices emergency medicine, and is actively involved in emergency medical services, appointed from among three persons nominated by the Ohio chapter of the American college of emergency physicians and three persons nominated by the Ohio osteopathic association;	1333 1334 1335 1336 1337 1338 1339

(9) A physician who is certified by the American board of pediatrics, American osteopathic board of pediatrics, or American board of emergency medicine, is sub-boarded in pediatric emergency medicine, actively practices pediatric emergency medicine, and is actively involved in emergency medical services, appointed from among three persons nominated by the Ohio chapter of the American academy of pediatrics, three persons nominated by the Ohio chapter of the American college of emergency physicians, and three persons nominated by the Ohio osteopathic association;	1340 1341 1342 1343 1344 1345 1346 1347 1348
(10) A physician who is certified by the American board of surgery, American osteopathic board of surgery, or American board of emergency medicine and is the chief medical officer of an air medical organization, appointed from among three persons nominated by the Ohio association of air medical services;	1349 1350 1351 1352 1353
(11) A coroner or medical examiner appointed from among three people nominated by the Ohio state coroners' association;	1354 1355
(12) A registered nurse who actively practices trauma nursing at an adult or pediatric trauma center, appointed from among three persons nominated by the Ohio association of trauma nurse coordinators;	1356 1357 1358 1359
(13) A registered nurse who actively practices emergency nursing and is actively involved in emergency medical services, appointed from among three persons nominated by the Ohio chapter of the emergency nurses' association;	1360 1361 1362 1363
(14) The chief trauma registrar of an adult or pediatric trauma center, appointed from among three persons nominated by the alliance of Ohio trauma registrars;	1364 1365 1366
(15) The administrator of an adult or pediatric trauma center, appointed from among three persons nominated by OHA: the association for hospitals and health systems, three persons nominated by the Ohio osteopathic association, three persons	1367 1368 1369 1370

nominated by the association of Ohio children's hospitals, and	1371
three persons nominated by the health forum of Ohio;	1372
(16) The administrator of a hospital that is not a trauma	1373
center and actively provides emergency care to adult or pediatric	1374
trauma patients, appointed from among three persons nominated by	1375
OHA: the association for hospitals and health systems, three	1376
persons nominated by the Ohio osteopathic association, three	1377
persons nominated by the association of Ohio children's hospitals,	1378
and three persons nominated by the health forum of Ohio;	1379
(17) The operator of an ambulance company that actively	1380
provides trauma care to emergency patients, appointed from among	1381
three persons nominated by the Ohio ambulance association;	1382
(18) The chief of a fire department that actively provides	1383
trauma care to emergency patients, appointed from among three	1384
persons nominated by the Ohio fire chiefs' association;	1385
(19) An EMT or paramedic who is certified under this chapter	1386
and actively provides trauma care to emergency patients, appointed	1387
from among three persons nominated by the Ohio association of	1388
professional firefighters, three persons nominated by the northern	1389
Ohio fire fighters, three persons nominated by the Ohio state	1390
firefighters' association, and three persons nominated by the Ohio	1391
association of emergency medical services;	1392
(20) A person who actively advocates for trauma victims,	1393
appointed from three persons nominated by the Ohio brain injury	1394
association and three persons nominated by the governor's council	1395
on people with disabilities;	1396
(21) A physician or nurse who has substantial administrative	1397
responsibility for trauma care provided in or by an adult or	1398
pediatric trauma center, appointed from among three persons	1399
nominated by OHA: the association for hospitals and health	1400
systems, three persons nominated by the Ohio osteopathic	1401

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association, three persons nominated by the association of Ohio children's hospitals, and three persons nominated by the health forum of Ohio;	1402 1403 1404
(22) Three representatives of hospitals that are not trauma centers and actively provide emergency care to trauma patients, appointed from among three persons nominated by OHA: the association for hospitals and health systems, three persons nominated by the Ohio osteopathic association, three persons nominated by the association of Ohio children's hospitals, and three persons nominated by the health forum of Ohio. The representatives may be hospital administrators, physicians, nurses, or other clinical professionals.	1405 1406 1407 1408 1409 1410 1411 1412 1413
Members of the committee shall have substantial experience in the categories they represent, shall be residents of this state, and may be members of the state board of emergency medical, <u>fire,</u> and <u>transportation</u> services. In appointing members of the committee, the director shall attempt to include members representing urban and rural areas, various geographical areas of the state, and various schools of training. The director shall not appoint to the committee more than one member who is employed by or practices at the same hospital, health system, or emergency medical service organization.	1414 1415 1416 1417 1418 1419 1420 1421 1422 1423
The director may refuse to appoint any of the persons nominated by an organization or organizations under this division. In that event, the organization or organizations shall continue to nominate the required number of persons until the director appoints to the committee one or more of the persons nominated by the organization or organizations.	1424 1425 1426 1427 1428 1429
Initial appointments to the committee shall be made by the director not later than ninety days after November 3, 2000. Members of the committee shall serve at the pleasure of the director, except that any member of the committee who ceases to be	1430 1431 1432 1433

qualified for the position to which the member was appointed shall cease to be a member of the committee. Vacancies on the committee shall be filled in the same manner as original appointments.	1434 1435 1436
The members of the committee shall serve without compensation but shall be reimbursed for actual and necessary expenses incurred in carrying out duties as members of the committee.	1437 1438 1439
The committee shall select a chairperson and vice-chairperson from among its members. A majority of all members of the committee shall constitute a quorum. No action shall be taken without the concurrence of a majority of all members of the committee. The committee shall meet at the call of the chair, upon written request of five members of the committee, and at the direction of the state board of emergency medical, fire, and transportation services. The committee shall not meet at times or locations that conflict with meetings of the board. The executive director and medical director of the state board of emergency medical, fire, and transportation services may participate in any meeting of the committee and shall do so at the request of the committee.	1440 1441 1442 1443 1444 1445 1446 1447 1448 1449 1450 1451
The committee shall advise and assist the state board of emergency medical, fire, and transportation services in matters related to adult and pediatric trauma care and the establishment and operation of the state trauma registry. In matters relating to the state trauma registry, the board and the committee shall consult with trauma registrars from adult and pediatric trauma centers in the state. The committee may appoint a subcommittee to advise and assist with the trauma registry. The subcommittee may include persons with expertise relevant to the trauma registry who are not members of the board or committee.	1452 1453 1454 1455 1456 1457 1458 1459 1460 1461
(C) The state board of emergency medical, fire, and transportation services may appoint other committees and subcommittees as it considers necessary.	1462 1463 1464

(D) The state board of emergency medical, <u>fire, and transportation</u> services, and any of its committees or subcommittees, may request assistance from any state agency. The board and its committees and subcommittees may permit persons who are not members of those bodies to participate in deliberations of those bodies, but no person who is not a member of the board shall vote on the board and no person who is not a member of a committee created under division (A) or (B) of this section shall vote on that committee.	1465 1466 1467 1468 1469 1470 1471 1472 1473
(E) Sections 101.82 to 101.87 of the Revised Code do not apply to the committees established under division (A) or (B) of this section.	1474 1475 1476
Sec. 4765.05. (A) As used in this section, "prehospital emergency medical services" means an emergency medical services system that provides medical services to patients who require immediate assistance, because of illness or injury, prior to their arrival at an emergency medical facility.	1477 1478 1479 1480 1481
(B) The state board of emergency medical, <u>fire, and transportation</u> services shall divide the state geographically into prehospital emergency medical services regions for purposes of overseeing the delivery of adult and pediatric prehospital emergency medical services. For each prehospital emergency medical services region, the state board of emergency medical, <u>fire, and transportation</u> services shall appoint either a physician to serve as the regional director or a physician advisory board to serve as the regional advisory board. The state board of emergency medical, <u>fire, and transportation</u> services shall specify the duties of each regional director and regional advisory board. Regional directors and members of regional advisory boards shall serve without compensation, but shall be reimbursed for actual and necessary expenses incurred in carrying out duties as regional directors and	1482 1483 1484 1485 1486 1487 1488 1489 1490 1491 1492 1493 1494 1495

members of regional advisory boards.	1496
(C) Nothing in this section shall be construed to limit in any way the ability of a hospital to determine the market area of that hospital.	1497 1498 1499
Sec. 4765.06. (A) The state board of emergency medical, <u>fire,</u> <u>and transportation</u> services shall establish an emergency medical services incidence reporting system for the collection of information regarding the delivery of emergency medical services in this state and the frequency at which the services are provided. All emergency medical service organizations shall submit to the board any information that the board determines is necessary for maintaining the incidence reporting system.	1500 1501 1502 1503 1504 1505 1506 1507
(B) The board shall establish a state trauma registry to be used for the collection of information regarding the care of adult and pediatric trauma victims in this state. The registry shall provide for the reporting of adult and pediatric trauma-related deaths, identification of adult and pediatric trauma patients, monitoring of adult and pediatric trauma patient care data, determination of the total amount of uncompensated adult and pediatric trauma care provided annually by each facility that provides care to trauma victims, and collection of any other information specified by the board. All persons designated by the board shall submit to the board any information it determines is necessary for maintaining the state trauma registry. At the request of the board any state agency possessing information regarding adult or pediatric trauma care shall provide the information to the board. The board shall maintain the state trauma registry in accordance with rules adopted under section 4765.11 of the Revised Code.	1508 1509 1510 1511 1512 1513 1514 1515 1516 1517 1518 1519 1520 1521 1522 1523 1524
Rules relating to the state trauma registry adopted under this section and section 4765.11 of the Revised Code shall not	1525 1526

prohibit the operation of other trauma registries and may provide for the reporting of information to the state trauma registry by or through other trauma registries in a manner consistent with information otherwise reported to the state trauma registry. Other trauma registries may report aggregate information to the state trauma registry, provided the information can be matched to the person that reported it. Information maintained by another trauma registry and reported to the state trauma registry in lieu of being reported directly to the state trauma registry is a public record and shall be maintained, made available to the public, held in confidence, risk adjusted, and not subject to discovery or introduction into evidence in a civil action as provided in section 149.43 of the Revised Code and this section. Any person who provides, maintains, or risk adjusts such information shall comply with this section and rules adopted under it in performing that function and has the same immunities with respect to that function as a person who performs that function with respect to the state trauma registry.	1527 1528 1529 1530 1531 1532 1533 1534 1535 1536 1537 1538 1539 1540 1541 1542 1543 1544
(C) The board and any employee or contractor of the board or the department of public safety shall not make public information it receives under Chapter 4765. of the Revised Code that identifies or would tend to identify a specific recipient of emergency medical services or adult or pediatric trauma care.	1545 1546 1547 1548 1549
(D) Not later than two years after November 3, 2000, the board shall adopt and implement rules under section 4765.11 of the Revised Code that provide written standards and procedures for risk adjustment of information received by the board under Chapter 4765. of the Revised Code. The rules shall be developed in consultation with appropriate medical, hospital, and emergency medical service organizations and may provide for risk adjustment by a contractor of the board. Except as provided in division (G) of this section, before risk adjustment standards and procedures	1550 1551 1552 1553 1554 1555 1556 1557 1558

are implemented, no member of the board and no employee or 1559
contractor of the board or the department of public safety shall 1560
make public information received by the board under Chapter 4765. 1561
of the Revised Code that identifies or would tend to identify a 1562
specific provider of emergency medical services or adult or 1563
pediatric trauma care. Except as provided in division (G) of this 1564
section, after risk adjustment standards and procedures are 1565
implemented, the board shall make public such information only on 1566
a risk adjusted basis. 1567

(E) The board shall adopt rules under section 4765.11 of the 1568
Revised Code that specify procedures for ensuring the 1569
confidentiality of information that is not to be made public under 1570
this section. The rules shall specify the circumstances in which 1571
deliberations of the persons performing risk adjustment functions 1572
under this section are not open to the public and records of those 1573
deliberations are maintained in confidence. Nothing in this 1574
section prohibits the board from making public statistical 1575
information that does not identify or tend to identify a specific 1576
recipient or provider of emergency medical services or adult or 1577
pediatric trauma care. 1578

(F) No provider that furnishes information to the board with 1579
respect to any patient the provider examined or treated shall, 1580
because of this furnishing, be deemed liable in damages to any 1581
person or be held to answer for betrayal of a professional 1582
confidence in the absence of willful or wanton misconduct. No such 1583
information shall be subject to introduction in evidence in any 1584
civil action against the provider. No provider that furnishes 1585
information to the board shall be liable for the misuse or 1586
improper release of the information by the board or any other 1587
person. 1588

No person who performs risk adjustment functions under this 1589
section shall, because of performing such functions, be held 1590

liable in a civil action for betrayal of professional confidence 1591
or otherwise in the absence of willful or wanton misconduct. 1592

(G) The board may transmit data that identifies or tends to 1593
identify a specific provider of emergency medical services care 1594
and has not been risk-adjusted from the emergency medical services 1595
incident reporting system directly to the national emergency 1596
medical services information system, pursuant to a written 1597
contract between the board and the federal agency that administers 1598
the national emergency medical services information system, which 1599
shall ensure to the maximum extent permitted by federal law that 1600
such agency shall use such data solely for inclusion in the 1601
national emergency medical services information system and shall 1602
not disclose such data to the public, through legal discovery, a 1603
freedom of information request, or otherwise, in a manner that 1604
identifies or tends to identify a specific provider of emergency 1605
medical services care. 1606

Sec. 4765.07. (A) The state board of emergency medical, fire, 1607
and transportation services shall adopt rules under section 1608
4765.11 of the Revised Code to establish and administer a grant 1609
program under which grants are distributed according to the 1610
following priorities: 1611

(1) First priority shall be given to emergency medical 1612
service organizations for the training of personnel, for the 1613
purchase of equipment and vehicles, and to improve the 1614
availability, accessibility, and quality of emergency medical 1615
services in this state. In this category, the board shall give 1616
priority to grants that fund training and equipping of emergency 1617
medical service personnel. 1618

(2) Second priority shall be given to entities that research, 1619
test, and evaluate medical procedures and systems related to adult 1620
and pediatric trauma care. 1621

(3) Third priority shall be given to entities that research the causes, nature, and effects of traumatic injuries, educate the public about injury prevention, and implement, test, and evaluate injury prevention strategies.	1622 1623 1624 1625
(4) Fourth priority shall be given to entities that research, test, and evaluate procedures that promote the rehabilitation, retraining, and reemployment of adult or pediatric trauma victims and social service support mechanisms for adult or pediatric trauma victims and their families.	1626 1627 1628 1629 1630
(5) Fifth priority shall be given to entities that conduct research on, test, or evaluate one or more of the following:	1631 1632
(a) Procedures governing the performance of emergency medical services in this state;	1633 1634
(b) The training of emergency medical service personnel;	1635
(c) The staffing of emergency medical service organizations.	1636
(6) For grants distributed for the grant award years occurring not later than the award year ending June 30, 2017, sixth priority shall be given to entities that operate paramedic training programs and are seeking national accreditation of the programs.	1637 1638 1639 1640 1641
(B) To be eligible for a grant distributed pursuant to division (A)(6) of this section, an applicant for the grant shall meet all of the following conditions:	1642 1643 1644
(1) Hold a certificate of accreditation issued by the board under section 4765.17 of the Revised Code to operate a paramedic training program;	1645 1646 1647
(2) Be seeking initial national accreditation of the program from an accrediting organization approved by the board;	1648 1649
(3) Apply for the national accreditation on or after February 25, 2010.	1650 1651

(C) The grant program shall be funded from the trauma and emergency medical services fund created by section 4513.263 of the Revised Code. 1652
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Sec. 4765.08. The state board of emergency medical, fire, and transportation services shall prepare a statewide emergency medical services plan and shall revise the plan as necessary. 1655
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The board shall prepare a plan for the statewide regulation of emergency medical services during periods of disaster. The plan shall be consistent with the statewide emergency medical services plan required under this section and with the statewide emergency operations plan required under section 5502.22 of the Revised Code. The board shall submit the plan to the emergency management agency created under section 5502.22 of the Revised Code. The board shall cooperate with the agency in any other manner the agency considers necessary to develop and implement the statewide emergency operations plan. 1658
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Sec. 4765.09. The state board of emergency medical, fire, and transportation services shall prepare recommendations for the operation of ambulance service organizations, air medical organizations, and emergency medical service organizations. Within thirty days following the preparation or modification of recommendations, the board shall notify the board of county commissioners of any county, the board of township trustees of any township, the board of trustees of any joint ambulance district, or the board of trustees of any joint emergency medical services district in which there exist ambulance service organizations, air medical organizations, or emergency medical service organizations of any board recommendations for the operation of such organizations. The recommendations shall include, but not be limited to: 1668
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(A) The definition and classification of ambulances and medical aircraft;	1682 1683
(B) The design, equipment, and supplies for ambulances and medical aircraft, including special equipment, supplies, training, and staffing required to assist pediatric and geriatric emergency victims;	1684 1685 1686 1687
(C) The minimum number and type of personnel for the operation of ambulances and medical aircraft;	1688 1689
(D) The communication systems necessary for the operation of ambulances and medical aircraft;	1690 1691
(E) Reports to be made by persons holding certificates of accreditation or approval issued under section 4765.17 of the Revised Code and certificates to practice issued under section 4765.30 of the Revised Code to ascertain compliance with this chapter and the rules and recommendations adopted thereunder and to ascertain the quantity and quality of ambulance service organizations, air medical organizations, and emergency medical service organizations throughout the state.	1692 1693 1694 1695 1696 1697 1698 1699
Sec. 4765.10. (A) The state board of emergency medical, fire, and transportation services shall do all of the following:	1700 1701
(1) Administer and enforce the provisions of this chapter and the rules adopted under it;	1702 1703
(2) Approve, in accordance with procedures established in rules adopted under section 4765.11 of the Revised Code, examinations that demonstrate competence to have a certificate to practice renewed without completing a continuing education program;	1704 1705 1706 1707 1708
(3) Advise applicants for state or federal emergency medical services funds, review and comment on applications for these funds, and approve the use of all state and federal funds	1709 1710 1711

designated solely for emergency medical service programs unless	1712
federal law requires another state agency to approve the use of	1713
all such federal funds;	1714
(4) Serve as a statewide clearinghouse for discussion,	1715
inquiry, and complaints concerning emergency medical services;	1716
(5) Make recommendations to the general assembly on	1717
legislation to improve the delivery of emergency medical services;	1718
(6) Maintain a toll-free long distance telephone number	1719
through which it shall respond to questions about emergency	1720
medical services;	1721
(7) Work with appropriate state offices in coordinating the	1722
training of firefighters and emergency medical service personnel.	1723
Other state offices that are involved in the training of	1724
firefighters or emergency medical service personnel shall	1725
cooperate with the board and its committees and subcommittees to	1726
achieve this goal.	1727
(8) Provide a liaison to the state emergency operation center	1728
during those periods when a disaster, as defined in section	1729
5502.21 of the Revised Code, has occurred in this state and the	1730
governor has declared an emergency as defined in that section.	1731
(B) The board may do any of the following:	1732
(1) Investigate complaints concerning emergency medical	1733
services and emergency medical service organizations as it	1734
determines necessary;	1735
(2) Enter into reciprocal agreements with other states that	1736
have standards for accreditation of emergency medical services	1737
training programs and for certification of first responders,	1738
EMTs-basic, EMTs-I, paramedics, firefighters, or fire safety	1739
inspectors that are substantially similar to those established	1740
under this chapter and the rules adopted under it;	1741

(3) Establish a statewide public information system and public education programs regarding emergency medical services;	1742 1743
(4) Establish an injury prevention program.	1744
 Sec. 4765.101. (A) The state board of emergency medical, <u>fire, and transportation</u> services shall investigate any allegation that a person has violated this chapter or a rule adopted under it.	1745 1746 1747 1748
Any person may submit to the board a written complaint regarding an alleged violation of this chapter or a rule adopted under it. In the absence of fraud or bad faith, no person submitting a complaint to the board or testifying in an adjudication hearing conducted in accordance with Chapter 119. of the Revised Code with regard to such an alleged violation shall be liable to any person in damages in a civil action as a result of submitting the complaint or providing testimony.	1749 1750 1751 1752 1753 1754 1755 1756
(B) In investigating an allegation, the board may do any of the following:	1757 1758
(1) Administer oaths;	1759
(2) Order the taking of depositions;	1760
(3) Issue subpoenas;	1761
(4) Compel the attendance of witnesses and production of books, accounts, papers, records, documents, and testimony.	1762 1763
(C) A subpoena for patient record information shall not be issued without consultation with the attorney general's office and approval of the executive director of the board. Before issuance of a subpoena for patient record information, the executive director shall determine whether there is probable cause to believe that the complaint filed alleges a violation of this chapter or any rule adopted under it and that the records sought are relevant to the alleged violation and material to the	1764 1765 1766 1767 1768 1769 1770 1771

investigation. The subpoena may apply only to records that cover a reasonable period of time surrounding the alleged violation. 1772
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(D) On failure to comply with any subpoena issued by the board and after reasonable notice to the person being subpoenaed, the board may move, pursuant to the Rules of Civil Procedure, for an order compelling the production of persons or records. 1774
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(E) A subpoena issued by the board may be served by a sheriff, the sheriff's deputy, or an investigator for the division of emergency medical services of the department of public safety. 1778
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Service of a subpoena issued by the board may be made by delivering a copy of the subpoena to the person named in it, 1781
reading it to the person, or leaving it at the person's usual 1782
place of residence. When the person being served is an individual 1783
authorized by this chapter to practice emergency medical services, 1784
service of the subpoena may be made by certified mail, restricted 1785
delivery, return receipt requested, and the subpoena shall be 1786
deemed served on the date delivery is made or on the date that the 1787
person refuses to accept delivery. 1788
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Sec. 4765.102. (A) As used in this section, "licensing agency" means any entity that has the authority pursuant to Title XLVII of the Revised Code to issue a license, and any other agency of this or another state, other than the Ohio supreme court, that has the authority to issue a license that authorizes an individual to engage in an occupation or profession. "Licensing agency" includes an administrative officer that has authority to issue a license that authorizes an individual to engage in an occupation or profession. 1790
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(B) Except as provided in divisions (C) and (D) of this section and section 4765.111 of the Revised Code, all information the state board of emergency medical, fire, and transportation services receives pursuant to an investigation, including 1799
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information regarding an alleged violation of this chapter or 1803
rules adopted under it or a complaint submitted under division (A) 1804
of section 4765.101 of the Revised Code, is confidential, and is 1805
not subject to discovery in any civil action, during the course of 1806
the investigation and any adjudication proceedings that result 1807
from the investigation. Upon completion of the investigation and 1808
any resulting adjudication proceedings, the information is a 1809
matter of public record for purposes of section 149.43 of the 1810
Revised Code. 1811

(C) The board may release information otherwise made 1812
confidential by division (B) of this section to law enforcement 1813
officers or licensing agencies of this or another state that are 1814
prosecuting, adjudicating, or investigating the holder of a 1815
certificate issued under this chapter or a person who allegedly 1816
engaged in the unauthorized provision of emergency medical 1817
services. 1818

A law enforcement officer or licensing agency with 1819
information disclosed by the board under this division shall not 1820
divulge the information other than for the purpose of an 1821
adjudication by a court or licensing agency to which the subject 1822
of the adjudication is a party. 1823

(D) If an investigation conducted under section 4765.101 of 1824
the Revised Code requires a review of patient records, the 1825
investigation and proceedings related to it shall be conducted in 1826
such a manner as to protect patient confidentiality. The board 1827
shall not make public the name or any other identifying 1828
information about a patient unless proper consent is given in 1829
accordance with rules adopted by the board. If the patient is less 1830
than eighteen years of age, the board shall obtain consent from 1831
the patient's parent, guardian, or custodian. 1832

Sec. 4765.11. (A) The state board of emergency medical, fire,

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<u>and transportation</u> services shall adopt, and may amend and rescind, rules in accordance with Chapter 119. of the Revised Code and division (C) of this section that establish all of the following:	1834 1835 1836 1837
(1) Procedures for its governance and the control of its actions and business affairs;	1838 1839
(2) Standards for the performance of emergency medical services by first responders, emergency medical technicians-basic, emergency medical technicians-intermediate, and emergency medical technicians-paramedic;	1840 1841 1842 1843
(3) Application fees for certificates of accreditation, certificates of approval, certificates to teach, and certificates to practice, which shall be deposited into the trauma and emergency medical services fund created in section 4513.263 of the Revised Code;	1844 1845 1846 1847 1848
(4) Criteria for determining when the application or renewal fee for a certificate to practice may be waived because an applicant cannot afford to pay the fee;	1849 1850 1851
(5) Procedures for issuance and renewal of certificates of accreditation, certificates of approval, certificates to teach, and certificates to practice, including any procedures necessary to ensure that adequate notice of renewal is provided in accordance with division (D) of section 4765.30 of the Revised Code;	1852 1853 1854 1855 1856 1857
(6) Procedures for suspending or revoking certificates of accreditation, certificates of approval, certificates to teach, and certificates to practice;	1858 1859 1860
(7) Grounds for suspension or revocation of a certificate to practice issued under section 4765.30 of the Revised Code and for taking any other disciplinary action against a first responder, EMT-basic, EMT-I, or paramedic;	1861 1862 1863 1864

