

As Introduced

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Representatives Kuhns, Romanchuk

**Cosponsors: Representatives Hambley, Howse, Lepore-Hagan, O'Brien, M.,
Reece, Antonio**

A BILL

To amend sections 4766.01 and 4766.04 of the 1
Revised Code to modify the provisions governing 2
the transport of persons who may use a 3
wheelchair or other mobility aid. 4

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

Section 1. That sections 4766.01 and 4766.04 of the 5
Revised Code be amended to read as follows: 6

Sec. 4766.01. As used in this chapter: 7

(A) "Advanced life support" means treatment described in 8
section 4765.39 of the Revised Code that a paramedic is 9
certified to perform. 10

(B) "Air medical service organization" means an 11
organization that furnishes, conducts, maintains, advertises, 12
promotes, or otherwise engages in providing medical services 13
with a rotorcraft air ambulance or fixed wing air ambulance. 14

(C) "Air medical transportation" means the transporting of 15
a patient by rotorcraft air ambulance or fixed wing air 16

ambulance with appropriately licensed and certified medical 17
personnel. 18

(D) "Ambulance" means any motor vehicle that is 19
specifically designed, constructed, or modified and equipped and 20
is intended to be used to provide basic life support, 21
intermediate life support, advanced life support, or mobile 22
intensive care unit services and transportation upon the streets 23
or highways of this state of persons who are seriously ill, 24
injured, wounded, or otherwise incapacitated or helpless. 25
"Ambulance" does not include air medical transportation or a 26
vehicle designed and used solely for the transportation of 27
nonstretcher-bound persons, whether hospitalized or handicapped 28
or whether ambulatory or confined to a wheelchair. 29

(E) "Ambulette" means a motor vehicle that is specifically 30
designed, constructed, or modified and equipped and is intended 31
to be used by a nonemergency medical service organization for 32
transportation upon the streets or highways of this state of 33
persons who ~~require use of~~ are medically fragile and who may use 34
a wheelchair or other mobility aid. 35

(F) "Basic life support" means treatment described in 36
section 4765.37 of the Revised Code that an EMT is certified to 37
perform. 38

(G) "Disaster situation" means any condition or situation 39
described by rule of the state board of emergency medical, fire, 40
and transportation services as a mass casualty, major emergency, 41
natural disaster, or national emergency. 42

(H) "Emergency medical service organization" means an 43
organization that uses EMTs, AEMTs, or paramedics, or a 44
combination of EMTs, AEMTs, and paramedics, to provide medical 45

care to victims of illness or injury. An emergency medical 46
service organization includes, but is not limited to, a 47
commercial ambulance service organization, a hospital, and a 48
funeral home. 49

(I) "EMT," "AEMT," and "paramedic" have the same meanings 50
as in sections 4765.01 and 4765.011 of the Revised Code. 51

(J) "Fixed wing air ambulance" means a fixed wing aircraft 52
that is specifically designed, constructed, or modified and 53
equipped and is intended to be used as a means of air medical 54
transportation. 55

(K) "Intermediate life support" means treatment described 56
in section 4765.38 of the Revised Code that an AEMT is certified 57
to perform. 58

(L) "Major emergency" means any emergency event that 59
cannot be resolved through the use of locally available 60
emergency resources. 61

(M) "Mass casualty" means an emergency event that results 62
in ten or more persons being injured, incapacitated, made ill, 63
or killed. 64

(N) "Medical emergency" means an unforeseen event 65
affecting an individual in such a manner that a need for 66
immediate care is created. 67

(O) "Medically fragile" means a person's medical condition 68
is such that both of the following apply: 69

(1) At all times the person is chronically dependent upon 70
the care of a skilled health care provider or a specially 71
trained family or foster family member, as well as the ready 72
availability of skilled health care supervision. 73

(2) If the technology, support, and services the person 74
receives are interrupted or denied and the person does not 75
receive immediate intervention by a trained health care 76
provider, the person's medical condition may be irreversibly 77
damaged or the person may die. 78

(P) "Mobile intensive care unit" means an ambulance used 79
only for maintaining specialized or intensive care treatment and 80
used primarily for interhospital transports of patients whose 81
conditions require care beyond the scope of a paramedic as 82
provided in section 4765.39 of the Revised Code. 83

