

**As Reported by the Senate Agriculture Committee**

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

**Representative Ginter**

**Cosponsors: Representatives LaTourette, Blessing, Schaffer, Vitale, Lepore-Hagan, Ruhl, Becker, Hambley, Huffman, Barnes, Bishoff, Brown, Anielski, Boyce, Brenner, Cera, Craig, Grossman, Hackett, Johnson, T., Leland, Rezabek, Rogers, Romanchuk, Sheehy, Stinziano, Thompson**

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**A BILL**

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

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

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

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

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

(B) A person who is a regular student in a legally

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 47  
patient; 48

(I) A person who offers gratuitous services in the case of 49  
an emergency; 50

(J) Any of the following, as defined in section 4765.01 of 51  
the Revised Code, who provides emergency medical services to a 52  
dog or cat in accordance with section 4765.52 of the Revised 53  
Code: a first responder, emergency medical technician-basic, 54  
emergency medical technician-intermediate, or emergency medical 55  
technician-paramedic. 56

**Sec. 4765.01.** As used in this chapter: 57

(A) "First responder" means an individual who holds a 58  
current, valid certificate issued under section 4765.30 of the 59  
Revised Code to practice as a first responder. 60

(B) "Emergency medical technician-basic" or "EMT-basic" 61  
means an individual who holds a current, valid certificate 62  
issued under section 4765.30 of the Revised Code to practice as 63  
an emergency medical technician-basic. 64

(C) "Emergency medical technician-intermediate" or "EMT-I" 65  
means an individual who holds a current, valid certificate 66  
issued under section 4765.30 of the Revised Code to practice as 67  
an emergency medical technician-intermediate. 68

(D) "Emergency medical technician-paramedic" or 69  
"paramedic" means an individual who holds a current, valid 70  
certificate issued under section 4765.30 of the Revised Code to 71  
practice as an emergency medical technician-paramedic. 72

(E) "Ambulance" means any motor vehicle that is used, or 73  
is intended to be used, for the purpose of responding to 74  
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 <del>service</del> -technicians-basic,	108
emergency medical <del>service</del> -technicians-intermediate, emergency	109
medical <del>service</del> -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	158
provides emergency medical services, or transports emergency	159
victims, by means of fixed or rotary wing aircraft.	160
(V) "Emergency care" and "emergency facility" have the	161
same meanings as in section 3727.01 of the Revised Code.	162
(W) "Stabilize," except as it is used in division (B) of	163
section 4765.35 of the Revised Code with respect to the manual	164
stabilization of fractures, has the same meaning as in section	165
1753.28 of the Revised Code.	166
(X) "Transfer" has the same meaning as in section 1753.28	167
of the Revised Code.	168
(Y) "Firefighter" means any member of a fire department as	169
defined in section 742.01 of the Revised Code.	170
(Z) "Volunteer firefighter" has the same meaning as in	171
section 146.01 of the Revised Code.	172
(AA) "Part-time paid firefighter" means a person who	173
provides firefighting services on less than a full-time basis,	174
is routinely scheduled to be present on site at a fire station	175
or other designated location for purposes of responding to a	176
fire or other emergency, and receives more than nominal	177
compensation for the provision of firefighting services.	178
(BB) "Physician assistant" means an individual who holds a	179
valid license to practice as a physician assistant issued under	180
Chapter 4730. of the Revised Code.	181
<u>Sec. 4765.52. (A) As used in this section, "veterinarian"</u>	182
<u>means an individual licensed under Chapter 4741. of the Revised</u>	183

<u>Code to practice veterinary medicine.</u>	184
<u>(B) In the course of an emergency medical response, fire</u>	185
<u>response, or response to aid law enforcement, a first responder,</u>	186
<u>emergency medical technician-basic, emergency medical</u>	187
<u>technician-intermediate, or emergency medical technician-</u>	188
<u>paramedic may provide any of the following emergency medical</u>	189
<u>services to a dog or cat prior to the dog or cat being</u>	190
<u>transferred to a veterinarian for further treatment, but only to</u>	191
<u>the extent that the first responder, EMT-basic, EMT-I, or</u>	192
<u>paramedic is authorized by this chapter or rules adopted</u>	193
<u>pursuant to this chapter to perform the corresponding form of</u>	194
<u>each of the services when providing emergency medical services</u>	195
<u>to a human patient:</u>	196
<u>(1) Opening and manually maintaining an airway;</u>	197
<u>(2) Giving mouth to snout or mouth to barrier ventilation;</u>	198
<u>(3) Administering oxygen;</u>	199
<u>(4) Managing ventilation by mask;</u>	200
<u>(5) Controlling hemorrhage with direct pressure;</u>	201
<u>(6) Immobilizing fractures;</u>	202
<u>(7) Bandaging;</u>	203
<u>(8) Administering naloxone hydrochloride, if administering</u>	204
<u>the drug has been authorized by the medical director or</u>	205
<u>cooperating physician advisory board of an emergency medical</u>	206
<u>service organization and the drug is administered either in</u>	207
<u>accordance with a written protocol established and provided by a</u>	208
<u>veterinarian or pursuant to a consultation with a veterinarian.</u>	209
<u>(C) In addition to the immunity from civil liability</u>	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

<u>enabling the provision of emergency medical services to a dog or</u>	241
<u>cat under this section.</u>	242
<u>(2) A veterinarian who acts in good faith in accordance</u>	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