(8) Procedures for taking disciplinary action against a first responder, EMT-basic, EMT-I, or paramedic;	1865 1866
(9) Standards for certificates of accreditation and certificates of approval;	1867 1868
(10) Qualifications for certificates to teach;	1869
(11) Requirements for a certificate to practice;	1870
(12) The curricula, number of hours of instruction and training, and instructional materials to be used in adult and pediatric emergency medical services training programs and adult and pediatric emergency medical services continuing education programs;	1871 1872 1873 1874 1875
(13) Procedures for conducting courses in recognizing symptoms of life-threatening allergic reactions and in calculating proper dosage levels and administering injections of epinephrine to adult and pediatric patients who suffer life-threatening allergic reactions;	1876 1877 1878 1879 1880
(14) Examinations for certificates to practice;	1881
(15) Procedures for administering examinations for certificates to practice;	1882 1883
(16) Procedures for approving examinations that demonstrate competence to have a certificate to practice renewed without completing an emergency medical services continuing education program;	1884 1885 1886 1887
(17) Procedures for granting extensions and exemptions of emergency medical services continuing education requirements;	1888 1889
(18) Procedures for approving the additional emergency medical services first responders are authorized by division (C) of section 4765.35 of the Revised Code to perform, EMTs-basic are authorized by division (C) of section 4765.37 of the Revised Code to perform, EMTs-I are authorized by division (B)(5) of section	1890 1891 1892 1893 1894

4765.38 of the Revised Code to perform, and paramedics are authorized by division (B)(6) of section 4765.39 of the Revised Code to perform;	1895 1896 1897
(19) Standards and procedures for implementing the requirements of section 4765.06 of the Revised Code, including designations of the persons who are required to report information to the board and the types of information to be reported;	1898 1899 1900 1901
(20) Procedures for administering the emergency medical services grant program established under section 4765.07 of the Revised Code;	1902 1903 1904
(21) Procedures consistent with Chapter 119. of the Revised Code for appealing decisions of the board;	1905 1906
(22) Minimum qualifications and peer review and quality improvement requirements for persons who provide medical direction to emergency medical service personnel;	1907 1908 1909
(23) The manner in which a patient, or a patient's parent, guardian, or custodian may consent to the board releasing identifying information about the patient under division (D) of section 4765.102 of the Revised Code;	1910 1911 1912 1913
(24) Circumstances under which a training program or continuing education program, or portion of either type of program, may be taught by a person who does not hold a certificate to teach issued under section 4765.23 of the Revised Code;	1914 1915 1916 1917
(25) Certification cycles for certificates issued under sections 4765.23 and 4765.30 of the Revised Code and certificates issued by the executive director of the state board of emergency medical, fire, and transportation services under section 4765.55 of the Revised Code that establish a common expiration date for all certificates.	1918 1919 1920 1921 1922 1923
(B) The board may adopt, and may amend and rescind, rules in	1924

accordance with Chapter 119. of the Revised Code and division (C) of this section that establish the following:	1925 1926
(1) Specifications of information that may be collected under the trauma system registry and incidence reporting system created under section 4765.06 of the Revised Code;	1927 1928 1929
(2) Standards and procedures for implementing any of the recommendations made by any committees of the board or under section 4765.04 of the Revised Code;	1930 1931 1932
(3) Requirements that a person must meet to receive a certificate to practice as a first responder pursuant to division (A)(2) of section 4765.30 of the Revised Code;	1933 1934 1935
(4) Any other rules necessary to implement this chapter.	1936
(C) In developing and administering rules adopted under this chapter, the state board of emergency medical, <u>fire</u> , and <u>transportation</u> services shall consult with regional directors and regional physician advisory boards created by section 4765.05 of the Revised Code and emphasize the special needs of pediatric and geriatric patients.	1937 1938 1939 1940 1941 1942
(D) Except as otherwise provided in this division, before adopting, amending, or rescinding any rule under this chapter, the board shall submit the proposed rule to the director of public safety for review. The director may review the proposed rule for not more than sixty days after the date it is submitted. If, within this sixty-day period, the director approves the proposed rule or does not notify the board that the rule is disapproved, the board may adopt, amend, or rescind the rule as proposed. If, within this sixty-day period, the director notifies the board that the proposed rule is disapproved, the board shall not adopt, amend, or rescind the rule as proposed unless at least twelve members of the board vote to adopt, amend, or rescind it.	1943 1944 1945 1946 1947 1948 1949 1950 1951 1952 1953 1954
This division does not apply to an emergency rule adopted in	1955

accordance with section 119.03 of the Revised Code. 1956

Sec. 4765.111. Except as provided in this section or sections 1957
4765.112 to 4765.116 of the Revised Code, the state board of 1958
emergency medical, fire, and transportation services shall conduct 1959
disciplinary proceedings regarding the holder of a certificate 1960
issued under this chapter in accordance with rules adopted by the 1961
board under section 4765.11 of the Revised Code. 1962

The board and a holder of a certificate are the parties to a 1963
hearing conducted under this chapter. Either party may submit a 1964
written request to the other party for a list of witnesses and 1965
copies of documents intended to be introduced at the hearing. The 1966
request shall be in writing and shall be served not less than 1967
thirty-seven days prior to the commencement of the hearing, unless 1968
the hearing officer or presiding board member grants an extension 1969
of time to make the request. Not later than thirty days before the 1970
hearing, the responding party shall provide the requested list of 1971
witnesses and copies of documents to the requesting party, unless 1972
the hearing officer or presiding board member grants an extension 1973
of time to provide the list and copies. 1974

Failure to timely provide a list or copies requested in 1975
accordance with this section shall result in exclusion from the 1976
hearing of the witnesses, testimony, or documents. 1977

Sec. 4765.112. (A) The state board of emergency medical, 1978
fire, and transportation services, by an affirmative vote of the 1979
majority of its members, may suspend without a prior hearing a 1980
certificate to practice issued under this chapter if the board 1981
determines that there is clear and convincing evidence that 1982
continued practice by the certificate holder presents a danger of 1983
immediate and serious harm to the public and that the certificate 1984
holder has done any of the following: 1985

(1) Furnished false, fraudulent, or misleading information to the board;	1986 1987
(2) Engaged in activities that exceed those permitted by the individual's certificate;	1988 1989
(3) In a court of this or any other state or federal court been convicted of, pleaded guilty to, or been the subject of a judicial finding of guilt of, a judicial finding of guilt resulting from a plea of no contest to, or a judicial finding of eligibility for intervention in lieu of conviction for, a felony or for a misdemeanor committed in the course of practice or involving gross immorality or moral turpitude.	1990 1991 1992 1993 1994 1995 1996
(B) Immediately following the decision to impose a summary suspension, the board, in accordance with section 119.07 of the Revised Code, shall issue a written order of suspension, cause it to be delivered to the certificate holder, and notify the certificate holder of the opportunity for a hearing. If timely requested by the certificate holder, a hearing shall be conducted in accordance with section 4765.115 of the Revised Code.	1997 1998 1999 2000 2001 2002 2003
Sec. 4765.113. If the state board of emergency medical, <u>fire,</u> and <u>transportation</u> services imposes a suspension on the basis of a conviction, judicial finding, or plea as described in division (A)(3) of section 4765.112 of the Revised Code that is overturned on appeal, the certificate holder, on exhaustion of the criminal appeal process, may file with the board a petition for reconsideration of the suspension along with appropriate court documents. On receipt of the petition and documents, the board shall reinstate the certificate holder's certificate to practice.	2004 2005 2006 2007 2008 2009 2010 2011 2012
Sec. 4765.114. (A) A certificate to practice emergency medical services issued under this chapter is automatically suspended on the certificate holder's conviction of, plea of	2013 2014 2015

guilty to, or judicial finding of guilt of any of the following: 2016
aggravated murder, murder, voluntary manslaughter, felonious 2017
assault, kidnapping, rape, sexual battery, gross sexual 2018
imposition, aggravated arson, aggravated burglary, aggravated 2019
robbery, or a substantially equivalent offense committed in this 2020
or another jurisdiction. Continued practice after the suspension 2021
is practicing without a certificate. 2022

(B) If the state board of emergency medical, fire, and 2023
transportation services has knowledge that an automatic suspension 2024
has occurred, it shall notify, in accordance with section 119.07 2025
of the Revised Code, the certificate holder of the suspension and 2026
of the opportunity for a hearing. If timely requested by the 2027
certificate holder, a hearing shall be conducted in accordance 2028
with section 4765.115 of the Revised Code. 2029

Sec. 4765.115. (A) A suspension order issued under section 2030
4765.112 or automatic suspension under section 4765.114 of the 2031
Revised Code is not subject to suspension by a court prior to a 2032
hearing under this section or during the pendency of any appeal 2033
filed under section 119.12 of the Revised Code. 2034

(B) A suspension order issued under section 4765.112 or 2035
automatic suspension under section 4765.114 of the Revised Code 2036
remains in effect, unless reversed by the state board of emergency 2037
medical, fire, and transportation services, until a final 2038
adjudication order issued by the board pursuant to this section 2039
becomes effective. 2040

(C) Hearings requested pursuant to section 4765.112 or 2041
4765.114 of the Revised Code shall be conducted under this section 2042
in accordance with Chapter 119. of the Revised Code. 2043

(D) A hearing under this section shall be held not later than 2044
forty-five days but not earlier than forty days after the 2045

certificate holder requests it, unless another date is agreed to 2046
by the certificate holder and the board. 2047

(E) After completion of an adjudication hearing, the board 2048
may adopt, by an affirmative vote of the majority of its members, 2049
a final adjudication order that imposes any of the following 2050
sanctions: 2051

- (1) Suspension of the holder's certificate to practice; 2052
- (2) Revocation of the holder's certificate to practice; 2053
- (3) Issuance of a written reprimand; 2054
- (4) A refusal to renew or a limitation on the holder's 2055
certificate to practice. 2056

The board shall issue its final adjudication order not later 2057
than forty-five days after completion of an adjudication hearing. 2058
If the board does not issue a final order within that time period, 2059
the suspension order is void, but any final adjudication order 2060
subsequently issued is not affected. 2061

(F) Any action taken by the board under this section 2062
resulting in a suspension from practice shall be accompanied by a 2063
written statement of the conditions under which the certificate to 2064
practice may be reinstated. Reinstatement of a certificate 2065
suspended under this section requires an affirmative vote by the 2066
majority of the members of the board. 2067

(G) When the board revokes or refuses to reinstate a 2068
certificate to practice, the board may specify that its action is 2069
permanent. An individual subject to permanent action taken by the 2070
board is forever ineligible to hold a certificate of the type 2071
revoked or refused, and the board shall not accept from the 2072
individual an application for reinstatement of the certificate or 2073
for a new certificate. 2074

Sec. 4765.116. If a certificate holder subject to a 2075

suspension order issued by the state board of emergency medical, fire, and transportation services under section 4765.112 or an automatic suspension order under section 4765.114 of the Revised Code fails to make a timely request for a hearing, the following apply:

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

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

Sec. 4765.12. (A) Not later than two years after the effective date of this section November 3, 2000, the state board of emergency medical, fire, and transportation services shall develop and distribute guidelines for the care of trauma victims by emergency medical service personnel and for the conduct of peer review and quality assurance programs by emergency medical service organizations. The guidelines shall be consistent with the state trauma triage protocols adopted in rules under sections 4765.11 and 4765.40 of the Revised Code and shall place emphasis on the special needs of pediatric and geriatric trauma victims. In developing the guidelines, the board shall consult with entities with interests in trauma and emergency medical services and shall consider any relevant guidelines adopted by national organizations, including the American college of surgeons, American college of emergency physicians, and American academy of pediatrics. The board shall distribute the guidelines, and

amendments to the guidelines, to each emergency medical service 2107
organization, regional director, regional physician advisory 2108
board, certified emergency medical service instructor, and person 2109
who regularly provides medical direction to emergency medical 2110
service personnel in this state. 2111

(B) Not later than three years after ~~the effective date of~~ 2112
~~this section November 3, 2000,~~ each emergency medical service 2113
organization in this state shall implement ongoing peer review and 2114
quality assurance programs designed to improve the availability 2115
and quality of the emergency medical services it provides. The 2116
form and content of the programs shall be determined by each 2117
emergency medical service organization. In implementing the 2118
programs, each emergency medical service organization shall 2119
consider how to improve its ability to provide effective trauma 2120
care, particularly for pediatric and geriatric trauma victims, and 2121
shall take into account the trauma care guidelines developed by 2122
the state board of emergency medical, fire, and transportation 2123
services under this section. 2124

Information generated solely for use in a peer review or 2125
quality assurance program conducted on behalf of an emergency 2126
medical service organization is not a public record under section 2127
149.43 of the Revised Code. Such information, and any discussion 2128
conducted in the course of a peer review or quality assurance 2129
program conducted on behalf of an emergency medical service 2130
organization, is not subject to discovery in a civil action and 2131
shall not be introduced into evidence in a civil action against 2132
the emergency medical service organization on whose behalf the 2133
information was generated or the discussion occurred. 2134

No emergency medical service organization on whose behalf a 2135
peer review or quality assurance program is conducted, and no 2136
person who conducts such a program, because of performing such 2137
functions, shall be liable in a civil action for betrayal of 2138

professional confidence or otherwise in the absence of willful or 2139
wanton misconduct. 2140

Sec. 4765.15. A person seeking to operate an emergency 2141
medical services training program shall submit a completed 2142
application for accreditation to the state board of emergency 2143
medical, fire, and transportation services on a form the board 2144
shall prescribe and furnish. The application shall be accompanied 2145
by the appropriate application fee established in rules adopted 2146
under section 4765.11 of the Revised Code. 2147

A person seeking to operate an emergency medical services 2148
continuing education program shall submit a completed application 2149
for approval to the board on a form the board shall prescribe and 2150
furnish. The application shall be accompanied by the appropriate 2151
application fee established in rules adopted under section 4765.11 2152
of the Revised Code. 2153

The board shall administer the accreditation and approval 2154
processes pursuant to rules adopted under section 4765.11 of the 2155
Revised Code. In administering these processes, the board may 2156
authorize other persons to evaluate applications for accreditation 2157
or approval and may accept the recommendations made by those 2158
persons. 2159

The board may cause an investigation to be made into the 2160
accuracy of the information submitted in any application for 2161
accreditation or approval. If an investigation indicates that 2162
false, misleading, or incomplete information has been submitted to 2163
the board in connection with any application for accreditation or 2164
approval, the board shall conduct a hearing on the matter in 2165
accordance with Chapter 119. of the Revised Code. 2166

Sec. 4765.16. (A) All courses offered through an emergency 2167
medical services training program or an emergency medical services 2168

continuing education program, other than ambulance driving, shall 2169
be developed under the direction of a physician who specializes in 2170
emergency medicine. Each course that deals with trauma care shall 2171
be developed in consultation with a physician who specializes in 2172
trauma surgery. Except as specified by the state board of 2173
emergency medical, fire, and transportation services pursuant to 2174
rules adopted under section 4765.11 of the Revised Code, each 2175
course offered through a training program or continuing education 2176
program shall be taught by a person who holds the appropriate 2177
certificate to teach issued under section 4765.23 of the Revised 2178
Code. 2179

(B) A training program for first responders shall meet the 2180
standards established in rules adopted by the board under section 2181
4765.11 of the Revised Code. The program shall include courses in 2182
both of the following areas for at least the number of hours 2183
established by the board's rules: 2184

(1) Emergency victim care; 2185

(2) Reading and interpreting a trauma victim's vital signs. 2186

(C) A training program for emergency medical 2187
technicians-basic shall meet the standards established in rules 2188
adopted by the board under section 4765.11 of the Revised Code. 2189
The program shall include courses in each of the following areas 2190
for at least the number of hours established by the board's rules: 2191

(1) Emergency victim care; 2192

(2) Reading and interpreting a trauma victim's vital signs; 2193

(3) Triage protocols for adult and pediatric trauma victims; 2194

(4) In-hospital training; 2195

(5) Clinical training; 2196

(6) Training as an ambulance driver. 2197

Each operator of a training program for emergency medical 2198

technicians-basic shall allow any pupil in the twelfth grade in a 2199
secondary school who is at least seventeen years old and who 2200
otherwise meets the requirements for admission into such a 2201
training program to be admitted to and complete the program and, 2202
as part of the training, to ride in an ambulance with emergency 2203
medical technicians-basic, emergency medical 2204
technicians-intermediate, and emergency medical 2205
technicians-paramedic. Each emergency medical service organization 2206
shall allow pupils participating in training programs to ride in 2207
an ambulance with emergency medical technicians-basic, advanced 2208
emergency medical technicians-intermediate, and emergency medical 2209
technicians-paramedic. 2210

(D) A training program for emergency medical 2211
technicians-intermediate shall meet the standards established in 2212
rules adopted by the board under section 4765.11 of the Revised 2213
Code. The program shall include, or require as a prerequisite, the 2214
training specified in division (C) of this section and courses in 2215
each of the following areas for at least the number of hours 2216
established by the board's rules: 2217

(1) Recognizing symptoms of life-threatening allergic 2218
reactions and in calculating proper dosage levels and 2219
administering injections of epinephrine to persons who suffer 2220
life-threatening allergic reactions, conducted in accordance with 2221
rules adopted by the board under section 4765.11 of the Revised 2222
Code; 2223

(2) Venous access procedures; 2224

(3) Cardiac monitoring and electrical interventions to 2225
support or correct the cardiac function. 2226

(E) A training program for emergency medical 2227
technicians-paramedic shall meet the standards established in 2228
rules adopted by the board under section 4765.11 of the Revised 2229

Code. The program shall include, or require as a prerequisite, the training specified in divisions (C) and (D) of this section and courses in each of the following areas for at least the number of hours established by the board's rules:	2230 2231 2232 2233
(1) Medical terminology;	2234
(2) Venous access procedures;	2235
(3) Airway procedures;	2236
(4) Patient assessment and triage;	2237
(5) Acute cardiac care, including administration of parenteral injections, electrical interventions, and other emergency medical services;	2238 2239 2240
(6) Emergency and trauma victim care beyond that required under division (C) of this section;	2241 2242
(7) Clinical training beyond that required under division (C) of this section.	2243 2244
(F) A continuing education program for first responders, EMTs-basic, EMTs-I, or paramedics shall meet the standards established in rules adopted by the board under section 4765.11 of the Revised Code. A continuing education program shall include instruction and training in subjects established by the board's rules for at least the number of hours established by the board's rules.	2245 2246 2247 2248 2249 2250 2251
Sec. 4765.17. (A) The state board of emergency medical, <u>fire,</u> and <u>transportation</u> services shall issue the appropriate certificate of accreditation or certificate of approval to an applicant who is of good reputation and meets the requirements of section 4765.16 of the Revised Code. The board shall grant or deny a certificate of accreditation or certificate of approval within one hundred twenty days of receipt of the application. The board may issue or renew a certificate of accreditation or certificate	2252 2253 2254 2255 2256 2257 2258 2259

of approval on a provisional basis to an applicant who is of good	2260
reputation and is in substantial compliance with the requirements	2261
of section 4765.16 of the Revised Code. The board shall inform an	2262
applicant receiving such a certificate of the conditions that must	2263
be met to complete compliance with section 4765.16 of the Revised	2264
Code.	2265
(B) Except as provided in division (C) of this section, a	2266
certificate of accreditation or certificate of approval is valid	2267
for up to five years and may be renewed by the board pursuant to	2268
procedures and standards established in rules adopted under	2269
section 4765.11 of the Revised Code. An application for renewal	2270
shall be accompanied by the appropriate renewal fee established in	2271
rules adopted under section 4765.11 of the Revised Code.	2272
(C) A certificate of accreditation or certificate of approval	2273
issued on a provisional basis is valid for the length of time	2274
established by the board. If the board finds that the holder of	2275
such a certificate has met the conditions it specifies under	2276
division (A) of this section, the board shall issue the	2277
appropriate certificate of accreditation or certificate of	2278
approval.	2279
(D) A certificate of accreditation is valid only for the	2280
emergency medical services training program or programs for which	2281
it is issued. The holder of a certificate of accreditation may	2282
apply to operate additional training programs in accordance with	2283
rules adopted by the board under section 4765.11 of the Revised	2284
Code. Any additional training programs shall expire on the	2285
expiration date of the applicant's current certificate. A	2286
certificate of approval is valid only for the emergency medical	2287
services continuing education program for which it is issued.	2288
Neither is transferable.	2289
(E) The holder of a certificate of accreditation or a	2290
certificate of approval may offer courses at more than one	2291

location in accordance with rules adopted under section 4765.11 of the Revised Code.	2292 2293
Sec. 4765.18. The state board of emergency medical, fire, and transportation services may suspend or revoke a certificate of accreditation or a certificate of approval issued under section 4765.17 of the Revised Code for any of the following reasons:	2294 2295 2296 2297
(A) Violation of this chapter or any rule adopted under it;	2298
(B) Furnishing of false, misleading, or incomplete information to the board;	2299 2300
(C) The signing of an application or the holding of a certificate of accreditation by a person who has pleaded guilty to or has been convicted of a felony, or has pleaded guilty to or been convicted of a crime involving moral turpitude;	2301 2302 2303 2304
(D) The signing of an application or the holding of a certificate of accreditation by a person who is addicted to the use of any controlled substance or has been adjudicated incompetent for that purpose by a court, as provided in section 5122.301 of the Revised Code;	2305 2306 2307 2308 2309
(E) Violation of any commitment made in an application for a certificate of accreditation or certificate of approval;	2310 2311
(F) Presentation to prospective students of misleading, false, or fraudulent information relating to the emergency medical services training program or emergency medical services continuing education program, employment opportunities, or opportunities for enrollment in accredited institutions of higher education after entering or completing courses offered by the operator of a program;	2312 2313 2314 2315 2316 2317 2318
(G) Failure to maintain in a safe and sanitary condition premises and equipment used in conducting courses of study;	2319 2320
(H) Failure to maintain financial resources adequate for the	2321

satisfactory conduct of courses of study or to retain a sufficient number of certified instructors;	2322 2323
(I) Discrimination in the acceptance of students upon the basis of race, color, religion, sex, or national origin.	2324 2325
 Sec. 4765.22. A person seeking a certificate to teach in an emergency medical services training program or an emergency medical services continuing education program shall submit a completed application for certification to the state board of emergency medical, fire, and transportation services on a form the board shall prescribe and furnish. The application shall be accompanied by the appropriate application fee established in rules adopted under section 4765.11 of the Revised Code.	2326 2327 2328 2329 2330 2331 2332 2333
 Sec. 4765.23. The state board of emergency medical, fire, and <u>transportation</u> services shall issue a certificate to teach in an emergency medical services training program or an emergency medical services continuing education program to any applicant who it determines meets the qualifications established in rules adopted under section 4765.11 of the Revised Code. The certificate shall indicate each type of instruction and training the certificate holder may teach under the certificate.	2334 2335 2336 2337 2338 2339 2340 2341
A certificate to teach 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. An application for renewal shall be accompanied by the appropriate renewal fee established in rules adopted under section 4765.11 of the Revised Code.	2342 2343 2344 2345 2346 2347
The board may suspend or revoke a certificate to teach pursuant to rules adopted under section 4765.11 of the Revised Code.	2348 2349 2350

Sec. 4765.28. A person seeking a certificate to practice as a first responder, emergency medical technician-basic, emergency medical technician-intermediate, or emergency medical technician-paramedic shall submit a completed application for certification to the state board of emergency medical, <u>fire, and transportation</u> services on a form the board shall prescribe and furnish. Except as provided in division (B) of section 4765.29 of the Revised Code, the application shall include evidence that the applicant received the appropriate certificate of completion pursuant to section 4765.24 of the Revised Code. The application shall be accompanied by the appropriate application 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.	2351 2352 2353 2354 2355 2356 2357 2358 2359 2360 2361 2362 2363 2364
Sec. 4765.29. (A) The state board of emergency medical, <u>fire, and transportation</u> services shall provide for the examination of applicants for certification to practice as first responders, emergency medical technicians-basic, emergency medical technicians-intermediate, and emergency medical technicians-paramedic. The examinations shall be established by the board in rules adopted under section 4765.11 of the Revised Code. The board may administer the examinations or contract with other persons to administer the examinations. In either case, the examinations shall be administered pursuant to procedures established in rules adopted under section 4765.11 of the Revised Code and shall be offered at various locations in the state selected by the board.	2365 2366 2367 2368 2369 2370 2371 2372 2373 2374 2375 2376 2377
Except as provided in division (B) of this section, an applicant shall not be permitted to take an examination for the same certificate to practice more than three times since last receiving the certificate of completion pursuant to section	2378 2379 2380 2381

4765.24 of the Revised Code that qualifies the applicant to take	2382
the examination unless the applicant receives another certificate	2383
of completion that qualifies the applicant to take the	2384
examination.	2385
(B) On request of an applicant who fails three examinations	2386
for the same certificate to practice, the board may direct the	2387
applicant to complete a specific portion of an accredited	2388
emergency medical services training program. If the applicant	2389
provides satisfactory proof to the board that the applicant has	2390
successfully completed that portion of the program, the applicant	2391
shall be permitted to take the examination.	2392
Sec. 4765.30. (A)(1) The state board of emergency medical, <u>fire, and transportation</u> services shall issue a certificate to	2393
practice as a first responder to an applicant who meets all of the	2394
following conditions:	2395
(a) Except as provided in division (A)(2) of this section, is	2397
a volunteer for a nonprofit emergency medical service organization	2398
or a nonprofit fire department;	2399
(b) Holds the appropriate certificate of completion issued in	2400
accordance with section 4765.24 of the Revised Code;	2401
(c) Passes the appropriate examination conducted under	2402
section 4765.29 of the Revised Code;	2403
(d) Is not in violation of any provision of this chapter or	2404
the rules adopted under it;	2405
(e) Meets any other certification requirements established in	2406
rules adopted under section 4765.11 of the Revised Code.	2407
(2) The board may waive the requirement to be a volunteer for	2408
a nonprofit entity if the applicant meets other requirements	2409
established in rules adopted under division (B)(3) of section	2410
4765.11 of the Revised Code relative to a person's eligibility to	2411

practice as a first responder.	2412
(B) The state board of emergency medical, <u>fire, and transportation</u> services shall issue a certificate to practice as an emergency medical technician-basic to an applicant who meets all of the following conditions:	2413
(1) Holds a certificate of completion in emergency medical services training-basic issued in accordance with section 4765.24 of the Revised Code;	2414
(2) Passes the examination for emergency medical technicians-basic conducted under section 4765.29 of the Revised Code;	2415
(3) Is not in violation of any provision of this chapter or the rules adopted under it;	2416
(4) Meets any other certification requirements established in rules adopted under section 4765.11 of the Revised Code.	2417
(C) The state board of emergency medical, <u>fire, and transportation</u> 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:	2418
(1) Holds a certificate to practice as an emergency medical technician-basic;	2419
(2) Holds the appropriate certificate of completion issued in accordance with section 4765.24 of the Revised Code;	2420
(3) Passes the appropriate examination conducted under section 4765.29 of the Revised Code;	2421
(4) Is not in violation of any provision of this chapter or the rules adopted under it;	2422
(5) Meets any other certification requirements established in rules adopted under section 4765.11 of the Revised Code.	2423

(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.	2442 2443 2444 2445 2446 2447
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:	2448 2449 2450 2451 2452 2453 2454
(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;	2455 2456 2457
(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.	2458 2459 2460 2461 2462 2463
(E) The board shall not require an applicant for renewal of a certificate to practice to take an examination as a condition of renewing the certificate. This division does not preclude the use of examinations by operators of approved emergency medical services continuing education programs as a condition for issuance of a certificate of completion in emergency medical services continuing education.	2464 2465 2466 2467 2468 2469 2470
Sec. 4765.31. (A) Except as provided in division (B) of this section, a first responder, emergency medical technician-basic,	2471 2472

emergency medical technician-intermediate, and emergency medical technician-paramedic shall complete an emergency medical services continuing education program or pass an examination approved by the state board of emergency medical, fire, and transportation services under division (A) of section 4765.10 of the Revised Code prior to the expiration of the individual's certificate to practice. Completion of the continuing education requirements for EMTs-I or paramedics satisfies the continuing education requirements for renewing the certificate to practice as an EMT-basic held by an EMT-I or paramedic.