~~(P)~~(Q) (1) "Nonemergency medical service organization" 84
means a person that does both of the following: 85

(a) Provides services to the public on a regular basis 86
only for the purpose of transporting individuals who ~~require the~~ 87
~~use of~~ are medically fragile and may use a wheelchair or are 88
~~confined to a wheelchair other mobility aid~~ to receive health 89
care services at health care facilities or health care 90
practitioners' offices in nonemergency circumstances; 91

(b) Provides the services for a fee, regardless of whether 92
the fee is paid by the person being transported, a third party 93
payer, as defined in section 3702.51 of the Revised Code, or any 94
other person or government entity. 95

(2) "Nonemergency medical service organization" does not 96
include a health care facility, as defined in section 1751.01 of 97
the Revised Code, that provides ambulette services only to 98
patients of that facility. 99

~~(Q)~~(R) "Nontransport vehicle" means a motor vehicle 100
operated by a licensed emergency medical service organization 101
not as an ambulance, but as a vehicle for providing services in 102

conjunction with the ambulances operated by the organization or 103
other emergency medical service organizations. 104

~~(R)~~ (S) "Patient" means any individual who as a result of 105
illness or injury needs medical attention, whose physical or 106
mental condition is such that there is imminent danger of loss 107
of life or significant health impairment, or who may be 108
otherwise incapacitated or helpless as a result of a physical or 109
mental condition, ~~or whose physical condition requires the use~~ 110
~~of a wheelchair.~~ 111

~~(S)~~ (T) "Rotorcraft air ambulance" means a helicopter or 112
other aircraft capable of vertical takeoffs, vertical landings, 113
and hovering that is specifically designed, constructed, or 114
modified and equipped and is intended to be used as a means of 115
air medical transportation. 116

Sec. 4766.04. (A) Except as otherwise provided in this 117
chapter, no person shall furnish, operate, conduct, maintain, 118
advertise, engage in, or propose or profess to engage in the 119
business or service in this state of transporting persons who 120
are seriously ill, injured, or otherwise incapacitated ~~or who~~ 121
~~require the use of a wheelchair or who are confined to a~~ 122
~~wheelchair medically fragile~~ unless the person is licensed 123
pursuant to this section. 124

(B) To qualify for a license as a basic life-support, 125
intermediate life-support, advanced life-support, or mobile 126
intensive care unit organization, an emergency medical service 127
organization shall do all of the following: 128

(1) Apply for a permit for each ambulance and nontransport 129
vehicle owned or leased as provided in section 4766.07 of the 130
Revised Code; 131

(2) Meet all requirements established in rules adopted by 132
the state board of emergency medical, fire, and transportation 133
services regarding ambulances and nontransport vehicles, 134
including requirements pertaining to equipment, communications 135
systems, staffing, and level of care the particular organization 136
is permitted to render; 137

(3) Maintain the appropriate type and amount of insurance 138
as specified in section 4766.06 of the Revised Code; 139

(4) Meet all other requirements established under rules 140
adopted by the board for the particular license. 141

(C) To qualify for a license to provide ambulette service, 142
a nonemergency medical service organization shall do all of the 143
following: 144

(1) Apply for a permit for each ambulette owned or leased 145
as provided in section 4766.07 of the Revised Code; 146

(2) Meet all requirements established in rules adopted by 147
the state board of emergency medical, fire, and transportation 148
services regarding ambulettes, including requirements pertaining 149
to equipment, communication systems, staffing, and level of care 150
the organization is permitted to render; 151

(3) Maintain the appropriate type and amount of insurance 152
as specified in section 4766.06 of the Revised Code; 153

(4) Meet all other requirements established under rules 154
adopted by the board for the license. 155

(D) To qualify for a license to provide air medical 156
transportation, an air medical service organization shall do all 157
of the following: 158

(1) Apply for a permit for each rotorcraft air ambulance 159

and fixed wing air ambulance owned or leased as provided in 160
section 4766.07 of the Revised Code; 161

(2) Meet all requirements established in rules adopted by 162
the state board of emergency medical, fire, and transportation 163
services regarding rotorcraft air ambulances and fixed wing air 164
ambulances, including requirements pertaining to equipment, 165
communication systems, staffing, and level of care the 166
organization is permitted to render; 167

