

**As Reported by the House Health and Aging Committee**

**131st General Assembly**

**Regular Session**

**2015-2016**

**Sub. H. B. No. 187**

**Representative Ginter**

**Cosponsors: Representatives LaTourette, Blessing, Schaffer, Vitale, Lepore-Hagan, Ruhl, Becker, Hambley, Huffman, Barnes, Bishoff, Brown**

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**A BILL**

To amend sections 4741.20 and 4765.01 and to enact 1  
section 4765.52 of the Revised Code to authorize 2  
specified emergency personnel to provide certain 3  
emergency medical services to an injured dog or 4  
cat. 5

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

**Section 1.** That sections 4741.20 and 4765.01 be amended 6  
and section 4765.52 of the Revised Code be enacted to read as 7  
follows: 8

**Sec. 4741.20.** This chapter does not apply to: 9

(A) A person who administers to animals, the title to 10  
which is vested in the person's self, except when the title is 11  
so vested for the purpose of circumventing the provisions of 12  
this chapter. No person shall vest title of an animal in the 13  
person's self for the purposes of circumventing this chapter. 14

(B) A person who is a regular student in a legally 15  
chartered college of veterinary medicine or a veterinary 16  
technology college while in the performance of those duties and 17

actions assigned by the person's instructors; 18

(C) A person who is a member of the armed forces of the 19  
United States or an employee of the United States department of 20  
agriculture, the United States public health service, or other 21  
federal agency, or the Ohio department of agriculture except a 22  
licensed veterinarian, and who, while so commissioned or 23  
employed, performs official duties; 24

(D) A person who advises with respect to or performs acts 25  
which the state veterinary medical licensing board by rule has 26  
prescribed as accepted management practices in connection with 27  
livestock production; 28

(E) A person who conducts routine vaccinations, pullorum 29  
testing, and typhoid testing of poultry and other poultry 30  
disease control activity under supervision of a national poultry 31  
improvement plan as administered by an official state agency or 32  
the United States department of agriculture; 33

(F) A physician licensed to practice medicine in this 34  
state, or the assistant of such a licensed physician, while 35  
engaged in medical research; 36

(G) A person who is supervised by a licensed veterinarian 37  
and who is engaged in bona fide medical biomedical research 38  
which requires the application of the principles of a veterinary 39  
practice; 40

(H) A veterinary consultant when consulting with a 41  
licensed veterinarian, on the condition that the service 42  
performed by the veterinary consultant is limited to the 43  
consultation and under all circumstances, the responsibility for 44  
the care and treatment of the patient remains with the 45  
veterinarian who holds a current license in this state and who 46

is providing treatment, or consultation as to treatment, to the patient;

(I) A person who offers gratuitous services in the case of an emergency;

(J) Any of the following, as defined in section 4765.01 of the Revised Code, who provides emergency medical services to a dog or cat in accordance with section 4765.52 of the Revised Code: a first responder, emergency medical technician-basic, emergency medical technician-intermediate, or emergency medical technician-paramedic.

**Sec. 4765.01.** As used in this chapter:

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

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

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

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

(E) "Ambulance" means any motor vehicle that is used, or is intended to be used, for the purpose of responding to

emergency medical situations, transporting emergency patients, 75  
and administering emergency medical service to patients before, 76  
during, or after transportation. 77

(F) "Cardiac monitoring" means a procedure used for the 78  
purpose of observing and documenting the rate and rhythm of a 79  
patient's heart by attaching electrical leads from an 80  
electrocardiograph monitor to certain points on the patient's 81  
body surface. 82

(G) "Emergency medical service" means any of the services 83  
described in sections 4765.35, 4765.37, 4765.38, and 4765.39 of 84  
the Revised Code that are performed by first responders, 85  
emergency medical technicians-basic, emergency medical 86  
technicians-intermediate, and paramedics. "Emergency medical 87  
service" includes such services performed before or during any 88  
transport of a patient, including transports between hospitals 89  
and transports to and from helicopters. 90

(H) "Emergency medical service organization" means a 91  
public or private organization using first responders, EMTs- 92  
basic, EMTs-I, or paramedics, or a combination of first 93  
responders, EMTs-basic, EMTs-I, and paramedics, to provide 94  
emergency medical services. 95

(I) "Physician" means an individual who holds a current, 96  
valid certificate issued under Chapter 4731. of the Revised Code 97  
authorizing the practice of medicine and surgery or osteopathic 98  
medicine and surgery. 99

(J) "Registered nurse" means an individual who holds a 100  
current, valid license issued under Chapter 4723. of the Revised 101  
Code authorizing the practice of nursing as a registered nurse. 102

(K) "Volunteer" means a person who provides services 103

either for no compensation or for compensation that does not 104  
exceed the actual expenses incurred in providing the services or 105  
in training to provide the services. 106

(L) "Emergency medical service personnel" means first 107  
responders, emergency medical ~~service~~-technicians-basic, 108  
emergency medical ~~service~~-technicians-intermediate, emergency 109  
medical ~~service~~-technicians-paramedic, and persons who provide 110  
medical direction to such persons. 111

(M) "Hospital" has the same meaning as in section 3727.01 112  
of the Revised Code. 113

(N) "Trauma" or "traumatic injury" means severe damage to 114  
or destruction of tissue that satisfies both of the following 115  
conditions: 116

(1) It creates a significant risk of any of the following: 117

(a) Loss of life; 118

(b) Loss of a limb; 119

(c) Significant, permanent disfigurement; 120

(d) Significant, permanent disability. 121

(2) It is caused by any of the following: 122

(a) Blunt or penetrating injury; 123

(b) Exposure to electromagnetic, chemical, or radioactive 124  
energy; 125

(c) Drowning, suffocation, or strangulation; 126

(d) A deficit or excess of heat. 127

(O) "Trauma victim" or "trauma patient" means a person who 128  
has sustained a traumatic injury. 129