(B)(1) An applicant for renewal of a certificate to practice may apply to the board, in writing, for an extension to complete the continuing education requirements established under division (A) of this section. The board may grant such an extension and determine the length of the extension. The board may authorize the applicant to continue to practice during the extension as if the certificate to practice had not expired.

(2) An applicant for renewal of a certificate to practice may apply to the board, in writing, for an exemption from the continuing education requirements established under division (A) of this section. The board may exempt an individual or a group of individuals from all or any part of the continuing education requirements due to active military service, unusual circumstance, emergency, special hardship, or any other cause considered reasonable by the board.

(C) Decisions of whether to grant an extension or exemption under division (B) of this section shall be made by the board pursuant to procedures established in rules adopted under section 4765.11 of the Revised Code.

Sec. 4765.32. A current, valid certificate of accreditation issued under the provisions of former section 3303.11 or 3303.23

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of the Revised Code shall remain valid until one year after the 2504
expiration date of the certificate as determined by the provisions 2505
of those sections and shall confer the same privileges and impose 2506
the same responsibilities and requirements as a certificate of 2507
accreditation issued by the state board of emergency medical, 2508
fire, and transportation services under section 4765.17 of the 2509
Revised Code. 2510

A certificate to practice as an emergency medical 2511
technician-ambulance that is valid on November 24, 1995, shall be 2512
considered a certificate to practice as an emergency medical 2513
technician-basic. A certificate to practice as an advanced 2514
emergency medical technician-ambulance that is valid on November 2515
24, 1995, shall be considered a certificate to practice as an 2516
emergency medical technician-intermediate. 2517

Sec. 4765.33. The state board of emergency medical, fire, and 2518
transportation services may suspend or revoke certificates to 2519
practice issued under section 4765.30 of the Revised Code, and may 2520
take other disciplinary action against first responders, emergency 2521
medical technicians-basic, emergency medical 2522
technicians-intermediate, and emergency medical 2523
technicians-paramedic pursuant to rules adopted under section 2524
4765.11 of the Revised Code. 2525

Sec. 4765.37. (A) An emergency medical technician-basic shall 2526
perform the emergency medical services described in this section 2527
in accordance with this chapter and any rules adopted under it by 2528
the state board of emergency medical, fire, and transportation 2529
services. 2530

(B) An emergency medical technician-basic may operate, or be 2531
responsible for operation of, an ambulance and may provide 2532
emergency medical services to patients. In an emergency, an 2533

EMT-basic may determine the nature and extent of illness or injury	2534
and establish priority for required emergency medical services. An	2535
EMT-basic may render emergency medical services such as opening	2536
and maintaining an airway, giving positive pressure ventilation,	2537
cardiac resuscitation, electrical interventions with automated	2538
defibrillators to support or correct the cardiac function and	2539
other methods determined by the board, controlling of hemorrhage,	2540
treatment of shock, immobilization of fractures, bandaging,	2541
assisting in childbirth, management of mentally disturbed	2542
patients, initial care of poison and burn patients, and	2543
determining triage of adult and pediatric trauma victims. Where	2544
patients must in an emergency be extricated from entrapment, an	2545
EMT-basic may assess the extent of injury and render all possible	2546
emergency medical services and protection to the entrapped	2547
patient; provide light rescue services if an ambulance has not	2548
been accompanied by a specialized unit; and after extrication,	2549
provide additional care in sorting of the injured in accordance	2550
with standard emergency procedures.	2551
(C) An EMT-basic may perform any other emergency medical	2552
services approved pursuant to rules adopted under section 4765.11	2553
of the Revised Code. The board shall determine whether the nature	2554
of any such service requires that an EMT-basic receive	2555
authorization prior to performing the service.	2556
(D)(1) Except as provided in division (D)(2) of this section,	2557
if the board determines under division (C) of this section that a	2558
service requires prior authorization, the service shall be	2559
performed only pursuant to the written or verbal authorization of	2560
a physician or of the cooperating physician advisory board, or	2561
pursuant to an authorization transmitted through a direct	2562
communication device by a physician or registered nurse designated	2563
by a physician.	2564
(2) If communications fail during an emergency situation or	2565

the required response time prohibits communication, an EMT-basic	2566
may perform services subject to this division, if, in the judgment	2567
of the EMT-basic, the life of the patient is in immediate danger.	2568
Services performed under these circumstances shall be performed in	2569
accordance with the protocols for triage of adult and pediatric	2570
trauma victims established in rules adopted under sections 4765.11	2571
and 4765.40 of the Revised Code and any applicable protocols	2572
adopted by the emergency medical service organization with which	2573
the EMT-basic is affiliated.	2574
Sec. 4765.38. (A) An emergency medical	2575
technician-intermediate shall perform the emergency medical	2576
services described in this section in accordance with this chapter	2577
and any rules adopted under it.	2578
(B) An EMT-I may do any of the following:	2579
(1) Establish and maintain an intravenous lifeline that has	2580
been approved by a cooperating physician or physician advisory	2581
board;	2582
(2) Perform cardiac monitoring;	2583
(3) Perform electrical interventions to support or correct	2584
the cardiac function;	2585
(4) Administer epinephrine;	2586
(5) Determine triage of adult and pediatric trauma victims;	2587
(6) Perform any other emergency medical services approved	2588
pursuant to rules adopted under section 4765.11 of the Revised	2589
Code.	2590
(C)(1) Except as provided in division (C)(2) of this section,	2591
the services described in division (B) of this section shall be	2592
performed by an EMT-I only pursuant to the written or verbal	2593
authorization of a physician or of the cooperating physician	2594
advisory board, or pursuant to an authorization transmitted	2595

through a direct communication device by a physician or registered nurse designated by a physician.	2596 2597
(2) If communications fail during an emergency situation or the required response time prohibits communication, an EMT-I may perform any of the services described in division (B) of this section, if, in the judgment of the EMT-I, the life of the patient is in immediate danger. Services performed under these circumstances shall be performed in accordance with the protocols for triage of adult and pediatric trauma victims established in rules adopted under sections 4765.11 and 4765.40 of the Revised Code and any applicable protocols adopted by the emergency medical service organization with which the EMT-I is affiliated.	2598 2599 2600 2601 2602 2603 2604 2605 2606 2607
(D) In addition to, and in the course of, providing emergency medical treatment, an emergency medical technician-intermediate may withdraw blood as provided under sections 1547.11, 4506.17, and 4511.19 of the Revised Code. An emergency medical technician-intermediate shall withdraw blood in accordance with this chapter and any rules adopted under it by the state board of <u>emergency medical, fire, and transportation services</u> .	2608 2609 2610 2611 2612 2613 2614
Sec. 4765.39. (A) An emergency medical technician-paramedic shall perform the emergency medical services described in this section in accordance with this chapter and any rules adopted under it.	2615 2616 2617 2618
(B) A paramedic may do any of the following:	2619
(1) Perform cardiac monitoring;	2620
(2) Perform electrical interventions to support or correct the cardiac function;	2621 2622
(3) Perform airway procedures;	2623
(4) Perform relief of pneumothorax;	2624
(5) Administer appropriate drugs and intravenous fluids;	2625

(6) Determine triage of adult and pediatric trauma victims;	2626
(7) Perform any other emergency medical services, including life support or intensive care techniques, approved pursuant to rules adopted under section 4765.11 of the Revised Code.	2627 2628 2629
(C)(1) Except as provided in division (C)(2) of this section, the services described in division (B) of this section shall be performed by a paramedic only pursuant to the written or verbal authorization of a physician or of the cooperating physician advisory board, or pursuant to an authorization transmitted through a direct communication device by a physician or registered nurse designated by a physician.	2630 2631 2632 2633 2634 2635 2636
(2) If communications fail during an emergency situation or the required response time prohibits communication, a paramedic may perform any of the services described in division (B) of this section, if, in the paramedic's judgment, the life of the patient is in immediate danger. Services performed under these circumstances shall be performed in accordance with the protocols for triage of adult and pediatric trauma victims established in rules adopted under sections 4765.11 and 4765.40 of the Revised Code and any applicable protocols adopted by the emergency medical service organization with which the paramedic is affiliated.	2637 2638 2639 2640 2641 2642 2643 2644 2645 2646
(D) In addition to, and in the course of, providing emergency medical treatment, <u>an</u> emergency medical technician-paramedic may withdraw blood as provided under sections 1547.11, 4506.17, and 4511.19 of the Revised Code. An emergency medical technician-paramedic shall withdraw blood in accordance with this chapter and any rules adopted under it by the state board of <u>emergency medical, fire, and transportation</u> services.	2647 2648 2649 2650 2651 2652 2653
Sec. 4765.40. (A)(1) Not later than two years after the effective date of this amendment November 3, 2000 , the state board of <u>emergency medical, fire, and transportation</u> services shall	2654 2655 2656

adopt rules under section 4765.11 of the Revised Code establishing written protocols for the triage of adult and pediatric trauma victims. The rules shall define adult and pediatric trauma in a manner that is consistent with section 4765.01 of the Revised Code, minimizes overtriage and undertriage, and emphasizes the special needs of pediatric and geriatric trauma patients.	2657 2658 2659 2660 2661 2662
(2) The state triage protocols adopted under division (A) of this section shall require a trauma victim to be transported directly to an adult or pediatric trauma center that is qualified to provide appropriate adult or pediatric trauma care, unless one or more of the following exceptions applies:	2663 2664 2665 2666 2667
(a) It is medically necessary to transport the victim to another hospital for initial assessment and stabilization before transfer to an adult or pediatric trauma center;	2668 2669 2670
(b) It is unsafe or medically inappropriate to transport the victim directly to an adult or pediatric trauma center due to adverse weather or ground conditions or excessive transport time;	2671 2672 2673
(c) Transporting the victim to an adult or pediatric trauma center would cause a shortage of local emergency medical service resources;	2674 2675 2676
(d) No appropriate adult or pediatric trauma center is able to receive and provide adult or pediatric trauma care to the trauma victim without undue delay;	2677 2678 2679
(e) Before transport of a patient begins, the patient requests to be taken to a particular hospital that is not a trauma center or, if the patient is less than eighteen years of age or is not able to communicate, such a request is made by an adult member of the patient's family or a legal representative of the patient.	2680 2681 2682 2683 2684
(3)(a) The state triage protocols adopted under division (A) of this section shall require trauma patients to be transported to an adult or pediatric trauma center that is able to provide	2685 2686 2687

appropriate adult or pediatric trauma care, but shall not require 2688
a trauma patient to be transported to a particular trauma center. 2689
The state triage protocols shall establish one or more procedures 2690
for evaluating whether an injury victim requires or would benefit 2691
from adult or pediatric trauma care, which procedures shall be 2692
applied by emergency medical service personnel based on the 2693
patient's medical needs. In developing state trauma triage 2694
protocols, the board shall consider relevant model triage rules 2695
and shall consult with the commission on minority health, regional 2696
directors, regional physician advisory boards, and appropriate 2697
medical, hospital, and emergency medical service organizations. 2698

(b) Before the joint committee on agency rule review 2699
considers state triage protocols for trauma victims proposed by 2700
the state board of emergency medical, fire, and transportation 2701
services, or amendments thereto, the board shall send a copy of 2702
the proposal to the Ohio chapter of the American college of 2703
emergency physicians, the Ohio chapter of the American college of 2704
surgeons, the Ohio chapter of the American academy of pediatrics, 2705
OHA: the association for hospitals and health systems, the Ohio 2706
osteopathic association, and the association of Ohio children's 2707
hospitals and shall hold a public hearing at which it must 2708
consider the appropriateness of the protocols to minimize 2709
overtriage and undertriage of trauma victims. 2710

(c) The board shall provide copies of the state triage 2711
protocols, and amendments to the protocols, to each emergency 2712
medical service organization, regional director, regional 2713
physician advisory board, certified emergency medical service 2714
instructor, and person who regularly provides medical direction to 2715
emergency medical service personnel in the state; to each medical 2716
service organization in other jurisdictions that regularly provide 2717
emergency medical services in this state; and to others upon 2718
request. 2719

(B)(1) The state board of emergency medical, <u>fire, and transportation</u> services shall approve regional protocols for the triage of adult and pediatric trauma victims, and amendments to such protocols, that are submitted to the board as provided in division (B)(2) of this section and provide a level of adult and pediatric trauma care comparable to the state triage protocols adopted under division (A) of this section. The board shall not otherwise approve regional triage protocols for trauma victims.	2720 2721 2722 2723 2724 2725 2726 2727 2728 2729 2730 2731 2732 2733 2734 2735
The board shall not approve regional triage protocols for regions that overlap and shall resolve any such disputes by apportioning the overlapping territory among appropriate regions in a manner that best serves the medical needs of the residents of that territory. The trauma committee of the board shall have reasonable opportunity to review and comment on regional triage protocols and amendments to such protocols before the board approves or disapproves them.	2736
(2) Regional protocols for the triage of adult and pediatric trauma victims, and amendments to such protocols, shall be submitted in writing to the state board of emergency medical, <u>fire, and transportation</u> services by the regional physician advisory board or regional director, as appropriate, that serves a majority of the population in the region in which the protocols apply. Prior to submitting regional triage protocols, or an amendment to such protocols, to the state board of emergency medical, <u>fire, and transportation</u> services, a regional physician advisory board or regional director shall consult with each of the following that regularly serves the region in which the protocols apply:	2736 2737 2738 2739 2740 2741 2742 2743 2744 2745 2746 2747
(a) Other regional physician advisory boards and regional directors;	2748 2749
(b) Hospitals that operate an emergency facility;	2750
(c) Adult and pediatric trauma centers;	2751

(d) Professional societies of physicians who specialize in adult or pediatric emergency medicine or adult or pediatric trauma surgery;	2752 2753 2754
(e) Professional societies of nurses who specialize in adult or pediatric emergency nursing or adult or pediatric trauma surgery;	2755 2756 2757
(f) Professional associations or labor organizations of emergency medical service personnel;	2758 2759
(g) Emergency medical service organizations and medical directors of such organizations;	2760 2761
(h) Certified emergency medical service instructors.	2762
(3) Regional protocols for the triage of adult and pediatric trauma victims approved under division (B)(2) of this section shall require patients to be transported to a trauma center that is able to provide an appropriate level of adult or pediatric trauma care; shall not discriminate among trauma centers for reasons not related to a patient's medical needs; shall seek to minimize undertriage and overtriage; may include any of the exceptions in division (A)(2) of this section; and supersede the state triage protocols adopted under division (A) of this section in the region in which the regional protocols apply.	2763 2764 2765 2766 2767 2768 2769 2770 2771 2772
(4) Upon approval of regional protocols for the triage of adult and pediatric trauma victims under division (B)(2) of this section, or an amendment to such protocols, the state board of emergency medical, fire, and transportation services shall provide written notice of the approval and a copy of the protocols or amendment to each entity in the region in which the protocols apply to which the board is required to send a copy of the state triage protocols adopted under division (A) of this section.	2773 2774 2775 2776 2777 2778 2779 2780
(C)(1) The state board of emergency medical, fire, and transportation services shall review the state triage protocols	2781 2782

adopted under division (A) of this section at least every three years to determine if they are causing overtriage or undertriage of trauma patients, and shall modify them as necessary to minimize overtriage and undertriage.	2783 2784 2785 2786
(2) Each regional physician advisory board or regional director that has had regional triage protocols approved under division (B)(2) of this section shall review the protocols at least every three years to determine if they are causing overtriage or undertriage of trauma patients and shall submit an appropriate amendment to the state board, as provided in division (B) of this section, as necessary to minimize overtriage and undertriage. The state board shall approve the amendment if it will reduce overtriage or undertriage while complying with division (B) of this section, and shall not otherwise approve the amendment.	2787 2788 2789 2790 2791 2792 2793 2794 2795 2796 2797
(D) No provider of emergency medical services or person who provides medical direction to emergency medical service personnel in this state shall fail to comply with the state triage protocols adopted under division (A) of this section or applicable regional triage protocols approved under division (B)(2) of this section.	2798 2799 2800 2801 2802
(E) The state board of <u>emergency medical, fire, and transportation</u> services shall adopt rules under section 4765.11 of the Revised Code that provide for enforcement of the state triage protocols adopted under division (A) of this section and regional triage protocols approved under division (B)(2) of this section, and for education regarding those protocols for emergency medical service organizations and personnel, regional directors and regional physician advisory boards, emergency medical service instructors, and persons who regularly provide medical direction to emergency medical service personnel in this state.	2803 2804 2805 2806 2807 2808 2809 2810 2811 2812
Sec. 4765.42. Each emergency medical service organization	2813

shall give notice of the name of its medical director or the names 2814
of the members of its cooperating physician advisory board to the 2815
state board of emergency medical, fire, and transportation 2816
services. The notice shall be made in writing. 2817

Sec. 4765.48. The attorney general, the prosecuting attorney 2818
of the county, or the city director of law shall, upon complaint 2819
of the state board of emergency medical, fire, and transportation 2820
services, prosecute to termination or bring an action for 2821
injunction against any person violating this chapter or the rules 2822
adopted under it. The common pleas court in which an action for 2823
injunction is filed has the jurisdiction to grant injunctive 2824
relief upon a showing that the respondent named in the complaint 2825
is in violation of this chapter or the rules adopted under it. 2826

Sec. 4765.49. (A) A first responder, emergency medical 2827
technician-basic, emergency medical technician-intermediate, or 2828
emergency medical technician-paramedic is not liable in damages in 2829
a civil action for injury, death, or loss to person or property 2830
resulting from the individual's administration of emergency 2831
medical services, unless the services are administered in a manner 2832
that constitutes willful or wanton misconduct. A physician or 2833
registered nurse designated by a physician, who is advising or 2834
assisting in the emergency medical services by means of any 2835
communication device or telemetering system, is not liable in 2836
damages in a civil action for injury, death, or loss to person or 2837
property resulting from the individual's advisory communication or 2838
assistance, unless the advisory communication or assistance is 2839
provided in a manner that constitutes willful or wanton 2840
misconduct. Medical directors and members of cooperating physician 2841
advisory boards of emergency medical service organizations are not 2842
liable in damages in a civil action for injury, death, or loss to 2843
person or property resulting from their acts or omissions in the 2844

performance of their duties, unless the act or omission 2845
constitutes willful or wanton misconduct. 2846

(B) A political subdivision, joint ambulance district, joint 2847
emergency medical services district, or other public agency, and 2848
any officer or employee of a public agency or of a private 2849
organization operating under contract or in joint agreement with 2850
one or more political subdivisions, that provides emergency 2851
medical services, or that enters into a joint agreement or a 2852
contract with the state, any political subdivision, joint 2853
ambulance district, or joint emergency medical services district 2854
for the provision of emergency medical services, is not liable in 2855
damages in a civil action for injury, death, or loss to person or 2856
property arising out of any actions taken by a first responder, 2857
EMT-basic, EMT-I, or paramedic working under the officer's or 2858
employee's jurisdiction, or for injury, death, or loss to person 2859
or property arising out of any actions of licensed medical 2860
personnel advising or assisting the first responder, EMT-basic, 2861
EMT-I, or paramedic, unless the services are provided in a manner 2862
that constitutes willful or wanton misconduct. 2863

(C) A student who is enrolled in an emergency medical 2864
services training program accredited under section 4765.17 of the 2865
Revised Code or an emergency medical services continuing education 2866
program approved under that section is not liable in damages in a 2867
civil action for injury, death, or loss to person or property 2868
resulting from either of the following: 2869

(1) The student's administration of emergency medical 2870
services or patient care or treatment, if the services, care, or 2871
treatment is administered while the student is under the direct 2872
supervision and in the immediate presence of an EMT-basic, EMT-I, 2873
paramedic, registered nurse, or physician and while the student is 2874
receiving clinical training that is required by the program, 2875
unless the services, care, or treatment is provided in a manner 2876

that constitutes willful or wanton misconduct;	2877
(2) The student's training as an ambulance driver, unless the driving is done in a manner that constitutes willful or wanton misconduct.	2878 2879 2880
(D) An EMT-basic, EMT-I, paramedic, or other operator, who holds a valid commercial driver's license issued pursuant to Chapter 4506. of the Revised Code or driver's license issued pursuant to Chapter 4507. of the Revised Code and who is employed by an emergency medical service organization that is not owned or operated by a political subdivision as defined in section 2744.01 of the Revised Code, is not liable in damages in a civil action for injury, death, or loss to person or property that is caused by the operation of an ambulance by the EMT-basic, EMT-I, paramedic, or other operator while responding to or completing a call for emergency medical services, unless the operation constitutes willful or wanton misconduct or does not comply with the precautions of section 4511.03 of the Revised Code. An emergency medical service organization is not liable in damages in a civil action for any injury, death, or loss to person or property that is caused by the operation of an ambulance by its employee or agent, if this division grants the employee or agent immunity from civil liability for the injury, death, or loss.	2881 2882 2883 2884 2885 2886 2887 2888 2889 2890 2891 2892 2893 2894 2895 2896 2897 2898
(E) An employee or agent of an emergency medical service organization who receives requests for emergency medical services that are directed to the organization, dispatches first responders, EMTs-basic, EMTs-I, or paramedics in response to those requests, communicates those requests to those employees or agents of the organization who are authorized to dispatch first responders, EMTs-basic, EMTs-I, or paramedics, or performs any combination of these functions for the organization, is not liable in damages in a civil action for injury, death, or loss to person or property resulting from the individual's acts or omissions in	2899 2900 2901 2902 2903 2904 2905 2906 2907 2908

the performance of those duties for the organization, unless an 2909
act or omission constitutes willful or wanton misconduct. 2910

(F) A person who is performing the functions of a first 2911
responder, EMT-basic, EMT-I, or paramedic under the authority of 2912
the laws of a state that borders this state and who provides 2913
emergency medical services to or transportation of a patient in 2914
this state is not liable in damages in a civil action for injury, 2915
death, or loss to person or property resulting from the person's 2916
administration of emergency medical services, unless the services 2917
are administered in a manner that constitutes willful or wanton 2918
misconduct. A physician or registered nurse designated by a 2919
physician, who is licensed to practice in the adjoining state and 2920
who is advising or assisting in the emergency medical services by 2921
means of any communication device or telemetering system is not 2922
liable in damages in a civil action for injury, death, or loss to 2923
person or property resulting from the person's advisory 2924
communication or assistance, unless the advisory communication or 2925
assistance is provided in a manner that constitutes willful or 2926
wanton misconduct. 2927

(G) A person certified under section 4765.23 of the Revised 2928
Code to teach in an emergency medical services training program or 2929
emergency medical services continuing education program, and a 2930
person who teaches at the Ohio fire academy established under 2931
section 3737.33 of the Revised Code or in a fire service training 2932
program described in division (A) of section 4765.55 of the 2933
Revised Code, is not liable in damages in a civil action for 2934
injury, death, or loss to person or property resulting from the 2935
person's acts or omissions in the performance of the person's 2936
duties, unless an act or omission constitutes willful or wanton 2937
misconduct. 2938

(H) In the accreditation of emergency medical services 2939
training programs or approval of emergency medical services 2940

continuing education programs, the state board of emergency medical, fire, and transportation 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.