(3) Maintain the appropriate type and amount of insurance 168
as specified in section 4766.06 of the Revised Code; 169

(4) Meet all other requirements established under rules 170
adopted by the board for the license. 171

(E) An emergency medical service organization that applies 172
for a license as a basic life-support, intermediate life- 173
support, advanced life-support, or mobile intensive care unit 174
organization; a nonemergency medical service organization that 175
applies for a license to provide ambulette service; or an air 176
medical service organization that applies for a license to 177
provide air medical transportation shall submit a completed 178
application to the board, on a form provided by the board for 179
each particular license, together with the appropriate fees 180
established under section 4766.05 of the Revised Code. The 181
application form shall include all of the following: 182

(1) The name and business address of the operator of the 183
organization for which licensure is sought; 184

(2) The name under which the applicant will operate the 185
organization; 186

(3) A list of the names and addresses of all officers and 187
directors of the organization; 188

(4) For emergency medical service organizations and 189
nonemergency medical service organizations, a description of 190
each vehicle to be used, including the make, model, year of 191
manufacture, mileage, vehicle identification number, and the 192
color scheme, insignia, name, monogram, or other distinguishing 193
characteristics to be used to designate the applicant's vehicle; 194

(5) For air medical service organizations using fixed wing 195
air ambulances, a description of each aircraft to be used, 196
including the make, model, year of manufacture, and aircraft 197
hours on airframe; 198

(6) For air medical service organizations using rotorcraft 199
air ambulances, a description of each aircraft to be used, 200
including the make, model, year of manufacture, aircraft hours 201
on airframe, aircraft identification number, and the color 202
scheme, insignia, name, monogram, or other distinguishing 203
characteristics to be used to designate the applicant's 204
rotorcraft air ambulance; 205

(7) The location and description of each place from which 206
the organization will operate; 207

(8) A description of the geographic area to be served by 208
the applicant; 209

(9) Any other information the board, by rule, determines 210
necessary. 211

(F) Within sixty days after receiving a completed 212
application for licensure as a basic life-support, intermediate 213
life-support, advanced life-support, or mobile intensive care 214
unit organization; an ambulette service; or an air medical 215
service organization, the board shall approve or deny the 216
application. The board shall deny an application if it 217

determines that the applicant does not meet the requirements of 218
this chapter or any rules adopted under it. The board shall send 219
notice of the denial of an application by certified mail to the 220
applicant. The applicant may request a hearing within ten days 221
after receipt of the notice. If the board receives a timely 222
request, it shall hold a hearing in accordance with Chapter 119. 223
of the Revised Code. 224

(G) If an applicant or licensee operates or plans to 225
operate an organization in more than one location under the same 226
or different identities, the applicant or licensee shall apply 227
for and meet all requirements for licensure or renewal of a 228
license, other than payment of a license fee or renewal fee, for 229
operating the organization at each separate location. An 230
applicant or licensee that operates or plans to operate under 231
the same organization identity in separate locations shall pay 232
only a single license fee. 233

(H) An emergency medical service organization that wishes 234
to provide ambulette services to the public must apply for a 235
separate license under division (C) of this section. 236

(I) Each license issued under this section and each permit 237
issued under section 4766.07 of the Revised Code expires one 238
year after the date of issuance and may be renewed in accordance 239
with the standard renewal procedures of Chapter 4745. of the 240
Revised Code. An application for renewal shall include the 241
license or permit renewal fee established under section 4766.05 242
of the Revised Code. An applicant for renewal of a permit also 243
shall submit to the board proof of an annual inspection of the 244
vehicle or aircraft for which permit renewal is sought. The 245
board shall renew a license if the applicant meets the 246
requirements for licensure and shall renew a permit if the 247

applicant and vehicle or aircraft meet the requirements to 248
maintain a permit for that vehicle or aircraft. 249

(J) Each licensee shall maintain accurate records of all 250
service responses conducted. The records shall be maintained on 251
forms prescribed by the board and shall contain information as 252
specified by rule by the board. 253

Section 2. That existing sections 4766.01 and 4766.04 of 254
the Revised Code are hereby repealed. 255