(P) "Trauma care" means the assessment, diagnosis,	130
transportation, treatment, or rehabilitation of a trauma victim	131
by emergency medical service personnel or by a physician, nurse,	132
physician assistant, respiratory therapist, physical therapist,	133
chiropractor, occupational therapist, speech-language	134
pathologist, audiologist, or psychologist licensed to practice	135
as such in this state or another jurisdiction.	136
(Q) "Trauma center" means all of the following:	137
(1) Any hospital that is verified by the American college	138
of surgeons as an adult or pediatric trauma center;	139
(2) Any hospital that is operating as an adult or	140
pediatric trauma center under provisional status pursuant to	141
section 3727.101 of the Revised Code;	142
(3) Until December 31, 2004, any hospital in this state	143
that is designated by the director of health as a level II	144
pediatric trauma center under section 3727.081 of the Revised	145
Code;	146
(4) Any hospital in another state that is licensed or	147
designated under the laws of that state as capable of providing	148
specialized trauma care appropriate to the medical needs of the	149
trauma patient.	150
(R) "Pediatric" means involving a patient who is less than	151
sixteen years of age.	152
(S) "Adult" means involving a patient who is not a	153
pediatric patient.	154
(T) "Geriatric" means involving a patient who is at least	155
seventy years old or exhibits significant anatomical or	156
physiological characteristics associated with advanced aging.	157

(U) "Air medical organization" means an organization that provides emergency medical services, or transports emergency victims, by means of fixed or rotary wing aircraft.

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

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

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

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

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

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

(BB) "Physician assistant" means an individual who holds a valid license to practice as a physician assistant issued under Chapter 4730. of the Revised Code.

Sec. 4765.52. (A) As used in this section, "veterinarian" means an individual licensed under Chapter 4741. of the Revised Code to practice veterinary medicine.

(B) In the course of an emergency medical response, fire

response, or response to aid law enforcement, a first responder, 186  
emergency medical technician-basic, emergency medical 187  
technician-intermediate, or emergency medical technician- 188  
paramedic may provide any of the following emergency medical 189  
services to a dog or cat prior to the dog or cat being 190  
transferred to a veterinarian for further treatment, but only to 191  
the extent that the first responder, EMT-basic, EMT-I, or 192  
paramedic is authorized by this chapter or rules adopted 193  
pursuant to this chapter to perform the corresponding form of 194  
each of the services when providing emergency medical services 195  
to a human patient: 196

(1) Opening and manually maintaining an airway; 197

(2) Giving mouth to snout or mouth to barrier ventilation; 198

(3) Administering oxygen; 199

(4) Managing ventilation by mask; 200

(5) Controlling hemorrhage with direct pressure; 201

(6) Immobilizing fractures; 202

(7) Bandaging; 203

(8) Administering naloxone hydrochloride, if administering 204  
the drug has been authorized by the medical director or 205  
cooperating physician advisory board of an emergency medical 206  
service organization and the drug is administered either in 207  
accordance with a written protocol established and provided by a 208  
veterinarian or pursuant to a consultation with a veterinarian. 209

(C) In addition to the immunity from civil liability 210  
granted under division (A) of section 4765.49 of the Revised 211  
Code, a first responder, EMT-basic, EMT-I, paramedic, or medical 212  
director or member of a cooperating physician advisory board of 213



an emergency medical service organization is not subject to 214  
prosecution in a criminal proceeding or professional 215  
disciplinary action allegedly arising from an act or omission 216  
associated with the provision of emergency medical services to a 217  
dog or cat under this section, unless the act or omission 218  
constitutes willful or wanton misconduct. 219

(D) (1) An emergency medical service organization is not 220  
liable for or subject to any of the following that allegedly 221  
arises from an act or omission associated with the provision of 222  
emergency medical services to a dog or cat under this section, 223  
unless the act or omission constitutes willful or wanton 224  
misconduct: damages in a civil action for injury, death, or loss 225  
to person or property; prosecution in a criminal proceeding; or 226  
professional disciplinary action. 227

(2) The state board of pharmacy shall not take 228  
disciplinary action against an emergency medical service 229  
organization's license issued under Chapter 4729. of the Revised 230  
Code as a terminal distributor of dangerous drugs for reasons 231  
arising from an act or omission associated with the provision of 232  
emergency medical services to a dog or cat under this section, 233  
unless the act or omission constitutes willful or wanton 234  
misconduct. 235

(E) (1) Notwithstanding any conflicting provision of 236  
Chapter 4741. of the Revised Code or rule adopted by the state 237  
veterinary medical licensing board, a veterinarian may establish 238  
and provide a written protocol to, or consult with, a first 239  
responder, EMT-basic, EMT-I, or paramedic for the purpose of 240  
enabling the provision of emergency medical services to a dog or 241  
cat under this section. 242

(2) A veterinarian who acts in good faith in accordance 243

<u>with this section is not liable for or subject to any of the</u>	244
<u>following for any act or omission associated with a first</u>	245
<u>responder's, EMT-basic's, EMT-I's, or paramedic's provision of</u>	246
<u>emergency medical services to a dog or cat under this section:</u>	247
<u>damages in any civil action; prosecution in any criminal</u>	248
<u>proceeding; or professional disciplinary action.</u>	249
<b>Section 2.</b> That existing sections 4741.20 and 4765.01 of	250
the Revised Code are hereby repealed.	251