(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.

Sec. 4765.55. (A) The executive director of the state board of emergency medical, fire, and transportation services, with the advice and counsel of the firefighter and fire safety inspector training committee of the state board of emergency medical, fire, and transportation 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 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 rules to regulate those firefighter and fire safety inspector training programs, and other training programs approved by the executive director. The rules may include, but need not be limited to, training

curriculum, certification examinations, training schedules,	2973
minimum hours of instruction, attendance requirements, required	2974
equipment and facilities, basic physical requirements, and methods	2975
of training for all persons in positions of any fire training	2976
certification level approved by the executive director, including	2977
full-time paid firefighters, part-time paid firefighters,	2978
volunteer firefighters, and fire safety inspectors. The rules	2979
adopted to regulate training programs for volunteer firefighters	2980
shall not require more than thirty-six hours of training.	2981
 The executive director, with the advice and counsel of the	2982
committee, shall provide for the classification and chartering of	2983
fire service training programs in accordance with rules adopted	2984
under division (B) of this section, and may take action against	2985
any chartered training program or applicant, in accordance with	2986
rules adopted under divisions (B)(4) and (5) of this section, for	2987
failure to meet standards set by the adopted rules.	2988
 (B) The executive director, with the advice and counsel of	2989
the firefighter and fire safety inspector training committee of	2990
the state board of emergency medical, fire, and transportation	2991
services, shall adopt, and may amend or rescind, rules under	2992
Chapter 119. of the Revised Code that establish all of the	2993
following:	2994
 (1) Requirements for, and procedures for chartering, the	2995
training programs regulated by this section;	2996
 (2) Requirements for, and requirements and procedures for	2997
obtaining and renewing, an instructor certificate to teach the	2998
training programs and continuing education classes regulated by	2999
this section;	3000
 (3) Requirements for, and requirements and procedures for	3001
obtaining and renewing, any of the fire training certificates	3002
regulated by this section;	3003

(4) Grounds and procedures for suspending, revoking, restricting, or refusing to issue or renew any of the certificates or charters regulated by this section, which grounds shall be limited to one of the following:	3004 3005 3006 3007
(a) Failure to satisfy the education or training requirements of this section;	3008 3009
(b) Conviction of a felony offense;	3010
(c) Conviction of a misdemeanor involving moral turpitude;	3011
(d) Conviction of a misdemeanor committed in the course of practice;	3012 3013
(e) In the case of a chartered training program or applicant, failure to meet standards set by the rules adopted under this division.	3014 3015 3016
(5) Grounds and procedures for imposing and collecting fines, not to exceed one thousand dollars, in relation to actions taken under division (B)(4) of this section against persons holding certificates and charters regulated by this section, the fines to be deposited into the trauma and emergency medical services fund established under section 4513.263 of the Revised Code;	3017 3018 3019 3020 3021 3022
(6) Continuing education requirements for certificate holders, including a requirement that credit shall be granted for in-service training programs conducted by local entities;	3023 3024 3025
(7) Procedures for considering the granting of an extension or exemption of fire service continuing education requirements;	3026 3027
(8) Certification cycles for which the certificates and charters regulated by this section are valid.	3028 3029
(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, fire, and transportation services, shall issue or renew an instructor certificate to teach	3030 3031 3032 3033

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.	3034
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.	3035
(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.	3036
(E) Certificates issued under this 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, fire, and transportation services.	3037
(F)(1) The executive director, with the advice and counsel of the firefighter and fire safety inspector training committee of the state board of emergency medical, fire, and transportation services, shall establish criteria for evaluating the standards maintained by other states and the branches of the United States military for firefighter, fire safety inspector, and fire	3038
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instructor training programs, and other training programs recognized by the executive director, to determine whether the standards are equivalent to those established under this section and shall establish requirements and procedures for issuing a certificate to each person who presents proof to the executive director of having satisfactorily completed a training program that meets those standards.	3066 3067 3068 3069 3070 3071 3072
(2) The executive director, with the committee's advice and counsel, shall adopt rules establishing requirements and procedures for issuing a fire training certificate in lieu of completing a chartered training program.	3073 3074 3075 3076
(G) Nothing in this section invalidates any other section of the Revised Code relating to the fire training academy. Section 4765.11 of the Revised Code does not affect any powers and duties granted to the executive director under this section.	3077 3078 3079 3080
Sec. 4765.56. On receipt of a notice pursuant to section 3123.43 of the Revised Code, the state board of emergency medical, <u>fire, and transportation</u> services shall comply with sections 3123.41 to 3123.50 of the Revised Code and any applicable rules adopted under section 3123.63 of the Revised Code with respect to a certificate to practice issued pursuant to this chapter.	3081 3082 3083 3084 3085 3086
Sec. 4766.01. As used in this chapter:	3087
(A) "Advanced life support" means treatment described in section 4765.39 of the Revised Code that a paramedic is certified to perform.	3088 3089 3090
(B) "Air medical service organization" means an organization that furnishes, conducts, maintains, advertises, promotes, or otherwise engages in providing medical services with a rotorcraft air ambulance or fixed wing air ambulance.	3091 3092 3093 3094
(C) "Air medical transportation" means the transporting of a	3095

patient by rotorcraft air ambulance or fixed wing air ambulance 3096
with appropriately licensed and certified medical personnel. 3097

(D) "Ambulance" means any motor vehicle that is specifically 3098
designed, constructed, or modified and equipped and is intended to 3099
be used to provide basic life support, intermediate life support, 3100
advanced life support, or mobile intensive care unit services and 3101
transportation upon the streets or highways of this state of 3102
persons who are seriously ill, injured, wounded, or otherwise 3103
incapacitated or helpless. "Ambulance" does not include air 3104
medical transportation or a vehicle designed and used solely for 3105
the transportation of nonstretcher-bound persons, whether 3106
hospitalized or handicapped or whether ambulatory or confined to a 3107
wheelchair. 3108

(E) "Ambulette" means a motor vehicle that is specifically 3109
designed, constructed, or modified and equipped and is intended to 3110
be used for transportation upon the streets or highways of this 3111
state of persons who require use of a wheelchair. 3112

(F) "Basic life support" means treatment described in section 3113
4765.37 of the Revised Code that an ~~EMT basic EMT~~ is certified to 3114
perform. 3115

(G) "Disaster situation" means any condition or situation 3116
described by rule of the Ohio state board of emergency medical, 3117
fire, and transportation board services as a mass casualty, major 3118
emergency, natural disaster, or national emergency. 3119

(H) "Emergency medical service organization" means an 3120
organization that uses ~~EMTs basic EMTs, EMTs-I advanced EMTs,~~ or 3121
paramedics, or a combination of ~~EMTs basic EMTs, EMTs-I advanced~~ 3122
~~EMTs,~~ and paramedics, to provide medical care to victims of 3123
illness or injury. An emergency medical service organization 3124
includes, but is not limited to, a commercial ambulance service 3125
organization, a hospital, and a funeral home. 3126

As Reported by the House Finance and Appropriations Committee

(I) "EMT basic EMT," "EMT-I advanced EMT," and "paramedic"	3127
have the same meanings as in section 4765.01 of the Revised Code.	3128
(J) "Fixed wing air ambulance" means a fixed wing aircraft	3129
that is specifically designed, constructed, or modified and	3130
equipped and is intended to be used as a means of air medical	3131
transportation.	3132
(K) "Intermediate life support" means treatment described in	3133
section 4765.38 of the Revised Code that an EMT-I advanced EMT is	3134
certified to perform.	3135
(L) "Major emergency" means any emergency event that cannot	3136
be resolved through the use of locally available emergency	3137
resources.	3138
(M) "Mass casualty" means an emergency event that results in	3139
ten or more persons being injured, incapacitated, made ill, or	3140
killed.	3141
(N) "Medical emergency" means an unforeseen event affecting	3142
an individual in such a manner that a need for immediate care is	3143
created.	3144
(O) "Mobile intensive care unit" means an ambulance used only	3145
for maintaining specialized or intensive care treatment and used	3146
primarily for interhospital transports of patients whose	3147
conditions require care beyond the scope of a paramedic as	3148
provided in section 4765.39 of the Revised Code.	3149
(P)(1) "Nonemergency medical service organization" means a	3150
person that does both of the following:	3151
(a) Provides services to the public on a regular basis for	3152
the purpose of transporting individuals who require the use of a	3153
wheelchair or are confined to a wheelchair to receive health care	3154
services at health care facilities or health care practitioners'	3155
offices in nonemergency circumstances;	3156

(b) Provides the services for a fee, regardless of whether the fee is paid by the person being transported, a third party payer, as defined in section 3702.51 of the Revised Code, or any other person or government entity.	3157 3158 3159 3160
(2) "Nonemergency medical service organization" does not include a health care facility, as defined in section 1751.01 of the Revised Code, that provides ambulette services only to patients of that facility.	3161 3162 3163 3164
(Q) "Nontransport vehicle" means a motor vehicle operated by a licensed emergency medical service organization not as an ambulance, but as a vehicle for providing services in conjunction with the ambulances operated by the organization or other emergency medical service organizations.	3165 3166 3167 3168 3169
(R) "Patient" means any individual who as a result of illness or injury needs medical attention, whose physical or mental condition is such that there is imminent danger of loss of life or significant health impairment, who may be otherwise incapacitated or helpless as a result of a physical or mental condition, or whose physical condition requires the use of a wheelchair.	3170 3171 3172 3173 3174 3175
(S) "Rotorcraft air ambulance" means a helicopter or other aircraft capable of vertical takeoffs, vertical landings, and hovering that is specifically designed, constructed, or modified and equipped and is intended to be used as a means of air medical transportation.	3176 3177 3178 3179 3180
Sec. 4766.03. (A) The <u>Ohio state board of emergency medical, fire, and transportation board services</u> shall adopt rules, in accordance with Chapter 119. of the Revised Code, implementing the requirements of this chapter. The rules shall include provisions relating to the following:	3181 3182 3183 3184 3185
(1) Requirements for an emergency medical service	3186

organization to receive a permit for an ambulance or nontransport vehicle;	3187
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(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;	3189
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(3) Requirements for a nonemergency medical service organization to receive a permit for an ambulette vehicle;	3193
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(4) Requirements for a nonemergency medical service organization to receive a license for an ambulette service;	3195
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(5) Requirements for an air medical service organization to receive a permit for a rotorcraft air ambulance or fixed wing air ambulance;	3197
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(6) Requirements for licensure of air medical service organizations;	3200
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(7) Forms for applications and renewals of licenses and permits;	3202
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(8) Requirements for record keeping of service responses made by licensed emergency medical service organizations;	3204
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(9) Fee amounts for licenses and permits, and their renewals;	3206
(10) Inspection requirements for licensees' vehicles or aircraft, records, and physical facilities;	3207
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(11) Fee amounts for inspections of ambulances, ambulettes, rotorcraft air ambulances, fixed wing air ambulances, and nontransport vehicles;	3209
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(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 ambulances used by licensed air medical service organizations that	3212
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specify for each type of vehicle or aircraft the types of equipment that must be carried, the communication systems that must be maintained, and the personnel who must staff the vehicle or aircraft;	3217 3218 3219 3220
(13) The level of care each type of emergency medical service organization, nonemergency medical service organization, and air medical service organization is authorized to provide;	3221 3222 3223
(14) Eligibility requirements for employment as an ambulette driver, including grounds for disqualification due to the results of a motor vehicle law violation check, chemical test, or criminal records check. The rule may require that an applicant for employment as an ambulette driver provide a set of fingerprints to law enforcement authorities if the applicant comes under final consideration for employment.	3224 3225 3226 3227 3228 3229 3230
(15) Any other rules that the board determines necessary for the implementation and enforcement of this chapter.	3231 3232
(B) In the rules for ambulances and nontransport vehicles adopted under division (A)(12) of this section, the board may establish requirements that vary according to whether the emergency medical service organization using the vehicles is licensed as a basic life-support, intermediate life-support, advanced life-support, or mobile intensive care unit organization.	3233 3234 3235 3236 3237 3238
(C) A mobile intensive care unit that is not dually certified to provide advanced life-support and meets the requirements of the rules adopted under this section is not required to carry immobilization equipment, including board splint kits, traction splints, backboards, backboard straps, cervical immobilization devices, cervical collars, stair chairs, folding cots, or other types of immobilization equipment determined by the board to be unnecessary for mobile intensive care units.	3239 3240 3241 3242 3243 3244 3245 3246
A mobile intensive care unit is exempt from the emergency	3247

medical technician staffing requirements of section 4765.43 of the Revised Code when it is staffed by at least one physician or registered nurse and another person, designated by a physician, who holds a valid license or certificate to practice in a health care profession, and when at least one of the persons staffing the mobile intensive care unit is a registered nurse whose training meets or exceeds the training required for a paramedic.	3248 3249 3250 3251 3252 3253 3254
Sec. 4766.04. (A) Except as otherwise provided in this chapter, no person shall furnish, operate, conduct, maintain, advertise, engage in, or propose or profess to engage in the business or service in this state of transporting persons who are seriously ill, injured, or otherwise incapacitated or who require the use of a wheelchair or are confined to a wheelchair unless the person is licensed pursuant to this section.	3255 3256 3257 3258 3259 3260 3261
(B) To qualify for a license as a basic life-support, intermediate life-support, advanced life-support, or mobile intensive care unit organization, an emergency medical service organization shall do all of the following:	3262 3263 3264 3265
(1) Apply for a permit for each ambulance and nontransport vehicle owned or leased as provided in section 4766.07 of the Revised Code;	3266 3267 3268
(2) Meet all requirements established in rules adopted by the Ohio state board of emergency medical, fire, and transportation board services regarding ambulances and nontransport vehicles, including requirements pertaining to equipment, communications systems, staffing, and level of care the particular organization is permitted to render;	3269 3270 3271 3272 3273 3274
(3) Maintain the appropriate type and amount of insurance as specified in section 4766.06 of the Revised Code;	3275 3276
(4) Meet all other requirements established under rules	3277

adopted by the board for the particular license.	3278
(C) To qualify for a license to provide ambulette service, a nonemergency medical service organization shall do all of the following:	3279
(1) Apply for a permit for each ambulette owned or leased as provided in section 4766.07 of the Revised Code;	3280
(2) Meet all requirements established in rules adopted by the <u>Ohio state board of emergency medical, fire, and transportation board services</u> regarding ambulettes, including requirements pertaining to equipment, communication systems, staffing, and level of care the organization is permitted to render;	3281
(3) Maintain the appropriate type and amount of insurance as specified in section 4766.06 of the Revised Code;	3282
(4) Meet all other requirements established under rules adopted by the board for the license.	3283
(D) To qualify for a license to provide air medical transportation, an air medical service organization shall do all of the following:	3284
(1) Apply for a permit for each rotorcraft air ambulance and fixed wing air ambulance owned or leased as provided in section 4766.07 of the Revised Code;	3285
(2) Meet all requirements established in rules adopted by the <u>Ohio state board of emergency medical, fire, and transportation board services</u> regarding rotorcraft air ambulances and fixed wing air ambulances, including requirements pertaining to equipment, communication systems, staffing, and level of care the organization is permitted to render;	3286
(3) Maintain the appropriate type and amount of insurance as specified in section 4766.06 of the Revised Code;	3287
(4) Meet all other requirements established under rules	3288
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adopted by the board for the license.	3308
(E) An emergency medical service organization that applies for a license as a basic life-support, intermediate life-support, advanced life-support, or mobile intensive care unit organization; a nonemergency medical service organization that applies for a license to provide ambulette service; or an air medical service organization that applies for a license to provide air medical transportation shall submit a completed application to the board, on a form provided by the board for each particular license, together with the appropriate fees established under section 4766.05 of the Revised Code. The application form shall include all of the following:	3309 3310 3311 3312 3313 3314 3315 3316 3317 3318 3319
(1) The name and business address of the operator of the organization for which licensure is sought;	3320 3321
(2) The name under which the applicant will operate the organization;	3322 3323
(3) A list of the names and addresses of all officers and directors of the organization;	3324 3325
(4) For emergency medical service organizations and nonemergency medical service organizations, a description of each vehicle to be used, including the make, model, year of manufacture, mileage, vehicle identification number, and the color scheme, insignia, name, monogram, or other distinguishing characteristics to be used to designate the applicant's vehicle;	3326 3327 3328 3329 3330 3331
(5) For air medical service organizations using fixed wing air ambulances, a description of each aircraft to be used, including the make, model, year of manufacture, and aircraft hours on airframe;	3332 3333 3334 3335
(6) For air medical service organizations using rotorcraft air ambulances, a description of each aircraft to be used, including the make, model, year of manufacture, aircraft hours on	3336 3337 3338

airframe, aircraft identification number, and the color scheme,	3339
insignia, name, monogram, or other distinguishing characteristics	3340
to be used to designate the applicant's rotorcraft air ambulance;	3341
(7) The location and description of each place from which the	3342
organization will operate;	3343
(8) A description of the geographic area to be served by the	3344
applicant;	3345
(9) Any other information the board, by rule, determines	3346
necessary.	3347
(F) Within sixty days after receiving a completed application	3348
for licensure as a basic life-support, intermediate life-support,	3349
advanced life-support, or mobile intensive care unit organization;	3350
an ambulette service; or an air medical service organization, the	3351
board shall approve or deny the application. The board shall deny	3352
an application if it determines that the applicant does not meet	3353
the requirements of this chapter or any rules adopted under it.	3354
The board shall send notice of the denial of an application by	3355
certified mail to the applicant. The applicant may request a	3356
hearing within ten days after receipt of the notice. If the board	3357
receives a timely request, it shall hold a hearing in accordance	3358
with Chapter 119. of the Revised Code.	3359
(G) If an applicant or licensee operates or plans to operate	3360
an organization in more than one location under the same or	3361
different identities, the applicant or licensee shall apply for	3362
and meet all requirements for licensure or renewal of a license,	3363
other than payment of a license fee or renewal fee, for operating	3364
the organization at each separate location. An applicant or	3365
licensee that operates or plans to operate under the same	3366
organization identity in separate locations shall pay only a	3367
single license fee.	3368
(H) An emergency medical service organization that wishes to	3369

provide ambulette services to the public must apply for a separate 3370
license under division (C) of this section. 3371

(I) Each license issued under this section and each permit 3372
issued under section 4766.07 of the Revised Code expires one year 3373
after the date of issuance and may be renewed in accordance with 3374
the standard renewal procedures of Chapter 4745. of the Revised 3375
Code. An application for renewal shall include the license or 3376
permit renewal fee established under section 4766.05 of the 3377
Revised Code. An applicant for renewal of a permit also shall 3378
submit to the board proof of an annual inspection of the vehicle 3379
or aircraft for which permit renewal is sought. The board shall 3380
renew a license if the applicant meets the requirements for 3381
licensure and shall renew a permit if the applicant and vehicle or 3382
aircraft meet the requirements to maintain a permit for that 3383
vehicle or aircraft. 3384

(J) Each licensee shall maintain accurate records of all 3385
service responses conducted. The records shall be maintained on 3386
forms prescribed by the board and shall contain information as 3387
specified by rule by the board. 3388

Sec. 4766.05. (A) The Ohio state board of emergency medical, 3389
fire, and transportation board services shall establish by rule a 3390
license fee, a permit fee for each ambulance, ambulette, 3391
rotorcraft air ambulance, fixed wing air ambulance, and 3392
nontransport vehicle owned or leased by the licensee that is or 3393
will be used as provided in section 4766.07 of the Revised Code, 3394
and fees for renewals of licenses and permits, taking into 3395
consideration the actual costs incurred by the board in carrying 3396
out its duties under this chapter. However, the fee for each 3397
license and each renewal of a license shall not exceed one hundred 3398
dollars, and the fee for each permit and each renewal of a permit 3399
shall not exceed one hundred dollars for each ambulance, 3400

rotorcraft air ambulance, fixed wing air ambulance, and 3401
nontransport vehicle. The fee for each permit and each renewal of 3402
~~a permit shall be twenty five dollars for each ambulette for one~~ 3403
~~year after March 9, 2004. Thereafter, the board shall determine by~~ 3404
rule the fee, which shall not exceed fifty dollars, for each 3405
permit and each renewal of a permit for each ambulette. For 3406
purposes of establishing fees, "actual costs" includes the costs 3407
of salaries, expenses, inspection equipment, supervision, and 3408
program administration. 3409

(B) The board shall deposit all fees and other moneys 3410
collected pursuant to sections 4766.04, 4766.07, and 4766.08 of 3411
the Revised Code in the state treasury to the credit of the 3412
~~occupational licensing trauma and regulatory emergency medical~~ 3413
services fund, which is created by section 4743.05 4513.263 of the 3414
Revised Code. ~~All moneys from the fund shall be used solely for~~ 3415
~~the salaries and expenses of the board incurred in implementing~~ 3416
~~and enforcing this chapter.~~ 3417

(C) The board, subject to the approval of the controlling 3418
board, may establish fees in excess of the maximum amounts allowed 3419
under division (A) of this section, but such fees shall not exceed 3420
those maximum amounts by more than fifty per cent. 3421

Sec. 4766.07. (A) Except as otherwise provided by rule of the 3422
Ohio state board of emergency medical, fire, and transportation 3423
board services, each emergency medical service organization, 3424
nonemergency medical service organization, and air medical service 3425
organization subject to licensure under this chapter shall possess 3426
a valid permit for each ambulance, ambulette, rotorcraft air 3427
ambulance, fixed wing air ambulance, and nontransport vehicle it 3428
owns or leases that is or will be used by the licensee to perform 3429
the services permitted by the license. Each licensee and license 3430
applicant shall submit the appropriate fee and an application for 3431

a permit for each ambulance, ambulette, rotorcraft air ambulance, 3432
fixed wing air ambulance, and nontransport vehicle to the ~~Ohio~~ 3433
~~state board of emergency medical, fire, and transportation board~~ 3434
~~services~~ on forms provided by the board. The application shall 3435
include documentation that the vehicle or aircraft meets the 3436
appropriate standards set by the board, that the vehicle or 3437
aircraft has been inspected pursuant to division (C) of this 3438
section, that the permit applicant maintains insurance as provided 3439
in section 4766.06 of the Revised Code, and that the vehicle or 3440
aircraft and permit applicant meet any other requirements 3441
established under rules adopted by the board. 3442

The ~~Ohio state board of emergency medical, fire, and~~ 3443
transportation ~~board services~~ may adopt rules in accordance with 3444
Chapter 119. of the Revised Code to authorize the temporary use of 3445
a vehicle or aircraft for which a permit is not possessed under 3446
this section in back-up or disaster situations. 3447

(B)(1) Within sixty days after receiving a completed 3448
application for a permit, the board shall issue or deny the 3449
permit. The board shall deny an application if it determines that 3450
the permit applicant, vehicle, or aircraft does not meet the 3451
requirements of this chapter and the rules adopted under it that 3452
apply to permits for ambulances, ambulettes, rotorcraft air 3453
ambulances, fixed wing air ambulances, and nontransport vehicles. 3454
The board shall send notice of the denial of an application by 3455
certified mail to the permit applicant. The permit applicant may 3456
request a hearing within ten days after receipt of the notice. If 3457
the board receives a timely request, it shall hold a hearing in 3458
accordance with Chapter 119. of the Revised Code. 3459

(2) If the board issues the vehicle permit for an ambulance, 3460
ambulette, or nontransport vehicle, it also shall issue a decal, 3461
in a form prescribed by rule, to be displayed on the rear window 3462

of the vehicle. The board shall not issue a decal until all of the 3463
requirements for licensure and permit issuance have been met. 3464

(3) If the board issues the aircraft permit for a rotorcraft 3465
air ambulance or fixed wing air ambulance, it also shall issue a 3466
decal, in a form prescribed by rule, to be displayed on the left 3467
fuselage aircraft window in a manner that complies with all 3468
applicable federal aviation regulations. The board shall not issue 3469
a decal until all of the requirements for licensure and permit 3470
issuance have been met. 3471

(C) In addition to any other requirements that the board 3472
establishes by rule, a licensee or license applicant applying for 3473
an initial vehicle or aircraft permit under division (A) of this 3474
section shall submit to the board the vehicle or aircraft for 3475
which the permit is sought. Thereafter, a licensee shall annually 3476
submit to the board each vehicle or aircraft for which a permit 3477
has been issued. 3478

(1) The board shall conduct a physical inspection of an 3479
ambulance, ambulette, or nontransport vehicle to determine its 3480
roadworthiness and compliance with standard motor vehicle 3481
requirements. 3482

(2) The board shall conduct a physical inspection of the 3483
medical equipment, communication system, and interior of an 3484
ambulance to determine the operational condition and safety of the 3485
equipment and the ambulance's interior and to determine whether 3486
the ambulance is in compliance with the federal requirements for 3487
ambulance construction that were in effect at the time the 3488
ambulance was manufactured, as specified by the general services 3489
administration in the various versions of its publication titled 3490
"federal specification for the star-of-life ambulance, 3491
KKK-A-1822." 3492

(3) The board shall conduct a physical inspection of the 3493

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equipment, communication system, and interior of an ambulette to determine the operational condition and safety of the equipment and the ambulette's interior and to determine whether the ambulette is in compliance with state requirements for ambulette construction. The board shall determine by rule requirements for the equipment, communication system, interior, and construction of an ambulette.	3494 3495 3496 3497 3498 3499 3500
(4) The board shall conduct a physical inspection of the medical equipment, communication system, and interior of a rotorcraft air ambulance or fixed wing air ambulance to determine the operational condition and safety of the equipment and the aircraft's interior.	3501 3502 3503 3504 3505
(5) The board shall issue a certificate to the applicant for each vehicle or aircraft that passes the inspection and may assess a fee for each inspection, as established by the board.	3506 3507 3508
(6) The board shall adopt rules regarding the implementation and coordination of inspections. The rules may permit the board to contract with a third party to conduct the inspections required of the board under this section.	3509 3510 3511 3512
Sec. 4766.08. (A) The Ohio state board of emergency medical, fire, and transportation board <ins>may services</ins> , pursuant to an adjudication conducted in accordance with Chapter 119. of the Revised Code, <ins>may</ins> suspend or revoke any license or permit or renewal thereof issued under this chapter for any one or combination of the following causes:	3513 3514 3515 3516 3517 3518
(1) Violation of this chapter or any rule adopted thereunder;	3519
(2) Refusal to permit the board to inspect a vehicle or aircraft used under the terms of a permit or to inspect the records or physical facilities of a licensee;	3520 3521 3522
(3) Failure to meet the ambulance, ambulette, rotorcraft air	3523

ambulance, fixed wing air ambulance, and nontransport vehicle requirements specified in this chapter or the rules adopted thereunder;	3524 3525 3526
(4) Violation of an order issued by the board;	3527
(5) Failure to comply with any of the terms of an agreement entered into with the board regarding the suspension or revocation of a license or permit or the imposition of a penalty under this section.	3528 3529 3530 3531
(B) If the board determines that the records, record-keeping procedures, or physical facilities of a licensee, or an ambulance, ambulette, rotorcraft air ambulance, fixed wing air ambulance, or nontransport vehicle for which a valid permit has been issued, do not meet the standards specified in this chapter and the rules adopted thereunder, the board shall notify the licensee of any deficiencies within thirty days of finding the deficiencies. If the board determines that the deficiencies exist and they remain uncorrected after thirty days, the board may suspend the license, vehicle permit, or aircraft permit. The licensee, notwithstanding the suspension under this division, may operate until all appeals have been exhausted.	3532 3533 3534 3535 3536 3537 3538 3539 3540 3541 3542 3543
(C) At the discretion of the board, a licensee whose license has been suspended or revoked under this section may be ineligible to be licensed under this chapter for a period of not more than three years from the date of the violation, provided that the board shall make no determination on a period of ineligibility until all the licensee's appeals relating to the suspension or revocation have been exhausted.	3544 3545 3546 3547 3548 3549 3550
(D) The board may, in addition to any other action taken under this section and after a hearing conducted pursuant to Chapter 119. of the Revised Code, impose a penalty of not more than fifteen hundred dollars for any violation specified in this	3551 3552 3553 3554

section. The attorney general shall institute a civil action for	3555
the collection of any such penalty imposed.	3556
Sec. 4766.09. This chapter does not apply to any of the	3557
following:	3558
(A) A person rendering services with an ambulance in the	3559
event of a disaster situation when licensees' vehicles based in	3560
the locality of the disaster situation are incapacitated or	3561
insufficient in number to render the services needed;	3562
(B) Any person operating an ambulance, ambulette, rotorcraft	3563
air ambulance, or fixed wing air ambulance outside this state	3564
unless receiving a person within this state for transport to a	3565
location within this state;	3566
(C) A publicly owned or operated emergency medical service	3567
organization and the vehicles it owns or leases and operates,	3568
except as provided in section 307.051, division (G) of section	3569
307.055, division (F) of section 505.37, division (B) of section	3570
505.375, and division (B)(3) of section 505.72 of the Revised	3571
Code;	3572
(D) An ambulance, ambulette, rotorcraft air ambulance, fixed	3573
wing air ambulance, or nontransport vehicle owned or leased and	3574
operated by the federal government;	3575
(E) A publicly owned and operated fire department vehicle;	3576
(F) Emergency vehicles owned by a corporation and operating	3577
only on the corporation's premises, for the sole use by that	3578
corporation;	3579
(G) An ambulance, nontransport vehicle, or other emergency	3580
medical service organization vehicle owned and operated by a	3581
municipal corporation;	3582
(H) A motor vehicle titled in the name of a volunteer rescue	3583
service organization, as defined in section 4503.172 of the	3584

Revised Code;	3585
(I) A public emergency medical service organization;	3586
(J) A fire department, rescue squad, or life squad comprised of volunteers who provide services without expectation of remuneration and do not receive payment for services other than reimbursement for expenses;	3587 3588 3589 3590
(K) A private, nonprofit emergency medical service organization when fifty per cent or more of its personnel are volunteers, as defined in section 4765.01 of the Revised Code;	3591 3592 3593
(L) Emergency medical service personnel who are regulated by the state board of <u>emergency medical, fire, and transportation</u> services under Chapter 4765. of the Revised Code;	3594 3595 3596
(M) Any of the following that operates a transit bus, as that term is defined in division (Q) of section 5735.01 of the Revised Code, unless the entity provides ambulette services that are reimbursed under the state medicaid plan:	3597 3598 3599 3600
(1) A public nonemergency medical service organization;	3601
(2) An urban or rural public transit system;	3602
(3) A private nonprofit organization that receives grants under section 5501.07 of the Revised Code.	3603 3604
(N)(1) An entity, to the extent it provides ambulette services, if the entity meets all of the following conditions:	3605 3606
(a) The entity is certified by the department of aging or the department's designee in accordance with section 173.391 of the Revised Code or operates under a contract or grant agreement with the department or the department's designee in accordance with section 173.392 of the Revised Code.	3607 3608 3609 3610 3611
(b) The entity meets the requirements of section 4766.14 of the Revised Code.	3612 3613

(c) The entity does not provide ambulette services that are reimbursed under the state medicaid plan.	3614 3615
(2) A vehicle, to the extent it is used to provide ambulette services, if the vehicle meets both of the following conditions:	3616 3617
(a) The vehicle is owned by an entity that meets the conditions specified in division (N)(1) of this section.	3618 3619
(b) The vehicle does not provide ambulette services that are reimbursed under the state medicaid plan.	3620 3621
(O) A vehicle that meets both of the following criteria, unless the vehicle provides services that are reimbursed under the state medicaid plan:	3622 3623 3624
(1) The vehicle was purchased with funds from a grant made by the United States secretary of transportation under 49 U.S.C. 5310;	3625 3626 3627
(2) The department of transportation holds a lien on the vehicle.	3628 3629
Sec. 4766.10. This chapter does not invalidate any ordinance or resolution adopted by a municipal corporation that establishes standards for the licensure of emergency medical service organizations as basic life-support, intermediate life-support, or advanced life-support service organizations that have their principal places of business located within the limits of the municipal corporation, as long as the licensure standards meet or exceed the standards established in this chapter and the rules adopted thereunder.	3630 3631 3632 3633 3634 3635 3636 3637 3638
Emergency medical service organizations licensed by a municipal corporation are subject to the jurisdiction of the <u>Ohio state board of emergency medical, fire, and transportation board services</u> , but the fees they pay to the board for licenses, permits, and renewals thereof shall not exceed fifty per cent of	3639 3640 3641 3642 3643

the fee amounts established by the board pursuant to section 3644
4766.03 of the Revised Code. The board may choose to waive the 3645
vehicle inspection requirements and inspection fees, but not the 3646
permit fees, for the vehicles of organizations licensed by a 3647
municipal corporation. 3648

Sec. 4766.11. (A) The Ohio state board of emergency medical, 3649
fire, and transportation board services may investigate alleged 3650
violations of this chapter or the rules adopted under it and may 3651
investigate any complaints received regarding alleged violations. 3652

In addition to any other remedies available and regardless of 3653
whether an adequate remedy at law exists, the board may apply to 3654
the court of common pleas in the county where a violation of any 3655
provision of this chapter or any rule adopted pursuant thereto is 3656
occurring for a temporary or permanent injunction restraining a 3657
person from continuing to commit that violation. On a showing that 3658
a person has committed a violation, the court shall grant the 3659
injunction. 3660

In conducting an investigation under this section, the board 3661
may issue subpoenas compelling the attendance and testimony of 3662
witnesses and the production of books, records, and other 3663
documents pertaining to the investigation. If a person fails to 3664
obey a subpoena from the board, the board may apply to the court 3665
of common pleas in the county where the investigation is being 3666
conducted for an order compelling the person to comply with the 3667
subpoena. On application by the board, the court shall compel 3668
obedience by attachment proceedings for contempt, as in the case 3669
of disobedience of the requirements of a subpoena from the court 3670
or a refusal to testify therein. 3671

(B) The ~~medical~~ transportation board may suspend a license 3672
issued under this chapter without a prior hearing if it determines 3673
that there is evidence that the license holder is subject to 3674

action under this section and that there is clear and convincing 3675
evidence that continued operation by the license holder presents a 3676
danger of immediate and serious harm to the public. The 3677
chairperson and executive director of the board shall make a 3678
preliminary determination and describe the evidence on which they 3679
made their determination to the board members. The board by 3680
resolution may designate another board member to act in place of 3681
the chairperson or another employee to act in place of the 3682
executive director in the event that the chairperson or executive 3683
director is unavailable or unable to act. Upon review of the 3684
allegations, the board, by the affirmative vote of ~~at least four a~~ 3685
majority of its members, may suspend the license without a 3686
hearing. 3687

~~Any method of communication, including a telephone conference 3688
call, may be utilized for describing the evidence to the board 3689
members, for reviewing the allegations, and for voting on the 3690
suspension.~~ 3691

Immediately following the decision by the board to suspend a 3692
license under this division, the board shall issue a written order 3693
of suspension and cause it to be delivered in accordance with 3694
section 119.07 of the Revised Code. If the license holder subject 3695
to the suspension requests an adjudication hearing by the board, 3696
the date set for the adjudication shall be within fifteen days but 3697
not earlier than seven days after the request unless another date 3698
is agreed to by the license holder and the board. 3699

Any summary suspension imposed under this division remains in 3700
effect, unless reversed by the board, until a final adjudicative 3701
order issued by the board pursuant to this section and Chapter 3702
119. of the Revised Code becomes effective. The board shall issue 3703
its final adjudicative order not less than ninety days after 3704
completion of its adjudication hearing. Failure to issue the order 3705
by that day shall cause the summary suspension order to end, but 3706

such failure shall not affect the validity of any subsequent final 3707
adjudication order. 3708

Sec. 4766.12. If a county, township, joint ambulance 3709
district, or joint emergency medical services district chooses to 3710
have the Ohio state board of emergency medical, fire, and 3711
transportation board services license its emergency medical 3712
service organizations and issue permits for its vehicles pursuant 3713
to this chapter, except as may be otherwise provided, all 3714
provisions of this chapter and all rules adopted by the board 3715
thereunder are fully applicable. However, a county, township, 3716
joint ambulance district, or joint emergency medical services 3717
district is not required to obtain any type of permit from the 3718
board for any of its nontransport vehicles. 3719

Sec. 4766.13. The Ohio state board of emergency medical, 3720
fire, and transportation board services, by endorsement, may 3721
license and issue vehicle permits to an emergency medical service 3722
organization or a nonemergency medical service organization that 3723
is regulated by another state. To qualify for a license and 3724
vehicle permits by endorsement, an organization must submit 3725
evidence satisfactory to the board that it has met standards in 3726
another state that are equal to or more stringent than the 3727
standards established by this chapter and the rules adopted under 3728
it. 3729

Sec. 4766.15. (A) An applicant for employment as an ambulette 3730
driver with an organization licensed pursuant to this chapter 3731
shall submit proof to the organization of, or give consent to the 3732
employer to obtain, all of the following: 3733

(1)(a) A valid driver's license issued pursuant to Chapter 3734
4506. or 4507. of the Revised Code, or its equivalent, if the 3735
applicant is a resident of another state; 3736

(b) A recent certified abstract of the applicant's record of convictions for violations of motor vehicle laws provided by the registrar of motor vehicles pursuant to section 4509.05 of the Revised Code, or its equivalent, if the applicant is a resident of another state.	3737 3738 3739 3740 3741
(2)(a) A certificate of completion of a course in first aid techniques offered by the American red cross or an equivalent organization;	3742 3743 3744
(b) A certificate of completion of a course in cardiopulmonary resuscitation, or its equivalent, offered by an organization approved by the <u>Ohio state board of emergency medical, fire, and transportation board services</u> .	3745 3746 3747 3748
(3) The result of a chemical test or tests of the applicant's blood, breath, or urine conducted at a hospital or other institution approved by the board for the purpose of determining the alcohol, drug of abuse, controlled substance, or metabolite of a controlled substance content of the applicant's whole blood, blood serum or plasma, breath, or urine;	3749 3750 3751 3752 3753 3754
(4) The result of a criminal records check conducted by the bureau of criminal identification and investigation.	3755 3756
(B) An organization may employ an applicant on a temporary provisional basis pending the completion of all of the requirements of this section. The length of the provisional period shall be determined by the board.	3757 3758 3759 3760
(C) An organization licensed pursuant to this chapter shall use information received pursuant to this section to determine in accordance with rules adopted by the <u>Ohio state board of emergency medical, fire, and transportation board services</u> under section 4766.03 of the Revised Code whether an applicant is disqualified for employment.	3761 3762 3763 3764 3765 3766
No applicant shall be accepted for permanent employment as an	3767

ambulette driver by an organization licensed pursuant to this chapter until all of the requirements of division (A) of this section have been met.	3768 3769 3770
Sec. 4766.22. (A) Not later than forty-five days after the end of each fiscal year, the Ohio state board of emergency medical, fire, and transportation board services shall submit a report to the governor and general assembly that provides all of the following information for that fiscal year:	3771 3772 3773 3774 3775
(1) The number of each of the following the board issued:	3776
(a) Basic life-support organization licenses;	3777
(b) Intermediate life-support organization licenses;	3778
(c) Advanced life-support organization licenses;	3779
(d) Mobile intensive care unit organization licenses;	3780
(e) Ambulette service licenses;	3781
(f) Air medical service organization licenses;	3782
(g) Ambulance permits;	3783
(h) Nontransport vehicle permits;	3784
(i) Ambulette vehicle permits;	3785
(j) Rotorcraft air ambulance permits;	3786
(k) Fixed wing air ambulance permits.	3787
(2) The amount of fees the board collected for issuing and renewing each type of license and permit specified in division (A)(1) of this section;	3788 3789 3790
(3) The number of inspections the board or a third party on the board's behalf conducted in connection with each type of license and permit specified in division (A)(1) of this section and the amount of fees the board collected for the inspections;	3791 3792 3793 3794

(4) The number of complaints that were submitted to the board;	3795 3796
(5) The number of investigations the board conducted under section 4766.11 of the Revised Code;	3797 3798
(6) The number of adjudication hearings the board held and the outcomes of the adjudications;	3799 3800
(7) The amount of penalties the board imposed and collected under section 4766.08 of the Revised Code;	3801 3802
(8) Other information the board determines reflects the board's operations.	3803 3804
(B) The board shall post the annual report required by this section on its web site and make it available to the public on request.	3805 3806 3807
Sec. 5502.01. (A) The department of public safety shall administer and enforce the laws relating to the registration, licensing, sale, and operation of motor vehicles and the laws pertaining to the licensing of drivers of motor vehicles.	3808 3809 3810 3811
The department shall compile, analyze, and publish statistics relative to motor vehicle accidents and the causes of them, prepare and conduct educational programs for the purpose of promoting safety in the operation of motor vehicles on the highways, and conduct research and studies for the purpose of promoting safety on the highways of this state.	3812 3813 3814 3815 3816 3817
(B) The department shall administer the laws and rules relative to trauma and emergency medical services specified in Chapter 4765. of the Revised Code <u>and any laws and rules relative to commercial medical transportation services as may be specified in Chapter 4766. of the Revised Code.</u>	3818 3819 3820 3821 3822
(C) The department shall administer and enforce the laws contained in Chapters 4301. and 4303. of the Revised Code and	3823 3824

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enforce the rules and orders of the liquor control commission pertaining to retail liquor permit holders.	3825 3826
(D) The department shall administer the laws governing the state emergency management agency and shall enforce all additional duties and responsibilities as prescribed in the Revised Code related to emergency management services.	3827 3828 3829 3830
(E) The department shall conduct investigations pursuant to Chapter 5101. of the Revised Code in support of the duty of the department of job and family services to administer the supplemental nutrition assistance program throughout this state. The department of public safety shall conduct investigations necessary to protect the state's property rights and interests in the supplemental nutrition assistance program.	3831 3832 3833 3834 3835 3836 3837
(F) The department of public safety shall enforce compliance with orders and rules of the public utilities commission and applicable laws in accordance with Chapters 4905., 4921., and 4923. of the Revised Code regarding commercial motor vehicle transportation safety, economic, and hazardous materials requirements.	3838 3839 3840 3841 3842 3843
(G) Notwithstanding Chapter 4117. of the Revised Code, the department of public safety may establish requirements for its enforcement personnel, including its enforcement agents described in section 5502.14 of the Revised Code, that include standards of conduct, work rules and procedures, and criteria for eligibility as law enforcement personnel.	3844 3845 3846 3847 3848 3849
(H) The department shall administer, maintain, and operate the Ohio criminal justice network. The Ohio criminal justice network shall be a computer network that supports state and local criminal justice activities. The network shall be an electronic repository for various data, which may include arrest warrants, notices of persons wanted by law enforcement agencies, criminal	3850 3851 3852 3853 3854 3855

records, prison inmate records, stolen vehicle records, vehicle operator's licenses, and vehicle registrations and titles.	3856
	3857
(I) The department shall coordinate all homeland security activities of all state agencies and shall be a liaison between state agencies and local entities for those activities and related purposes.	3858
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(J) Beginning July 1, 2004, the department shall administer and enforce the laws relative to private investigators and security service providers specified in Chapter 4749. of the Revised Code.	3862
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(K) The department shall administer criminal justice services in accordance with sections 5502.61 to 5502.66 of the Revised Code.	3866
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 Sec. 5709.40. (A) As used in this section:	3869
(1) "Blighted area" and "impacted city" have the same meanings as in section 1728.01 of the Revised Code.	3870
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(2) "Business day" means a day of the week excluding Saturday, Sunday, and a legal holiday as defined under section 1.14 of the Revised Code.	3872
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(3) "Housing renovation" means a project carried out for residential purposes.	3875
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(4) "Improvement" means the increase in the assessed value of any real property that would first appear above the assessed value of the property as it appears on the most recent tax list and duplicate of real and public utility property after compiled before the effective date of an ordinance adopted under this section were it not for the exemption granted by that ordinance.	3877
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(5) "Incentive district" means an area not more than three hundred acres in size enclosed by a continuous boundary in which a project is being, or will be, undertaken and having one or more of	3883
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the following distress characteristics:	3886
(a) At least fifty-one per cent of the residents of the district have incomes of less than eighty per cent of the median income of residents of the political subdivision in which the district is located, as determined in the same manner specified under section 119(b) of the "Housing and Community Development Act of 1974," 88 Stat. 633, 42 U.S.C. 5318, as amended;	3887 3888 3889 3890 3891 3892
(b) The average rate of unemployment in the district during the most recent twelve-month period for which data are available is equal to at least one hundred fifty per cent of the average rate of unemployment for this state for the same period.	3893 3894 3895 3896
(c) At least twenty per cent of the people residing in the district live at or below the poverty level as defined in the federal Housing and Community Development Act of 1974, 42 U.S.C. 5301, as amended, and regulations adopted pursuant to that act.	3897 3898 3899 3900
(d) The district is a blighted area.	3901
(e) The district is in a situational distress area as designated by the director of development under division (F) of section 122.23 of the Revised Code.	3902 3903 3904
(f) As certified by the engineer for the political subdivision, the public infrastructure serving the district is inadequate to meet the development needs of the district as evidenced by a written economic development plan or urban renewal plan for the district that has been adopted by the legislative authority of the subdivision.	3905 3906 3907 3908 3909 3910
(g) The district is comprised entirely of unimproved land that is located in a distressed area as defined in section 122.23 of the Revised Code.	3911 3912 3913
(6) "Project" means development activities undertaken on one or more parcels, including, but not limited to, construction,	3914 3915

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expansion, and alteration of buildings or structures, demolition,	3916
remediation, and site development, and any building or structure	3917
that results from those activities.	3918
(7) "Public infrastructure improvement" includes, but is not	3919
limited to, public roads and highways; water and sewer lines;	3920
environmental remediation; land acquisition, including acquisition	3921
in aid of industry, commerce, distribution, or research;	3922
demolition, including demolition on private property when	3923
determined to be necessary for economic development purposes;	3924
stormwater and flood remediation projects, including such projects	3925
on private property when determined to be necessary for public	3926
health, safety, and welfare; the provision of gas, electric, and	3927
communications service facilities; and the enhancement of public	3928
waterways through improvements that allow for greater public	3929
access.	3930
(B) The legislative authority of a municipal corporation, by	3931
ordinance, may declare improvements to certain parcels of real	3932
property located in the municipal corporation to be a public	3933
purpose. Improvements with respect to a parcel that is used or to	3934
be used for residential purposes may be declared a public purpose	3935
under this division only if the parcel is located in a blighted	3936
area of an impacted city. For this purpose, "parcel that is used	3937
or to be used for residential purposes" means a parcel that, as	3938
improved, is used or to be used for purposes that would cause the	3939
tax commissioner to classify the parcel as residential property in	3940
accordance with rules adopted by the commissioner under section	3941
5713.041 of the Revised Code. Except with the approval under	3942
division (D) of this section of the board of education of each	3943
city, local, or exempted village school district within which the	3944
improvements are located, not more than seventy-five per cent of	3945
an improvement thus declared to be a public purpose may be	3946
exempted from real property taxation for a period of not more than	3947

ten years. The ordinance shall specify the percentage of the improvement to be exempted from taxation and the life of the exemption. 3948
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An ordinance adopted or amended under this division shall designate the specific public infrastructure improvements made, to be made, or in the process of being made by the municipal corporation that directly benefit, or that once made will directly benefit, the parcels for which improvements are declared to be a public purpose. The service payments provided for in section 5709.42 of the Revised Code shall be used to finance the public infrastructure improvements designated in the ordinance, for the purpose described in division (D)(1) of this section or as provided in section 5709.43 of the Revised Code. 3951
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(C)(1) The legislative authority of a municipal corporation may adopt an ordinance creating an incentive district and declaring improvements to parcels within the district to be a public purpose and, except as provided in division (F) of this section, exempt from taxation as provided in this section, but no legislative authority of a municipal corporation that has a population that exceeds twenty-five thousand, as shown by the most recent federal decennial census, shall adopt an ordinance that creates an incentive district if the sum of the taxable value of real property in the proposed district for the preceding tax year and the taxable value of all real property in the municipal corporation that would have been taxable in the preceding year were it not for the fact that the property was in an existing incentive district and therefore exempt from taxation exceeds twenty-five per cent of the taxable value of real property in the municipal corporation for the preceding tax year. The ordinance shall delineate the boundary of the district and specifically identify each parcel within the district. A district may not include any parcel that is or has been exempted from taxation 3961
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under division (B) of this section or that is or has been within 3980
another district created under this division. An ordinance may 3981
create more than one such district, and more than one ordinance 3982
may be adopted under division (C)(1) of this section. 3983

(2) Not later than thirty days prior to adopting an ordinance 3984
under division (C)(1) of this section, if the municipal 3985
corporation intends to apply for exemptions from taxation under 3986
section 5709.911 of the Revised Code on behalf of owners of real 3987
property located within the proposed incentive district, the 3988
legislative authority of a municipal corporation shall conduct a 3989
public hearing on the proposed ordinance. Not later than thirty 3990
days prior to the public hearing, the legislative authority shall 3991
give notice of the public hearing and the proposed ordinance by 3992
first class mail to every real property owner whose property is 3993
located within the boundaries of the proposed incentive district 3994
that is the subject of the proposed ordinance. 3995

(3)(a) An ordinance adopted under division (C)(1) of this 3996
section shall specify the life of the incentive district and the 3997
percentage of the improvements to be exempted, shall designate the 3998
public infrastructure improvements made, to be made, or in the 3999
process of being made, that benefit or serve, or, once made, will 4000
benefit or serve parcels in the district. The ordinance also shall 4001
identify one or more specific projects being, or to be, undertaken 4002
in the district that place additional demand on the public 4003
infrastructure improvements designated in the ordinance. The 4004
project identified may, but need not be, the project under 4005
division (C)(3)(b) of this section that places real property in 4006
use for commercial or industrial purposes. Except as otherwise 4007
permitted under that division, the service payments provided for 4008
in section 5709.42 of the Revised Code shall be used to finance 4009
the designated public infrastructure improvements, for the purpose 4010
described in division (D)(1) or (E) of this section, or as 4011

provided in section 5709.43 of the Revised Code.	4012
An ordinance adopted under division (C)(1) of this section on or after March 30, 2006, shall not designate police or fire equipment as public infrastructure improvements, and no service payment provided for in section 5709.42 of the Revised Code and received by the municipal corporation under the ordinance shall be used for police or fire equipment.	4013 4014 4015 4016 4017 4018
(b) An ordinance adopted under division (C)(1) of this section may authorize the use of service payments provided for in section 5709.42 of the Revised Code for the purpose of housing renovations within the incentive district, provided that the ordinance also designates public infrastructure improvements that benefit or serve the district, and that a project within the district places real property in use for commercial or industrial purposes. Service payments may be used to finance or support loans, deferred loans, and grants to persons for the purpose of housing renovations within the district. The ordinance shall designate the parcels within the district that are eligible for housing renovation. The ordinance shall state separately the amounts or the percentages of the expected aggregate service payments that are designated for each public infrastructure improvement and for the general purpose of housing renovations.	4019 4020 4021 4022 4023 4024 4025 4026 4027 4028 4029 4030 4031 4032 4033
(4) Except with the approval of the board of education of each city, local, or exempted village school district within the territory of which the incentive district is or will be located, and subject to division (E) of this section, the life of an incentive district shall not exceed ten years, and the percentage of improvements to be exempted shall not exceed seventy-five per cent. With approval of the board of education, the life of a district may be not more than thirty years, and the percentage of improvements to be exempted may be not more than one hundred per cent. The approval of a board of education shall be obtained in	4034 4035 4036 4037 4038 4039 4040 4041 4042 4043

the manner provided in division (D) of this section.	4044
(D)(1) If the ordinance declaring improvements to a parcel to be a public purpose or creating an incentive district specifies that payments in lieu of taxes provided for in section 5709.42 of the Revised Code shall be paid to the city, local, or exempted village, and joint vocational school district in which the parcel or incentive district is located in the amount of the taxes that would have been payable to the school district if the improvements had not been exempted from taxation, the percentage of the improvement that may be exempted from taxation may exceed seventy-five per cent, and the exemption may be granted for up to thirty years, without the approval of the board of education as otherwise required under division (D)(2) of this section.	4045 4046 4047 4048 4049 4050 4051 4052 4053 4054 4055 4056
(2) Improvements with respect to a parcel may be exempted from taxation under division (B) of this section, and improvements to parcels within an incentive district may be exempted from taxation under division (C) of this section, for up to ten years or, with the approval under this paragraph of the board of education of the city, local, or exempted village school district within which the parcel or district is located, for up to thirty years. The percentage of the improvement exempted from taxation may, with such approval, exceed seventy-five per cent, but shall not exceed one hundred per cent. Not later than forty-five business days prior to adopting an ordinance under this section declaring improvements to be a public purpose that is subject to approval by a board of education under this division, the legislative authority shall deliver to the board of education a notice stating its intent to adopt an ordinance making that declaration. The notice regarding improvements with respect to a parcel under division (B) of this section shall identify the parcels for which improvements are to be exempted from taxation, provide an estimate of the true value in money of the	4057 4058 4059 4060 4061 4062 4063 4064 4065 4066 4067 4068 4069 4070 4071 4072 4073 4074 4075

improvements, specify the period for which the improvements would 4076
be exempted from taxation and the percentage of the improvement 4077
that would be exempted, and indicate the date on which the 4078
legislative authority intends to adopt the ordinance. The notice 4079
regarding improvements to parcels within an incentive district 4080
under division (C) of this section shall delineate the boundaries 4081
of the district, specifically identify each parcel within the 4082
district, identify each anticipated improvement in the district, 4083
provide an estimate of the true value in money of each such 4084
improvement, specify the life of the district and the percentage 4085
of improvements that would be exempted, and indicate the date on 4086
which the legislative authority intends to adopt the ordinance. 4087
The board of education, by resolution adopted by a majority of the 4088
board, may approve the exemption for the period or for the 4089
exemption percentage specified in the notice; may disapprove the 4090
exemption for the number of years in excess of ten, may disapprove 4091
the exemption for the percentage of the improvement to be exempted 4092
in excess of seventy-five per cent, or both; or may approve the 4093
exemption on the condition that the legislative authority and the 4094
board negotiate an agreement providing for compensation to the 4095
school district equal in value to a percentage of the amount of 4096
taxes exempted in the eleventh and subsequent years of the 4097
exemption period or, in the case of exemption percentages in 4098
excess of seventy-five per cent, compensation equal in value to a 4099
percentage of the taxes that would be payable on the portion of 4100
the improvement in excess of seventy-five per cent were that 4101
portion to be subject to taxation, or other mutually agreeable 4102
compensation. If an agreement is negotiated between the 4103
legislative authority and the board to compensate the school 4104
district for all or part of the taxes exempted, including 4105
agreements for payments in lieu of taxes under section 5709.42 of 4106
the Revised Code, the legislative authority shall compensate the 4107
joint vocational school district within which the parcel or 4108

district is located at the same rate and under the same terms 4109
received by the city, local, or exempted village school district. 4110

(3) The board of education shall certify its resolution to 4111
the legislative authority not later than fourteen days prior to 4112
the date the legislative authority intends to adopt the ordinance 4113
as indicated in the notice. If the board of education and the 4114
legislative authority negotiate a mutually acceptable compensation 4115
agreement, the ordinance may declare the improvements a public 4116
purpose for the number of years specified in the ordinance or, in 4117
the case of exemption percentages in excess of seventy-five per 4118
cent, for the exemption percentage specified in the ordinance. In 4119
either case, if the board and the legislative authority fail to 4120
negotiate a mutually acceptable compensation agreement, the 4121
ordinance may declare the improvements a public purpose for not 4122
more than ten years, and shall not exempt more than seventy-five 4123
per cent of the improvements from taxation. If the board fails to 4124
certify a resolution to the legislative authority within the time 4125
prescribed by this division, the legislative authority thereupon 4126
may adopt the ordinance and may declare the improvements a public 4127
purpose for up to thirty years, or, in the case of exemption 4128
percentages proposed in excess of seventy-five per cent, for the 4129
exemption percentage specified in the ordinance. The legislative 4130
authority may adopt the ordinance at any time after the board of 4131
education certifies its resolution approving the exemption to the 4132
legislative authority, or, if the board approves the exemption on 4133
the condition that a mutually acceptable compensation agreement be 4134
negotiated, at any time after the compensation agreement is agreed 4135
to by the board and the legislative authority. 4136

(4) If a board of education has adopted a resolution waiving 4137
its right to approve exemptions from taxation under this section 4138
and the resolution remains in effect, approval of exemptions by 4139
the board is not required under division (D) of this section. If a 4140

board of education has adopted a resolution allowing a legislative authority to deliver the notice required under division (D) of this section fewer than forty-five business days prior to the legislative authority's adoption of the ordinance, the legislative authority shall deliver the notice to the board not later than the number of days prior to such adoption as prescribed by the board in its resolution. If a board of education adopts a resolution waiving its right to approve agreements or shortening the notification period, the board shall certify a copy of the resolution to the legislative authority. If the board of education rescinds such a resolution, it shall certify notice of the rescission to the legislative authority.

(5) If the legislative authority is not required by division (D) of this section to notify the board of education of the legislative authority's intent to declare improvements to be a public purpose, the legislative authority shall comply with the notice requirements imposed under section 5709.83 of the Revised Code, unless the board has adopted a resolution under that section waiving its right to receive such a notice.

(E)(1) If a proposed ordinance under division (C)(1) of this section exempts improvements with respect to a parcel within an incentive district for more than ten years, or the percentage of the improvement exempted from taxation exceeds seventy-five per cent, not later than forty-five business days prior to adopting the ordinance the legislative authority of the municipal corporation shall deliver to the board of county commissioners of the county within which the incentive district will be located a notice that states its intent to adopt an ordinance creating an incentive district. The notice shall include a copy of the proposed ordinance, identify the parcels for which improvements are to be exempted from taxation, provide an estimate of the true value in money of the improvements, specify the period of time for

which the improvements would be exempted from taxation, specify 4173
the percentage of the improvements that would be exempted from 4174
taxation, and indicate the date on which the legislative authority 4175
intends to adopt the ordinance. 4176

(2) The board of county commissioners, by resolution adopted 4177
by a majority of the board, may object to the exemption for the 4178
number of years in excess of ten, may object to the exemption for 4179
the percentage of the improvement to be exempted in excess of 4180
seventy-five per cent, or both. If the board of county 4181
commissioners objects, the board may negotiate a mutually 4182
acceptable compensation agreement with the legislative authority. 4183
In no case shall the compensation provided to the board exceed the 4184
property taxes forgone due to the exemption. If the board of 4185
county commissioners objects, and the board and legislative 4186
authority fail to negotiate a mutually acceptable compensation 4187
agreement, the ordinance adopted under division (C)(1) of this 4188
section shall provide to the board compensation in the eleventh 4189
and subsequent years of the exemption period equal in value to not 4190
more than fifty per cent of the taxes that would be payable to the 4191
county or, if the board's objection includes an objection to an 4192
exemption percentage in excess of seventy-five per cent, 4193
compensation equal in value to not more than fifty per cent of the 4194
taxes that would be payable to the county, on the portion of the 4195
improvement in excess of seventy-five per cent, were that portion 4196
to be subject to taxation. The board of county commissioners shall 4197
certify its resolution to the legislative authority not later than 4198
thirty days after receipt of the notice. 4199

(3) If the board of county commissioners does not object or 4200
fails to certify its resolution objecting to an exemption within 4201
thirty days after receipt of the notice, the legislative authority 4202
may adopt the ordinance, and no compensation shall be provided to 4203
the board of county commissioners. If the board timely certifies 4204

its resolution objecting to the ordinance, the legislative 4205
authority may adopt the ordinance at any time after a mutually 4206
acceptable compensation agreement is agreed to by the board and 4207
the legislative authority, or, if no compensation agreement is 4208
negotiated, at any time after the legislative authority agrees in 4209
the proposed ordinance to provide compensation to the board of 4210
fifty per cent of the taxes that would be payable to the county in 4211
the eleventh and subsequent years of the exemption period or on 4212
the portion of the improvement in excess of seventy-five per cent, 4213
were that portion to be subject to taxation. 4214

(F) Service payments in lieu of taxes that are attributable 4215
to any amount by which the effective tax rate of either a renewal 4216
levy with an increase or a replacement levy exceeds the effective 4217
tax rate of the levy renewed or replaced, or that are attributable 4218
to an additional levy, for a levy authorized by the voters for any 4219
of the following purposes on or after January 1, 2006, and which 4220
are provided pursuant to an ordinance creating an incentive 4221
district under division (C)(1) of this section that is adopted on 4222
or after January 1, 2006, shall be distributed to the appropriate 4223
taxing authority as required under division (C) of section 5709.42 4224
of the Revised Code in an amount equal to the amount of taxes from 4225
that additional levy or from the increase in the effective tax 4226
rate of such renewal or replacement levy that would have been 4227
payable to that taxing authority from the following levies were it 4228
not for the exemption authorized under division (C) of this 4229
section: 4230

(1) A tax levied under division (L) of section 5705.19 or 4231
section 5705.191 of the Revised Code for community mental 4232
retardation and developmental disabilities programs and services 4233
pursuant to Chapter 5126. of the Revised Code; 4234

(2) A tax levied under division (Y) of section 5705.19 of the 4235
Revised Code for providing or maintaining senior citizens services 4236

or facilities;	4237
(3) A tax levied under section 5705.22 of the Revised Code for county hospitals;	4238 4239
(4) A tax levied by a joint-county district or by a county under section 5705.19, 5705.191, or 5705.221 of the Revised Code for alcohol, drug addiction, and mental health services or facilities;	4240 4241 4242 4243
(5) A tax levied under section 5705.23 of the Revised Code for library purposes;	4244 4245
(6) A tax levied under section 5705.24 of the Revised Code for the support of children services and the placement and care of children;	4246 4247 4248
(7) A tax levied under division (Z) of section 5705.19 of the Revised Code for the provision and maintenance of zoological park services and facilities under section 307.76 of the Revised Code;	4249 4250 4251
(8) A tax levied under section 511.27 or division (H) of section 5705.19 of the Revised Code for the support of township park districts;	4252 4253 4254
(9) A tax levied under division (A), (F), or (H) of section 5705.19 of the Revised Code for parks and recreational purposes of a joint recreation district organized pursuant to division (B) of section 755.14 of the Revised Code;	4255 4256 4257 4258
(10) A tax levied under section 1545.20 or 1545.21 of the Revised Code for park district purposes;	4259 4260
(11) A tax levied under section 5705.191 of the Revised Code for the purpose of making appropriations for public assistance; human or social services; public relief; public welfare; public health and hospitalization; and support of general hospitals;	4261 4262 4263 4264
(12) A tax levied under section 3709.29 of the Revised Code for a general health district program.	4265 4266

(G) An exemption from taxation granted under this section	4267
commences with the tax year specified in the ordinance so long as	4268
the year specified in the ordinance commences after the effective	4269
date of the ordinance. If the ordinance specifies a year	4270
commencing before the effective date of the resolution or	4271
specifies no year whatsoever, the exemption commences with the tax	4272
year in which an exempted improvement first appears on the tax	4273
list and duplicate of real and public utility property and that	4274
commences after the effective date of the ordinance. Except as	4275
otherwise provided in this division, the exemption ends on the	4276
date specified in the ordinance as the date the improvement ceases	4277
to be a public purpose or the incentive district expires, or ends	4278
on the date on which the public infrastructure improvements and	4279
housing renovations are paid in full from the municipal public	4280
improvement tax increment equivalent fund established under	4281
division (A) of section 5709.43 of the Revised Code, whichever	4282
occurs first. The exemption of an improvement with respect to a	4283
parcel or within an incentive district may end on a later date, as	4284
specified in the ordinance, if the legislative authority and the	4285
board of education of the city, local, or exempted village school	4286
district within which the parcel or district is located have	4287
entered into a compensation agreement under section 5709.82 of the	4288
Revised Code with respect to the improvement, and the board of	4289
education has approved the term of the exemption under division	4290
(D)(2) of this section, but in no case shall the improvement be	4291
exempted from taxation for more than thirty years. Exemptions	4292
shall be claimed and allowed in the same manner as in the case of	4293
other real property exemptions. If an exemption status changes	4294
during a year, the procedure for the apportionment of the taxes	4295
for that year is the same as in the case of other changes in tax	4296
exemption status during the year.	4297
(H) Additional municipal financing of public infrastructure	4298
improvements and housing renovations may be provided by any	4299

methods that the municipal corporation may otherwise use for 4300
financing such improvements or renovations. If the municipal 4301
corporation issues bonds or notes to finance the public 4302
infrastructure improvements and housing renovations and pledges 4303
money from the municipal public improvement tax increment 4304
equivalent fund to pay the interest on and principal of the bonds 4305
or notes, the bonds or notes are not subject to Chapter 133. of 4306
the Revised Code. 4307

(I) The municipal corporation, not later than fifteen days 4308
after the adoption of an ordinance under this section, shall 4309
submit to the director of development a copy of the ordinance. On 4310
or before the thirty-first day of March of each year, the 4311
municipal corporation shall submit a status report to the director 4312
of development. The report shall indicate, in the manner 4313
prescribed by the director, the progress of the project during 4314
each year that an exemption remains in effect, including a summary 4315
of the receipts from service payments in lieu of taxes; 4316
expenditures of money from the funds created under section 5709.43 4317
of the Revised Code; a description of the public infrastructure 4318
improvements and housing renovations financed with such 4319
expenditures; and a quantitative summary of changes in employment 4320
and private investment resulting from each project. 4321

(J) Nothing in this section shall be construed to prohibit a 4322
legislative authority from declaring to be a public purpose 4323
improvements with respect to more than one parcel. 4324

(K) If a parcel is located in a new community district in 4325
which the new community authority imposes a community development 4326
charge on the basis of rentals received from leases of real 4327
property as described in division (L)(2) of section 349.01 of the 4328
Revised Code, the parcel may not be exempted from taxation under 4329
this section. 4330

Sec. 5709.73. (A) As used in this section and section 5709.74 of the Revised Code:	4331
(1) "Business day" means a day of the week excluding Saturday, Sunday, and a legal holiday as defined in section 1.14 of the Revised Code.	4332
(2) "Further improvements" or "improvements" means the increase in the assessed value of real property that would first appear above the assessed value of the property as it appears on the <u>most recent</u> tax list and duplicate of real and public utility property after compiled before the effective date of a resolution adopted under this section were it not for the exemption granted by that resolution . For purposes of division (B) of this section, "improvements" do not include any property used or to be used for residential purposes. For this purpose, "property that is used or to be used for residential purposes" means property that, as improved, is used or to be used for purposes that would cause the tax commissioner to classify the property as residential property in accordance with rules adopted by the commissioner under section 5713.041 of the Revised Code.	4333
(3) "Housing renovation" means a project carried out for residential purposes.	4334
(4) "Incentive district" has the same meaning as in section 5709.40 of the Revised Code, except that a blighted area is in the unincorporated area of a township.	4335
(5) "Project" and "public infrastructure improvement" have the same meanings as in section 5709.40 of the Revised Code.	4336
(B) A board of township trustees may, by unanimous vote, adopt a resolution that declares to be a public purpose any public infrastructure improvements made that are necessary for the development of certain parcels of land located in the	4337

unincorporated area of the township. Except with the approval 4361
under division (D) of this section of the board of education of 4362
each city, local, or exempted village school district within which 4363
the improvements are located, the resolution may exempt from real 4364
property taxation not more than seventy-five per cent of further 4365
improvements to a parcel of land that directly benefits from the 4366
public infrastructure improvements, for a period of not more than 4367
ten years. The resolution shall specify the percentage of the 4368
further improvements to be exempted and the life of the exemption. 4369

(C)(1) A board of township trustees may adopt, by unanimous 4370
vote, a resolution creating an incentive district and declaring 4371
improvements to parcels within the district to be a public purpose 4372
and, except as provided in division (F) of this section, exempt 4373
from taxation as provided in this section, but no board of 4374
township trustees of a township that has a population that exceeds 4375
twenty-five thousand, as shown by the most recent federal 4376
decennial census, shall adopt a resolution that creates an 4377
incentive district if the sum of the taxable value of real 4378
property in the proposed district for the preceding tax year and 4379
the taxable value of all real property in the township that would 4380
have been taxable in the preceding year were it not for the fact 4381
that the property was in an existing incentive district and 4382
therefore exempt from taxation exceeds twenty-five per cent of the 4383
taxable value of real property in the township for the preceding 4384
tax year. The district shall be located within the unincorporated 4385
area of the township and shall not include any territory that is 4386
included within a district created under division (B) of section 4387
5709.78 of the Revised Code. The resolution shall delineate the 4388
boundary of the district and specifically identify each parcel 4389
within the district. A district may not include any parcel that is 4390
or has been exempted from taxation under division (B) of this 4391
section or that is or has been within another district created 4392
under this division. A resolution may create more than one 4393

district, and more than one resolution may be adopted under 4394
division (C)(1) of this section. 4395

(2) Not later than thirty days prior to adopting a resolution 4396
under division (C)(1) of this section, if the township intends to 4397
apply for exemptions from taxation under section 5709.911 of the 4398
Revised Code on behalf of owners of real property located within 4399
the proposed incentive district, the board shall conduct a public 4400
hearing on the proposed resolution. Not later than thirty days 4401
prior to the public hearing, the board shall give notice of the 4402
public hearing and the proposed resolution by first class mail to 4403
every real property owner whose property is located within the 4404
boundaries of the proposed incentive district that is the subject 4405
of the proposed resolution. 4406

(3)(a) A resolution adopted under division (C)(1) of this 4407
section shall specify the life of the incentive district and the 4408
percentage of the improvements to be exempted, shall designate the 4409
public infrastructure improvements made, to be made, or in the 4410
process of being made, that benefit or serve, or, once made, will 4411
benefit or serve parcels in the district. The resolution also 4412
shall identify one or more specific projects being, or to be, 4413
undertaken in the district that place additional demand on the 4414
public infrastructure improvements designated in the resolution. 4415
The project identified may, but need not be, the project under 4416
division (C)(3)(b) of this section that places real property in 4417
use for commercial or industrial purposes. 4418

A resolution adopted under division (C)(1) of this section on 4419
or after March 30, 2006, shall not designate police or fire 4420
equipment as public infrastructure improvements, and no service 4421
payment provided for in section 5709.74 of the Revised Code and 4422
received by the township under the resolution shall be used for 4423
police or fire equipment. 4424

(b) A resolution adopted under division (C)(1) of this 4425

section may authorize the use of service payments provided for in 4426
section 5709.74 of the Revised Code for the purpose of housing 4427
renovations within the incentive district, provided that the 4428
resolution also designates public infrastructure improvements that 4429
benefit or serve the district, and that a project within the 4430
district places real property in use for commercial or industrial 4431
purposes. Service payments may be used to finance or support 4432
loans, deferred loans, and grants to persons for the purpose of 4433
housing renovations within the district. The resolution shall 4434
designate the parcels within the district that are eligible for 4435
housing renovations. The resolution shall state separately the 4436
amount or the percentages of the expected aggregate service 4437
payments that are designated for each public infrastructure 4438
improvement and for the purpose of housing renovations. 4439

(4) Except with the approval of the board of education of 4440
each city, local, or exempted village school district within the 4441
territory of which the incentive district is or will be located, 4442
and subject to division (E) of this section, the life of an 4443
incentive district shall not exceed ten years, and the percentage 4444
of improvements to be exempted shall not exceed seventy-five per 4445
cent. With approval of the board of education, the life of a 4446
district may be not more than thirty years, and the percentage of 4447
improvements to be exempted may be not more than one hundred per 4448
cent. The approval of a board of education shall be obtained in 4449
the manner provided in division (D) of this section. 4450

(D) Improvements with respect to a parcel may be exempted 4451
from taxation under division (B) of this section, and improvements 4452
to parcels within an incentive district may be exempted from 4453
taxation under division (C) of this section, for up to ten years 4454
or, with the approval of the board of education of the city, 4455
local, or exempted village school district within which the parcel 4456
or district is located, for up to thirty years. The percentage of 4457

the improvements exempted from taxation may, with such approval, 4458
exceed seventy-five per cent, but shall not exceed one hundred per 4459
cent. Not later than forty-five business days prior to adopting a 4460
resolution under this section declaring improvements to be a 4461
public purpose that is subject to approval by a board of education 4462
under this division, the board of township trustees shall deliver 4463
to the board of education a notice stating its intent to adopt a 4464
resolution making that declaration. The notice regarding 4465
improvements with respect to a parcel under division (B) of this 4466
section shall identify the parcels for which improvements are to 4467
be exempted from taxation, provide an estimate of the true value 4468
in money of the improvements, specify the period for which the 4469
improvements would be exempted from taxation and the percentage of 4470
the improvements that would be exempted, and indicate the date on 4471
which the board of township trustees intends to adopt the 4472
resolution. The notice regarding improvements made under division 4473
(C) of this section to parcels within an incentive district shall 4474
delineate the boundaries of the district, specifically identify 4475
each parcel within the district, identify each anticipated 4476
improvement in the district, provide an estimate of the true value 4477
in money of each such improvement, specify the life of the 4478
district and the percentage of improvements that would be 4479
exempted, and indicate the date on which the board of township 4480
trustees intends to adopt the resolution. The board of education, 4481
by resolution adopted by a majority of the board, may approve the 4482
exemption for the period or for the exemption percentage specified 4483
in the notice; may disapprove the exemption for the number of 4484
years in excess of ten, may disapprove the exemption for the 4485
percentage of the improvements to be exempted in excess of 4486
seventy-five per cent, or both; or may approve the exemption on 4487
the condition that the board of township trustees and the board of 4488
education negotiate an agreement providing for compensation to the 4489
school district equal in value to a percentage of the amount of 4490

taxes exempted in the eleventh and subsequent years of the 4491
exemption period or, in the case of exemption percentages in 4492
excess of seventy-five per cent, compensation equal in value to a 4493
percentage of the taxes that would be payable on the portion of 4494
the improvements in excess of seventy-five per cent were that 4495
portion to be subject to taxation, or other mutually agreeable 4496
compensation. 4497

The board of education shall certify its resolution to the 4498
board of township trustees not later than fourteen days prior to 4499
the date the board of township trustees intends to adopt the 4500
resolution as indicated in the notice. If the board of education 4501
and the board of township trustees negotiate a mutually acceptable 4502
compensation agreement, the resolution may declare the 4503
improvements a public purpose for the number of years specified in 4504
the resolution or, in the case of exemption percentages in excess 4505
of seventy-five per cent, for the exemption percentage specified 4506
in the resolution. In either case, if the board of education and 4507
the board of township trustees fail to negotiate a mutually 4508
acceptable compensation agreement, the resolution may declare the 4509
improvements a public purpose for not more than ten years, and 4510
shall not exempt more than seventy-five per cent of the 4511
improvements from taxation. If the board of education fails to 4512
certify a resolution to the board of township trustees within the 4513
time prescribed by this section, the board of township trustees 4514
thereupon may adopt the resolution and may declare the 4515
improvements a public purpose for up to thirty years or, in the 4516
case of exemption percentages proposed in excess of seventy-five 4517
per cent, for the exemption percentage specified in the 4518
resolution. The board of township trustees may adopt the 4519
resolution at any time after the board of education certifies its 4520
resolution approving the exemption to the board of township 4521
trustees, or, if the board of education approves the exemption on 4522
the condition that a mutually acceptable compensation agreement be 4523

negotiated, at any time after the compensation agreement is agreed 4524
to by the board of education and the board of township trustees. 4525
If a mutually acceptable compensation agreement is negotiated 4526
between the board of township trustees and the board of education, 4527
including agreements for payments in lieu of taxes under section 4528
5709.74 of the Revised Code, the board of township trustees shall 4529
compensate the joint vocational school district within which the 4530
parcel or district is located at the same rate and under the same 4531
terms received by the city, local, or exempted village school 4532
district. 4533

If a board of education has adopted a resolution waiving its 4534
right to approve exemptions from taxation under this section and 4535
the resolution remains in effect, approval of such exemptions by 4536
the board of education is not required under division (D) of this 4537
section. If a board of education has adopted a resolution allowing 4538
a board of township trustees to deliver the notice required under 4539
division (D) of this section fewer than forty-five business days 4540
prior to adoption of the resolution by the board of township 4541
trustees, the board of township trustees shall deliver the notice 4542
to the board of education not later than the number of days prior 4543
to the adoption as prescribed by the board of education in its 4544
resolution. If a board of education adopts a resolution waiving 4545
its right to approve exemptions or shortening the notification 4546
period, the board of education shall certify a copy of the 4547
resolution to the board of township trustees. If the board of 4548
education rescinds the resolution, it shall certify notice of the 4549
rescission to the board of township trustees. 4550

If the board of township trustees is not required by division 4551
(D) of this section to notify the board of education of the board 4552
of township trustees' intent to declare improvements to be a 4553
public purpose, the board of township trustees shall comply with 4554
the notice requirements imposed under section 5709.83 of the 4555

Revised Code before taking formal action to adopt the resolution making that declaration, unless the board of education has adopted a resolution under that section waiving its right to receive the notice.	4556 4557 4558 4559
(E)(1) If a proposed resolution under division (C)(1) of this section exempts improvements with respect to a parcel within an incentive district for more than ten years, or the percentage of the improvement exempted from taxation exceeds seventy-five per cent, not later than forty-five business days prior to adopting the resolution the board of township trustees shall deliver to the board of county commissioners of the county within which the incentive district is or will be located a notice that states its intent to adopt a resolution creating an incentive district. The notice shall include a copy of the proposed resolution, identify the parcels for which improvements are to be exempted from taxation, provide an estimate of the true value in money of the improvements, specify the period of time for which the improvements would be exempted from taxation, specify the percentage of the improvements that would be exempted from taxation, and indicate the date on which the board of township trustees intends to adopt the resolution.	4560 4561 4562 4563 4564 4565 4566 4567 4568 4569 4570 4571 4572 4573 4574 4575 4576
(2) The board of county commissioners, by resolution adopted by a majority of the board, may object to the exemption for the number of years in excess of ten, may object to the exemption for the percentage of the improvement to be exempted in excess of seventy-five per cent, or both. If the board of county commissioners objects, the board may negotiate a mutually acceptable compensation agreement with the board of township trustees. In no case shall the compensation provided to the board of county commissioners exceed the property taxes foregone due to the exemption. If the board of county commissioners objects, and the board of county commissioners and board of township trustees	4577 4578 4579 4580 4581 4582 4583 4584 4585 4586 4587

fail to negotiate a mutually acceptable compensation agreement, 4588
the resolution adopted under division (C)(1) of this section shall 4589
provide to the board of county commissioners compensation in the 4590
eleventh and subsequent years of the exemption period equal in 4591
value to not more than fifty per cent of the taxes that would be 4592
payable to the county or, if the board of county commissioner's 4593
objection includes an objection to an exemption percentage in 4594
excess of seventy-five per cent, compensation equal in value to 4595
not more than fifty per cent of the taxes that would be payable to 4596
the county, on the portion of the improvement in excess of 4597
seventy-five per cent, were that portion to be subject to 4598
taxation. The board of county commissioners shall certify its 4599
resolution to the board of township trustees not later than thirty 4600
days after receipt of the notice. 4601

(3) If the board of county commissioners does not object or 4602
fails to certify its resolution objecting to an exemption within 4603
thirty days after receipt of the notice, the board of township 4604
trustees may adopt its resolution, and no compensation shall be 4605
provided to the board of county commissioners. If the board of 4606
county commissioners timely certifies its resolution objecting to 4607
the trustees' resolution, the board of township trustees may adopt 4608
its resolution at any time after a mutually acceptable 4609
compensation agreement is agreed to by the board of county 4610
commissioners and the board of township trustees, or, if no 4611
compensation agreement is negotiated, at any time after the board 4612
of township trustees agrees in the proposed resolution to provide 4613
compensation to the board of county commissioners of fifty per 4614
cent of the taxes that would be payable to the county in the 4615
eleventh and subsequent years of the exemption period or on the 4616
portion of the improvement in excess of seventy-five per cent, 4617
were that portion to be subject to taxation. 4618

(F) Service payments in lieu of taxes that are attributable

4619

to any amount by which the effective tax rate of either a renewal levy with an increase or a replacement levy exceeds the effective tax rate of the levy renewed or replaced, or that are attributable to an additional levy, for a levy authorized by the voters for any of the following purposes on or after January 1, 2006, and which are provided pursuant to a resolution creating an incentive district under division (C)(1) of this section that is adopted on or after January 1, 2006, shall be distributed to the appropriate taxing authority as required under division (C) of section 5709.74 of the Revised Code in an amount equal to the amount of taxes from that additional levy or from the increase in the effective tax rate of such renewal or replacement levy that would have been payable to that taxing authority from the following levies were it not for the exemption authorized under division (C) of this section:	4620 4621 4622 4623 4624 4625 4626 4627 4628 4629 4630 4631 4632 4633 4634
(1) A tax levied under division (L) of section 5705.19 or section 5705.191 of the Revised Code for community mental retardation and developmental disabilities programs and services pursuant to Chapter 5126. of the Revised Code;	4635 4636 4637 4638
(2) A tax levied under division (Y) of section 5705.19 of the Revised Code for providing or maintaining senior citizens services or facilities;	4639 4640 4641
(3) A tax levied under section 5705.22 of the Revised Code for county hospitals;	4642 4643
(4) A tax levied by a joint-county district or by a county under section 5705.19, 5705.191, or 5705.221 of the Revised Code for alcohol, drug addiction, and mental health services or families;	4644 4645 4646 4647
(5) A tax levied under section 5705.23 of the Revised Code for library purposes;	4648 4649
(6) A tax levied under section 5705.24 of the Revised Code	4650

for the support of children services and the placement and care of children;	4651 4652
(7) A tax levied under division (Z) of section 5705.19 of the Revised Code for the provision and maintenance of zoological park services and facilities under section 307.76 of the Revised Code;	4653 4654 4655
(8) A tax levied under section 511.27 or division (H) of section 5705.19 of the Revised Code for the support of township park districts;	4656 4657 4658
(9) A tax levied under division (A), (F), or (H) of section 5705.19 of the Revised Code for parks and recreational purposes of a joint recreation district organized pursuant to division (B) of section 755.14 of the Revised Code;	4659 4660 4661 4662
(10) A tax levied under section 1545.20 or 1545.21 of the Revised Code for park district purposes;	4663 4664
(11) A tax levied under section 5705.191 of the Revised Code for the purpose of making appropriations for public assistance; human or social services; public relief; public welfare; public health and hospitalization; and support of general hospitals;	4665 4666 4667 4668
(12) A tax levied under section 3709.29 of the Revised Code for a general health district program.	4669 4670
(G) An exemption from taxation granted under this section commences with the tax year specified in the resolution so long as the year specified in the resolution commences after the effective date of the resolution. If the resolution specifies a year commencing before the effective date of the resolution or specifies no year whatsoever, the exemption commences with the tax year in which an exempted improvement first appears on the tax list and duplicate of real and public utility property and that commences after the effective date of the resolution. Except as otherwise provided in this division, the exemption ends on the date specified in the resolution as the date the improvement	4671 4672 4673 4674 4675 4676 4677 4678 4679 4680 4681

ceases to be a public purpose or the incentive district expires, 4682
or ends on the date on which the public infrastructure 4683
improvements and housing renovations are paid in full from the 4684
township public improvement tax increment equivalent fund 4685
established under section 5709.75 of the Revised Code, whichever 4686
occurs first. The exemption of an improvement with respect to a 4687
parcel or within an incentive district may end on a later date, as 4688
specified in the resolution, if the board of township trustees and 4689
the board of education of the city, local, or exempted village 4690
school district within which the parcel or district is located 4691
have entered into a compensation agreement under section 5709.82 4692
of the Revised Code with respect to the improvement and the board 4693
of education has approved the term of the exemption under division 4694
(D) of this section, but in no case shall the improvement be 4695
exempted from taxation for more than thirty years. The board of 4696
township trustees may, by majority vote, adopt a resolution 4697
permitting the township to enter into such agreements as the board 4698
finds necessary or appropriate to provide for the construction or 4699
undertaking of public infrastructure improvements and housing 4700
renovations. Any exemption shall be claimed and allowed in the 4701
same or a similar manner as in the case of other real property 4702
exemptions. If an exemption status changes during a tax year, the 4703
procedure for the apportionment of the taxes for that year is the 4704
same as in the case of other changes in tax exemption status 4705
during the year. 4706

(H) The board of township trustees may issue the notes of the 4707
township to finance all costs pertaining to the construction or 4708
undertaking of public infrastructure improvements and housing 4709
renovations made pursuant to this section. The notes shall be 4710
signed by the board and attested by the signature of the township 4711
fiscal officer, shall bear interest not to exceed the rate 4712
provided in section 9.95 of the Revised Code, and are not subject 4713
to Chapter 133. of the Revised Code. The resolution authorizing 4714

the issuance of the notes shall pledge the funds of the township	4715
public improvement tax increment equivalent fund established	4716
pursuant to section 5709.75 of the Revised Code to pay the	4717
interest on and principal of the notes. The notes, which may	4718
contain a clause permitting prepayment at the option of the board,	4719
shall be offered for sale on the open market or given to the	4720
vendor or contractor if no sale is made.	4721
(I) The township, not later than fifteen days after the	4722
adoption of a resolution under this section, shall submit to the	4723
director of development a copy of the resolution. On or before the	4724
thirty-first day of March of each year, the township shall submit	4725
a status report to the director of development. The report shall	4726
indicate, in the manner prescribed by the director, the progress	4727
of the project during each year that the exemption remains in	4728
effect, including a summary of the receipts from service payments	4729
in lieu of taxes; expenditures of money from the fund created	4730
under section 5709.75 of the Revised Code; a description of the	4731
public infrastructure improvements and housing renovations	4732
financed with the expenditures; and a quantitative summary of	4733
changes in private investment resulting from each project.	4734
(J) Nothing in this section shall be construed to prohibit a	4735
board of township trustees from declaring to be a public purpose	4736
improvements with respect to more than one parcel.	4737
If a parcel is located in a new community district in which	4738
the new community authority imposes a community development charge	4739
on the basis of rentals received from leases of real property as	4740
described in division (L)(2) of section 349.01 of the Revised	4741
Code, the parcel may not be exempted from taxation under this	4742
section.	4743
(K) A board of township trustees that adopted a resolution	4744
under this section prior to July 21, 1994, may amend that	4745
resolution to include any additional public infrastructure	4746

improvement. A board of township trustees that seeks by the 4747
amendment to utilize money from its township public improvement 4748
tax increment equivalent fund for land acquisition in aid of 4749
industry, commerce, distribution, or research, demolition on 4750
private property, or stormwater and flood remediation projects may 4751
do so provided that the board currently is a party to a 4752
hold-harmless agreement with the board of education of the city, 4753
local, or exempted village school district within the territory of 4754
which are located the parcels that are subject to an exemption. 4755
For the purposes of this division, a "hold-harmless agreement" 4756
means an agreement under which the board of township trustees 4757
agrees to compensate the school district for one hundred per cent 4758
of the tax revenue that the school district would have received 4759
from further improvements to parcels designated in the resolution 4760
were it not for the exemption granted by the resolution. 4761

Sec. 5709.77. As used in sections 5709.77 to 5709.81 of the 4762
Revised Code: 4763

(A) "Business day" means a day of the week excluding 4764
Saturday, Sunday, and a legal holiday as defined in section 1.14 4765
of the Revised Code. 4766

(B) "Fund" means to provide for the payment of the debt 4767
service on and the expenses relating to an outstanding obligation 4768
of the county. 4769

(C) "Housing renovation" means a project carried out for 4770
residential purposes. 4771

(D) "Improvement" means the increase in the assessed value of 4772
real property ~~that would first appear above the assessed value of~~ 4773
~~the property as it appears~~ on the most recent tax list and 4774
duplicate of real and public utility property ~~after compiled~~ 4775
~~before~~ the effective date of a resolution adopted under section 4776
5709.78 of the Revised Code ~~were it not for the exemption granted~~ 4777

~~by that resolution.~~ For purposes of division (A) of section 4778
5709.78 of the Revised Code, "improvement" does not include any 4779
property used or to be used for residential purposes. For this 4780
purpose, "property that is used or to be used for residential 4781
purposes" means property that, as improved, is used or to be used 4782
for purposes that would cause the tax commissioner to classify the 4783
property as residential property in accordance with rules adopted 4784
by the commissioner under section 5713.041 of the Revised Code. 4785

(E) "Incentive district" has the same meaning as in section 4786
5709.40 of the Revised Code, except that a blighted area is in the 4787
unincorporated territory of a county. 4788

(F) "Refund" means to fund and retire an outstanding 4789
obligation of the county. 4790

(G) "Project" and "public infrastructure improvement" have 4791
the same meanings as in section 5709.40 of the Revised Code. 4792

Sec. 5913.11. (A) There is hereby created the Ohio military 4793
medal of distinction. The adjutant general shall design the medal 4794
and coordinate an eligibility establishment program. An individual 4795
is eligible for the medal if the individual was killed ~~in the line~~ 4796
~~of duty on or after September 10, 2001,~~ while doing one of the 4797
following: 4798

(1) Engaging in an action against an enemy of the United 4799
States; 4800

(2) Engaging in military operations involving conflict with 4801
an opposing foreign force; 4802

(3) Serving with friendly foreign forces engaged in an armed 4803
conflict against an opposing armed force in which the United 4804
States is not a belligerent party; or 4805

(4) Serving in a combat zone designated by presidential 4806
order. 4807

(B) To receive the Ohio military medal of distinction, an individual shall be at least one of the following at the time the member was killed in the line of duty :	4808 4809 4810
(1) An Ohio A national guard member who is a resident of this state;	4811 4812
(2) <u>An Ohio national guard member;</u>	4813
(3) A United States military reserves member who is a resident of this state;	4814 4815
(3)(4) A United States armed forces member who is either a resident of this state or stationed in this state by a United States department of defense order.	4816 4817 4818
(C) (1) At least once per year, both houses of the general assembly <u>the adjutant general</u> shall obtain <u>provide</u> a list of eligible medal recipients from <u>to</u> the adjutant general department of veterans services and meet in joint convention to <u>and the</u> <u>governor</u> . The adjutant general shall prepare a medal for each eligible medal recipient. The medal shall be presented to the recipient's primary next of kin, as designated by the recipient. If the recipient has not designated a primary next of kin or if the designated primary next of kin is deceased, the primary next of kin shall be determined under the rules of the United States department of defense.	4819 4820 4821 4822 4823 4824 4825 4826 4827 4828 4829
(2) <u>The governor and the general assembly annually shall hold a joint ceremony to recognize the medal recipients for the prior year and to present each medal to the recipient's primary next of kin, as determined under division (C)(1) of this section.</u> <u>Beginning in 2013, in any year in which the governor holds a wreath-laying ceremony to honor the deceased veterans of the state, the ceremony to recognize the medal recipients shall be held on the same day as the wreath-laying ceremony.</u>	4830 4831 4832 4833 4834 4835 4836 4837
(D)(1) <u>If a parent of the medal recipient is the primary next</u>	4838

<u>of kin, as determined under division (C)(1) of this section, and the medal recipient's parents are not married to each other or are legally separated from each other, the medal recipient's other living parent may request a duplicate medal at no cost.</u>	4839 4840 4841 4842
<u>If neither of the medal recipient's parents is the primary next of kin, as determined under division (C)(1) of this section, the living parents of the medal recipient jointly may request a duplicate medal at no cost, except that if the parents of the medal recipient are not married to each other or are legally separated from each other, each living parent may request a duplicate medal at no cost.</u>	4843 4844 4845 4846 4847 4848 4849
<u>If the medal recipient's spouse is not the primary next of kin, the spouse may request a duplicate medal at no cost.</u>	4850 4851
<u>The adjutant general shall prescribe a form by which a parent or spouse may request a duplicate medal under division (D) (1) of this section.</u>	4852 4853 4854
<u>(2) A surviving spouse, a natural or adopted child who is at least eighteen years of age, a parent, a brother or sister, whether of the whole or the half blood, who is at least eighteen years of age, an aunt or uncle who is at least eighteen years of age, or a grandparent of a medal recipient may apply to the adjutant general, on a form prescribed by the adjutant general, to receive a duplicate medal. The applicant shall include with the application a fee in an amount to be determined by the adjutant general. The adjutant general shall set the fee at an amount no greater than the cost of producing the duplicate medal.</u>	4855 4856 4857 4858 4859 4860 4861 4862 4863 4864
<u>(E) There is in the state treasury the military medal of distinction fund. The fund shall consist of all fees collected from applicants for duplicate medals as well as appropriations made by the general assembly for purposes of the Ohio military medal of distinction program. The fund shall be used to pay for</u>	4865 4866 4867 4868 4869

the production of medals. Investment earnings of the fund shall be credited to the fund. 4870
4871

Section 2. That existing sections 307.05, 307.051, 307.055, 4872
505.37, 505.375, 505.44, 505.72, 3354.121, 4503.49, 4513.263, 4873
4743.05, 4765.02, 4765.03, 4765.04, 4765.05, 4765.06, 4765.07, 4874
4765.08, 4765.09, 4765.10, 4765.101, 4765.102, 4765.11, 4765.111, 4875
4765.112, 4765.113, 4765.114, 4765.115, 4765.116, 4765.12, 4876
4765.15, 4765.16, 4765.17, 4765.18, 4765.22, 4765.23, 4765.28, 4877
4765.29, 4765.30, 4765.31, 4765.32, 4765.33, 4765.37, 4765.38, 4878
4765.39, 4765.40, 4765.42, 4765.48, 4765.49, 4765.55, 4765.56, 4879
4766.01, 4766.03, 4766.04, 4766.05, 4766.07, 4766.08, 4766.09, 4880
4766.10, 4766.11, 4766.12, 4766.13, 4766.15, 4766.22, 5502.01, 4881
5709.40, 5709.73, 5709.77, and 5913.11 and sections 4766.02 and 4882
4766.20 of the Revised Code are hereby repealed. 4883

Section 3. On the effective date of the amendments made to 4884
section 4765.02 of the Revised Code by this act, the member of the 4885
renamed State Board of Emergency Medical, Fire, and Transportation 4886
Services who is an administrator of an adult or pediatric trauma 4887
center shall cease to be a member of the Board. On the effective 4888
date of the amendments made to section 4765.02 of the Revised Code 4889
by this act, the member of the renamed State Board of Emergency 4890
Medical, Fire, and Transportation Services who is a member of the 4891
Ohio Ambulance Association shall cease to be a member of the 4892
Board. On the effective date of the amendments made to section 4893
4765.02 of the Revised Code by this act, the member of the renamed 4894
State Board of Emergency Medical, Fire, and Transportation 4895
Services who is a physician certified by the American board of 4896
surgery, American board of osteopathic surgery, American 4897
osteopathic board of emergency medicine, or American board of 4898
emergency medicine, is chief medical officer of an air medical 4899
agency, and is currently active in providing emergency medical 4900

services shall cease to be a member of the Board. On the effective 4901
date of the amendments made to section 4765.02 of the Revised Code 4902
by this act, of the members of the renamed State Board of 4903
Emergency Medical, Fire, and Transportation Services who were 4904
EMTs, advanced EMTs, or paramedics and were appointed to the Board 4905
in that capacity, only the members who are designated by the 4906
Governor to continue to be members of the Board shall continue to 4907
be so; the other persons shall cease to be members of the Board. 4908
On the effective date of the amendments made to section 4765.02 of 4909
the Revised Code by this act, the member of the renamed State 4910
Board of Emergency Medical, Fire, and Transportation Services who 4911
is a registered nurse and is in the active practice of emergency 4912
nursing shall cease to be a member of the Board. Not later than 4913
sixty days after the effective date of those amendments, the 4914
Governor shall appoint to the renamed State Board of Emergency 4915
Medical, Fire, and Transportation Services a registered nurse with 4916
EMS certification who performs mobile intensive care or air 4917
medical transport. The Governor shall appoint this member from 4918
among three persons nominated by the Ohio Nurses Association, 4919
three persons nominated by the Ohio Association of Critical Care 4920
Transport, and three persons nominated by the Ohio State Council 4921
of the Emergency Nurses Association. 4922

On the effective date of the amendments made to section 4923
4765.02 of the Revised Code by this act, all members of the former 4924
State Board of Emergency Medical Services who do not cease to be 4925
members of the renamed State Board of Emergency Medical, Fire, and 4926
Transportation Services by the terms of this act shall continue to 4927
be members of the renamed State Board of Emergency Medical, Fire, 4928
and Transportation Services, and the dates on which the terms of 4929
the continuing members expire shall be the dates on which their 4930
terms as members of the former State Board of Emergency Medical 4931
Services expired. On the effective date of the amendments made to 4932

section 4765.02 of the Revised Code by this act, the following members of the former Ohio Medical Transportation Board shall become members of the State Board of Emergency Medical, Fire, and Transportation Services, and the dates on which those members' terms on the State Board of Emergency Medical, Fire, and Transportation Services expire shall be as follows:	4933 4934 4935 4936 4937 4938
(A) The person who owns or operates a private emergency medical service organization operating in this state, as designated by the Governor, term ends November 12, 2013;	4939 4940 4941
(B) The person who owns or operates a nonemergency medical service organization that provides only ambulette services, term ends November 12, 2013;	4942 4943 4944
(C) The person who is a member of the Ohio Association of Critical Care Transport and represents air-based services, term ends November 12, 2014.	4945 4946 4947
(D) The person who is a member of the Ohio Association of Critical Care Transport and represents a ground-based mobile intensive care unit organization, term ends November 12, 2014.	4948 4949 4950
All subsequent terms of office for these four positions on the State Board of Emergency Medical, Fire, and Transportation Services shall be for three years as provided in section 4765.02 of the Revised Code.	4951 4952 4953 4954
Section 4. On April 1, 2013, the Medical Transportation Board and all of its functions are transferred to the Department of Public Safety. As of such date, the Medical Transportation Board shall operate under the Department of Public Safety, which shall assume all of the Board's functions. All assets, liabilities, any capital spending authority related thereto, and equipment and records, regardless of form or medium, related to the Medical Transportation Board's functions are transferred to the Department	4955 4956 4957 4958 4959 4960 4961 4962

of Public Safety on April 1, 2013. 4963

No validation, cure, right, privilege, remedy, obligation, or liability is lost or impaired by reason of the transfer. All of the Medical Transportation Board's rules, orders, and determinations continue in effect as rules, orders, and determinations of the Department of Public Safety until modified or rescinded by the Department of Public Safety. 4964
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No action or proceeding pending on April 1, 2013, is affected by the transfer and any action or proceeding pending on April 1, 2013, shall be prosecuted or defended in the name of the Department of Public Safety or its director. In all such actions and proceedings, the Department of Public Safety or its director, upon application to the court, shall be substituted as a party. 4970
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On or after April 1, 2013, notwithstanding any provision of law to the contrary, the Director of Budget and Management shall take any action with respect to budget changes made necessary by the transfer. The Director may transfer cash balances between funds. The Director may cancel encumbrances and reestablish encumbrances or parts of encumbrances as needed in the fiscal year in the appropriate fund and appropriation item for the same purpose and to the same vendor. As determined by the Director, encumbrances reestablished in the fiscal year in a different fund or appropriation item used by an agency or between agencies are appropriated. The Director shall reduce each year's appropriation balances by the amount of the encumbrance canceled in their respective funds and appropriation item. Any unencumbered or unallocated appropriation balances from the previous fiscal year may be transferred to the appropriate appropriation item to be used for the same purposes, as determined by the Director. Any such transfers are hereby appropriated. 4976
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Section 5.	That Section 205.10 of Am. Sub. H.B. 114 of the 129th General Assembly, as most recently amended by Am. Sub. H.B. 487 of the 129th General Assembly, be amended to read as follows:	4993 4994 4995
	Sec. 205.10. DPS DEPARTMENT OF PUBLIC SAFETY	4996
	State Highway Safety Fund Group	4997
4W40 762321	Operating Expense - BMV	\$ 80,003,146 \$ 82,003,240 4998
4W40 762410	Registrations Supplement	\$ 28,945,176 \$ 29,813,532 4999
5V10 762682	License Plate Contributions	\$ 2,100,000 \$ 2,100,000 5000
7036 761321	Operating Expense - Information and Education	\$ 7,124,366 \$ 6,988,097 5001
7036 761401	Lease Rental Payments	\$ 9,978,300 \$ 2,315,700 5002
7036 764033	Minor Capital Projects	\$ 1,250,000 \$ 1,250,000 5003
7036 764321	Operating Expense - Highway Patrol	\$ 260,744,934 \$ 258,365,903 5004
7036 764605	Motor Carrier Enforcement Expenses	\$ 2,860,000 \$ 2,860,000 5005
8300 761603	Salvage and Exchange - Administration	\$ 19,469 \$ 20,053 5006
8310 761610	Information and Education - Federal	\$ 422,084 \$ 409,746 5007
8310 764610	Patrol - Federal	\$ 2,209,936 \$ 2,276,234 5008
8310 764659	Transportation Enforcement - Federal	\$ 5,519,333 \$ 5,684,913 5009
8310 765610	EMS - Federal	\$ 532,007 \$ 532,007 5010
8310 769610	Investigative Unit Federal Reimbursement	\$ 1,546,319 \$ 1,546,319 5011
8310 769631	Homeland Security -	\$ 2,184,000 \$ 2,184,000 5012

Federal						
8320	761612	Traffic Safety -	\$	16,577,565	\$	16,577,565
Federal						
8350	762616	Financial Responsibility	\$	5,457,240	\$	5,274,068
Compliance						
8370	764602	Turnpike Policing	\$	11,553,959	\$	11,553,959
8380	764606	Patrol Reimbursement	\$	50,000	\$	50,000
83C0	764630	Contraband, Forfeiture, Other	\$	622,894	\$	622,894
83F0	764657	Law Enforcement Automated Data System	\$	9,053,266	\$	9,053,266
83G0	764633	OMVI Enforcement/Education	\$	623,230	\$	641,927
83J0	764693	Highway Patrol Justice Contraband	\$	2,100,000	\$	2,100,000
83M0	765624	Operating Expense - Trauma and EMS	\$	2,632,106	\$	<u>2,711,069</u>
						<u>2,834,533</u>
83M0	765640	EMS - Grants	\$	0	\$	4,229,819
83N0	761611	Elementary School Seat Belt Program	\$	305,600	\$	0
83P0	765637	EMS Grants	\$	4,106,621	\$	0
83R0	762639	Local Immobilization Reimbursement	\$	450,000	\$	450,000
83T0	764694	Highway Patrol Treasury Contraband	\$	21,000	\$	21,000
8400	764607	State Fair Security	\$	1,256,655	\$	1,294,354
8400	764617	Security and Investigations	\$	6,432,686	\$	6,432,686
8400	764626	State Fairgrounds Police Force	\$	849,883	\$	849,883
8400	769632	Homeland Security - Operating	\$	737,791	\$	737,791

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8410	764603	Salvage and Exchange - Highway Patrol	\$ 1,339,399	\$ 1,339,399	5031
8460	761625	Motorcycle Safety Education	\$ 3,185,013	\$ 3,280,563	5032
8490	762627	Automated Title Processing Board	\$ 17,316,755	\$ 14,335,513	5033
TOTAL HSF State Highway Safety Fund Group			\$ 490,110,733	\$ 479,905,500 <u>480,028,964</u>	5034
General Services Fund Group					5035
4P60	768601	Justice Program Services	\$ 998,104	\$ 1,028,047	5036
4S30	766661	Hilltop Utility Reimbursement	\$ 540,800	\$ 540,800	5037
5ET0	768625	Drug Law Enforcement	\$ 3,780,000	\$ 3,893,400	5038
5Y10	764695	Highway Patrol Continuing Professional Training	\$ 170,000	\$ 170,000	5039
5Y10	767696	Investigative Unit Continuing Professional Training	\$ 15,000	\$ 15,000	5040
TOTAL GSF General Services Fund Group			\$ 5,503,904	\$ 5,647,247	5041
Federal Special Revenue Fund Group					5042
3290	763645	Federal Mitigation Program	\$ 10,110,332	\$ 10,413,642	5043
3370	763609	Federal Disaster Relief	\$ 27,707,636	\$ 27,707,636	5044
3390	763647	Emergency Management Assistance and Training	\$ 75,664,821	\$ 77,934,765	5045
3CB0	768691	Federal Justice Grants - FFY06	\$ 200,000	\$ 50,000	5046

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3CC0	768609	Justice Assistance	\$	583,222	\$	310,000	5047
		Grants - FFY07					
3CD0	768610	Justice Assistance	\$	310,000	\$	150,000	5048
		Grants - FFY08					
3CE0	768611	Justice Assistance	\$	865,000	\$	1,200,000	5049
		Grants - FFY09					
3CV0	768697	Justice Assistance	\$	2,000	\$	0	5050
		Grants Supplement -					
		FFY08					
3DE0	768612	Federal Stimulus -	\$	1,015,000	\$	1,015,000	5051
		Justice Assistance					
		Grants					
3DH0	768613	Federal Stimulus -	\$	150,000	\$	150,000	5052
		Justice Programs					
3DU0	762628	BMV Grants	\$	1,525,000	\$	1,480,000	5053
3EU0	768614	Justice Assistance	\$	650,000	\$	920,000	5054
		Grants - FFY10					
3L50	768604	Justice Program	\$	11,400,000	\$	11,400,000	5055
3N50	763644	U.S. Department of	\$	31,672	\$	31,672	5056
		Energy Agreement					
TOTAL FED Federal Special Revenue			\$	130,214,683	\$	132,762,715	5057
Fund Group							
State Special Revenue Fund Group							
4V30	763662	EMA Service and	\$	4,368,369	\$	4,499,420	5059
		Reimbursement					
5390	762614	Motor Vehicle Dealers	\$	180,000	\$	185,400	5060
		Board					
5B90	766632	Private Investigator	\$	1,562,637	\$	1,562,637	5061
		and Security Guard					
		Provider					
5BK0	768687	Criminal Justice	\$	400,000	\$	400,000	5062
		Services - Operating					
5BK0	768689	Family Violence	\$	750,000	\$	750,000	5063

		Shelter Programs				
5CM0	767691	Investigative Unit	\$	300,000	\$	300,000
		Federal Equitable				
		Sharing - Treasury				
5DS0	769630	Homeland Security	\$	1,414,384	\$	1,414,384
5FF0	762621	Indigent Interlock and Alcohol Monitoring	\$	2,000,000	\$	2,000,000
5FL0	769634	Investigations	\$	899,300	\$	899,300
5LM0	768698	Criminal Justice Services Law Enforcement Support	\$	33,991	\$	816,955
6220	767615	Investigative Contraband and Forfeiture	\$	375,000	\$	375,000
6570	763652	Utility Radiological Safety	\$	1,415,945	\$	1,415,945
6810	763653	SARA Title III HAZMAT Planning	\$	262,438	\$	262,438
8500	767628	Investigative Unit Salvage	\$	90,000	\$	92,700
TOTAL SSR		State Special Revenue Fund Group	\$	14,052,064	\$	14,974,179
Liquor Control Fund Group						5074
7043	767321	Liquor Enforcement - Operating	\$	11,000,000	\$	11,000,000
TOTAL LCF		Liquor Control Fund Group	\$	11,000,000	\$	11,000,000
Agency Fund Group						5077
5J90	761678	Federal Salvage/GSA	\$	1,500,000	\$	1,500,000
TOTAL AGY		Agency Fund Group	\$	1,500,000	\$	1,500,000
Holding Account Redistribution Fund Group						5080
R024	762619	Unidentified Motor	\$	1,885,000	\$	1,885,000
						5081

Vehicle Receipts					
R052 762623	Security Deposits	\$	350,000	\$	350,000 5082
TOTAL 090 Holding Account		\$	2,235,000	\$	2,235,000 5083
Redistribution Fund Group					
TOTAL ALL BUDGET FUND GROUPS		\$	654,616,384	\$	648,024,641 5084 <u>648,148,105</u>
MOTOR VEHICLE REGISTRATION					
The Registrar of Motor Vehicles may deposit revenues to meet the cash needs of the State Bureau of Motor Vehicles Fund (Fund 4W40) established in section 4501.25 of the Revised Code, obtained under sections 4503.02 and 4504.02 of the Revised Code, less all other available cash. Revenue deposited pursuant to this paragraph shall support, in part, appropriations for operating expenses and defray the cost of manufacturing and distributing license plates and license plate stickers and enforcing the law relative to the operation and registration of motor vehicles. Notwithstanding section 4501.03 of the Revised Code, the revenues shall be paid into Fund 4W40 before any revenues obtained pursuant to sections 4503.02 and 4504.02 of the Revised Code are paid into any other fund. The deposit of revenues to meet the aforementioned cash needs shall be in approximately equal amounts on a monthly basis or as otherwise determined by the Director of Budget and Management pursuant to a plan submitted by the Registrar of Motor Vehicles.					
CAPITAL PROJECTS					
The Registrar of Motor Vehicles may transfer cash from the State Bureau of Motor Vehicles Fund (Fund 4W40) to the State Highway Safety Fund (Fund 7036) to meet its obligations for capital projects CIR-047, Department of Public Safety Office Building and CIR-049, Warehouse Facility.					
OBA BOND AUTHORITY/LEASE RENTAL PAYMENTS					

The foregoing appropriation item 761401, Lease Rental Payments, shall be used for payments to the Ohio Building Authority for the period July 1, 2011, to June 30, 2013, under the primary leases and agreements for public safety related buildings financed by obligations issued under Chapter 152. of the Revised Code. Notwithstanding section 152.24 of the Revised Code, the Ohio Building Authority may, with approval of the Director of Budget and Management, lease capital facilities to the Department of Public Safety. 5110
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HILLTOP TRANSFER 5119

The Director of Public Safety shall determine, per an agreement with the Director of Transportation, the share of each debt service payment made out of appropriation item 761401, Lease Rental Payments, that relates to the Department of Transportation's portion of the Hilltop Building Project, and shall certify to the Director of Budget and Management the amounts of this share. The Director of Budget and Management shall transfer the amounts of such shares from the Highway Operating Fund (Fund 7002) to the State Highway Safety Fund (Fund 7036). 5120
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CASH TRANSFERS TO TRAUMA AND EMERGENCY MEDICAL SERVICES FUND 5129

On July 1, 2011, or as soon as possible thereafter, the Director of Budget and Management shall transfer the unexpended and unencumbered cash balance in the Seat Belt Education Fund (Fund 8440) to the Trauma and Emergency Medical Services Fund (Fund 83M0). Upon completion of the transfer, Fund 8440 is abolished. The Director shall cancel any existing encumbrances against appropriation item 761613, Seat Belt Education Program, and reestablish them against appropriation item 765624, Operating Expense - Trauma and EMS. The reestablished encumbrance amounts are hereby appropriated. 5130
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CASH TRANSFERS BETWEEN FUNDS 5140

Notwithstanding any provision of law to the contrary, the Director of Budget and Management, upon the written request of the Director of Public Safety, may approve the transfer of cash between the following six funds: the Trauma and Emergency Medical Services Fund (Fund 83M0), the Homeland Security Fund (Fund 5DS0), the Investigations Fund (Fund 5FL0), the Emergency Management Agency Service and Reimbursement Fund (Fund 4V30), the Justice Program Services Fund (Fund 4P60), and the State Bureau of Motor Vehicles Fund (Fund 4W40).	5141 5142 5143 5144 5145 5146 5147 5148 5149
CASH TRANSFERS TO SECURITY, INVESTIGATIONS, AND POLICING FUND	5150
Notwithstanding any provision of law to the contrary, the Director of Budget and Management, upon the written request of the Director of Public Safety, may approve the transfer of cash from the Continuing Professional Training Fund (Fund 5Y10), the State Highway Patrol Contraband, Forfeiture, and Other Fund (Fund 83C0), the Trauma and Emergency Medical Services Fund (Fund 83M0), and the Highway Safety Salvage and Exchange Highway Patrol Fund (Fund 8410) to the Security, Investigations, and Policing Fund (Fund 8400).	5151 5152 5153 5154 5155 5156 5157 5158 5159
CASH TRANSFERS OF SEAT BELT FINE REVENUES	5160
Notwithstanding any provision of law to the contrary, the Controlling Board, upon request of the Director of Public Safety, may approve the transfer of cash between the following three funds that receive fine revenues from enforcement of the mandatory seat belt law: the Trauma and Emergency Medical Services Fund (Fund 83M0), the Elementary School Program Fund (Fund 83N0), and the Trauma and Emergency Medical Services Grants Fund (Fund 83P0).	5161 5162 5163 5164 5165 5166 5167
STATE DISASTER RELIEF	5168
The State Disaster Relief Fund (Fund 5330) may accept transfers of cash and appropriations from Controlling Board appropriation items for Ohio Emergency Management Agency disaster	5169 5170 5171

response costs and disaster program management costs, and may also	5172
be used for the following purposes:	5173
(A) To accept transfers of cash and appropriations from	5174
Controlling Board appropriation items for Ohio Emergency	5175
Management Agency public assistance and mitigation program match	5176
costs to reimburse eligible local governments and private	5177
nonprofit organizations for costs related to disasters;	5178
(B) To accept and transfer cash to reimburse the costs	5179
associated with Emergency Management Assistance Compact (EMAC)	5180
deployments;	5181
(C) To accept disaster related reimbursement from federal,	5182
state, and local governments. The Director of Budget and	5183
Management may transfer cash from reimbursements received by this	5184
fund to other funds of the state from which transfers were	5185
originally approved by the Controlling Board.	5186
(D) To accept transfers of cash and appropriations from	5187
Controlling Board appropriation items to fund the State Disaster	5188
Relief Program, for disasters that have been declared by the	5189
Governor, and the State Individual Assistance Program for	5190
disasters that have been declared by the Governor and the federal	5191
Small Business Administration. The Ohio Emergency Management	5192
Agency shall publish and make available application packets	5193
outlining procedures for the State Disaster Relief Program and the	5194
State Individual Assistance Program.	5195
JUSTICE ASSISTANCE GRANT FUND	5196
The federal payments made to the state for the Byrne Justice	5197
Assistance Grants Program under Title II of Division A of the	5198
American Recovery and Reinvestment Act of 2009 shall be deposited	5199
to the credit of the Justice Assistance Grant Fund (Fund 3DE0),	5200
which is hereby created in the state treasury. All investment	5201
earnings of the fund shall be credited to the fund.	5202

FEDERAL STIMULUS - JUSTICE PROGRAMS	5203
The federal payments made to the state for the Violence Against Women Formula Grant under Title II of Division A of the American Recovery and Reinvestment Act of 2009 shall be deposited to the credit of the Federal Stimulus - Justice Programs Fund (Fund 3DH0).	5204 5205 5206 5207 5208
TRANSFER FROM STATE FIRE MARSHAL FUND TO EMERGENCY MANAGEMENT AGENCY SERVICE AND REIMBURSEMENT FUND	5209 5210
On July 1 of each fiscal year, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$200,000 in cash from the State Fire Marshal Fund (Fund 5460) to the Emergency Management Agency Service and Reimbursement Fund (Fund 4V30) to be distributed to the Ohio Task Force One - Urban Search and Rescue Unit and other urban search and rescue programs around the state.	5211 5212 5213 5214 5215 5216 5217
FAMILY VIOLENCE PREVENTION FUND	5218
Notwithstanding any provision of law to the contrary, in each of fiscal years 2012 and 2013, the first \$750,000 received to the credit of the Family Violence Prevention Fund (Fund 5BK0) shall be appropriated to appropriation item 768689, Family Violence Shelter Programs, and the next \$400,000 received to the credit of Fund 5BK0 in each of those fiscal years shall be appropriated to appropriation item 768687, Criminal Justice Services - Operating. Any moneys received to the credit of Fund 5BK0 in excess of the aforementioned appropriated amounts in each fiscal year shall, upon the approval of the Controlling Board, be used to provide grants to family violence shelters in Ohio.	5219 5220 5221 5222 5223 5224 5225 5226 5227 5228 5229
SARA TITLE III HAZMAT PLANNING	5230
The SARA Title III HAZMAT Planning Fund (Fund 6810) is entitled to receive grant funds from the Emergency Response Commission to implement the Emergency Management Agency's	5231 5232 5233

responsibilities under Chapter 3750. of the Revised Code.	5234
COLLECTIVE BARGAINING INCREASES	5235
Notwithstanding division (D) of section 127.14 and division (B) of section 131.35 of the Revised Code, except for the General Revenue Fund, the Controlling Board may, upon the request of either the Director of Budget and Management, or the Department of Public Safety with the approval of the Director of Budget and Management, increase appropriations for any fund, as necessary for the Department of Public Safety, to assist in paying the costs of increases in employee compensation that have occurred pursuant to collective bargaining agreements under Chapter 4117. of the Revised Code and, for exempt employees, under section 124.152 of the Revised Code.	5236 5237 5238 5239 5240 5241 5242 5243 5244 5245 5246
CASH BALANCE FUND REVIEW	5247
Not later than the first day of April in each fiscal year of the biennium, the Director of Budget and Management shall review the cash balances for each fund, except the State Highway Safety Fund (Fund 7036) and the State Bureau of Motor Vehicles Fund (Fund 4W40), in the State Highway Safety Fund Group, and shall recommend to the Controlling Board an amount to be transferred to the credit of Fund 7036 or Fund 4W40, as appropriate.	5248 5249 5250 5251 5252 5253 5254
Section 6. That existing Section 205.10 of Am. Sub. H.B. 114 of the 129th General Assembly, as most recently amended by Am. Sub. H.B. 487 of the 129th General Assembly, is hereby repealed.	5255 5256 5257
Section 7. That Section 335.10 of Am. Sub. H.B. 153 of the 129th General Assembly be amended to read as follows:	5258 5259
Sec. 335.10. AMB OHIO MEDICAL TRANSPORTATION BOARD	5260
General Services Fund Group	5261

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4K90 915604	Operating Expenses	\$	493,641	\$	493,856	5262
					<u>370,392</u>	
TOTAL GSF General Services						5263
Fund Group		\$	493,641	\$	493,856	5264
					<u>370,392</u>	
TOTAL ALL BUDGET FUND GROUPS						5265
		\$	493,641	\$	493,856	
					<u>370,392</u>	

Section 8. That existing Section 335.10 of Am. Sub. H.B. 153 of the 129th General Assembly is hereby repealed. 5267
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Section 9. All items in this section are hereby appropriated as designated out of any moneys in the state treasury to the credit of the State Special Revenue Fund Group. For all appropriations made in this act, those in the first column are for fiscal year 2012 and those in the second column are for fiscal year 2013. The appropriations made in this act are in addition to any other appropriations made for the FY 2012-FY 2013 biennium. 5269
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Appropriations					
ADJ ADJUTANT GENERAL 5276					
State Special Revenue Fund Group 5277					
5LY0 745626	Military Medal of Distinction	\$	0	\$	2,500 5278
TOTAL SSR State Special Revenue Fund Group 5279					
TOTAL ALL BUDGET FUND GROUPS 5280					

MILITARY MEDAL OF DISTINCTION 5281

On the effective date of this act, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$2,500 cash from the General Revenue Fund to the Military Medal of Distinction Fund (Fund 5LY0). The amount transferred shall be used by the Adjutant General for the purposes described in section 5282
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5913.11 of the Revised Code.	5287
Section 10. Within the limits set forth in this act, the Director of Budget and Management shall establish accounts indicating the source and amount of funds for each appropriation made in this act, and shall determine the form and manner in which appropriation accounts shall be maintained. Expenditures from appropriations contained in this act shall be accounted for as though made in Am. Sub. H.B. 153 of the 129th General Assembly.	5288 5289 5290 5291 5292 5293 5294
The appropriations made in this act are subject to all provisions of Am. Sub. H.B. 153 of the 129th General Assembly that are generally applicable to such appropriations.	5295 5296 5297
Section 11. That Section 707.10 of Am. Sub. H.B. 487 of the 129th General Assembly be amended to read as follows:	5298 5299
Sec. 707.10. For fiscal years 2013 and 2014, the legislative authority of a municipal corporation in a county, with a population between three hundred seventy-five thousand and four hundred thousand according to the most recent federal decennial census, may conduct a pilot program whereby the legislative authority may use up to five per cent of the aggregate amount of money deposited in the municipal corporation's sewer fund and up to five per cent of the aggregate amount of money deposited in a fund created by the municipal corporation for water-works for the purpose of extending the municipal corporation's water or sewerage system, as applicable, if both of the following apply:	5300 5301 5302 5303 5304 5305 5306 5307 5308 5309 5310
(A) The water or sewerage system is being extended to areas for economic development purposes.	5311 5312
(B) The areas into which the water or sewerage system is being extended are <u>the one of the following:</u>	5313 5314
(1) <u>The</u> subject of a cooperative economic development	5315

agreement entered into by the municipal corporation under section 701.07 of the Revised Code;	5316 5317
<u>(2) Within a joint economic development district created under sections 715.72 to 715.81 of the Revised Code for which the municipal corporation is a contracting party;</u>	5318 5319 5320
<u>(3) Within the boundaries of the municipal corporation.</u>	5321
With regard to either fund, the legislative authority shall not exceed the five per cent limit established in this section.	5322 5323
Section 12. That existing Section 707.10 of Am. Sub. H.B. 487 of the 129th General Assembly is hereby repealed.	5324 5325
Section 13. The amendment by this act of sections 5709.40, 5709.73, and 5709.77 of the Revised Code applies to the tax years at issue in any application for exemption from taxation pending before the Tax Commissioner, the Board of Tax Appeals, any Court of Appeals, or the Supreme Court on the effective date of this act and to the property that is the subject of any such application.	5326 5327 5328 5329 5330 5331
Section 14. Sections 5709.40 and 5709.73 of the Revised Code are presented in this act as composites of those sections as amended by both Am. Sub. H.B. 508 and Am. Sub. H.B. 509 of the 129th General Assembly. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the composites are the resulting versions of the sections in effect prior to the effective date of the sections as presented in this act.	5332 5333 5334 5335 5336 5337 5338 5339 5340