

Sub. H. B. No. 96
As Passed by the Senate
DPSCD63

_____ moved to amend as follows:

After line 104205, insert:

"**Sec. 4765.11.** (A) The state board of emergency medical, fire, and transportation services shall adopt, and may amend and rescind, rules in accordance with Chapter 119. of the Revised Code and divisions (C) and (D) of this section that establish all of the following:

(1) Procedures for its governance and the control of its actions and business affairs;

(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;

(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;

(4) Criteria for determining when the application or

renewal fee for a certificate to practice may be waived because 19
an applicant cannot afford to pay the fee; 20

(5) Procedures for issuance and renewal of certificates of 21
accreditation, certificates of approval, certificates to teach, 22
and certificates to practice, including any measures necessary 23
to implement section 9.79 of the Revised Code and any procedures 24
necessary to ensure that adequate notice of renewal is provided 25
in accordance with division (E) of section 4765.30 of the 26
Revised Code; 27

(6) Procedures for suspending or revoking certificates of 28
accreditation, certificates of approval, certificates to teach, 29
and certificates to practice; 30

(7) Grounds for suspension or revocation of a certificate 31
to practice issued under section 4765.30 of the Revised Code and 32
for taking any other disciplinary action against a first 33
responder, EMT-basic, EMT-I, or paramedic; 34

(8) Procedures for taking disciplinary action against a 35
first responder, EMT-basic, EMT-I, or paramedic; 36

(9) Standards for certificates of accreditation and 37
certificates of approval; 38

(10) Qualifications for certificates to teach; 39

(11) Requirements for a certificate to practice; 40

(12) The curricula, number of hours of instruction and 41
training, and instructional materials to be used in adult and 42
pediatric emergency medical services training programs and adult 43
and pediatric emergency medical services continuing education 44
programs; 45

(13) Procedures for conducting courses in recognizing 46

symptoms of life-threatening allergic reactions and in	47
calculating proper dosage levels and administering injections of	48
epinephrine to adult and pediatric patients who suffer life-	49
threatening allergic reactions;	50
(14) Examinations for certificates to practice;	51
(15) Procedures for administering examinations for	52
certificates to practice;	53
(16) Procedures for approving examinations that	54
demonstrate competence to have a certificate to practice renewed	55
without completing an emergency medical services continuing	56
education program;	57
(17) Procedures for granting extensions and exemptions of	58
emergency medical services continuing education requirements;	59
(18) Specifications of the emergency medical services that	60
first responders are authorized to perform under section 4765.35	61
of the Revised Code, that EMTs-basic are authorized to perform	62
under section 4765.37 of the Revised Code, that EMTs-I are	63
authorized to perform under section 4765.38 of the Revised Code,	64
and that paramedics are authorized to perform under section	65
4765.39 of the Revised Code;	66
(19) Standards and procedures for implementing the	67
requirements of section 4765.06 of the Revised Code, including	68
designations of the persons who are required to report	69
information to the board and the types of information to be	70
reported;	71
(20) Procedures for administering the emergency medical	72
services grant program established under section 4765.07 of the	73
Revised Code;	74

(21) Procedures consistent with Chapter 119. of the	75
Revised Code for appealing decisions of the board;	76
(22) Minimum qualifications and peer review and quality	77
improvement requirements for persons who provide medical	78
direction to emergency medical service personnel, including,	79
subject to division (B) of section 4765.42 of the Revised Code,	80
qualifications for a physician to be eligible to serve as the	81
medical director of an emergency medical service organization or	82
a member of its cooperating physician advisory board;	83
(23) The manner in which a patient, or a patient's parent,	84
guardian, or custodian, may consent to the board releasing	85
identifying information about the patient under division (D) of	86
section 4765.102 of the Revised Code;	87
(24) Circumstances under which a training program or	88
continuing education program, or portion of either type of	89
program, may be taught by a person who does not hold a	90
certificate to teach issued under section 4765.23 of the Revised	91
Code;	92
(25) Certification cycles for certificates issued under	93
sections 4765.23 and 4765.30 of the Revised Code and	94
certificates issued by the executive director of the state board	95
of emergency medical, fire, and transportation services under	96
section 4765.55 of the Revised Code that establish a common	97
expiration date for all certificates;	98
<u>(26) Procedures by which the holder of a certificate to</u>	99
<u>practice who intends to retire may request the emergency medical</u>	100
<u>service organization for which the holder performs services to</u>	101
<u>direct the board to designate the holder as "retired" in the</u>	102
<u>board's records when the holder retires.</u>	103

(B) The board may adopt, and may amend and rescind, rules 104
in accordance with Chapter 119. of the Revised Code and 105
divisions (C) and (D) of this section that establish any of the 106
following: 107

(1) Specifications of information that may be collected 108
under the trauma system registry and incidence reporting system 109
created under section 4765.06 of the Revised Code; 110

(2) Standards and procedures for implementing any of the 111
recommendations made by any committees of the board or under 112
section 4765.04 of the Revised Code; 113

(3) Procedures and requirements for conducting background 114
checks on applicants for the issuance and renewal of 115
certificates of accreditation, certificates of approval, 116
certificates to teach, and certificates to practice in 117
accordance with section 109.578 of the Revised Code; 118

(4) Any other rules necessary to implement this chapter. 119

(C) In developing and administering rules adopted under 120
this chapter, the state board of emergency medical, fire, and 121
transportation services shall consult with regional directors 122
and regional advisory boards appointed under section 4765.05 of 123
the Revised Code and emphasize the special needs of pediatric 124
and geriatric patients. 125

(D) On and after April 6, 2023, the executive director 126
shall not issue to any new applicant a certificate to practice 127
as an emergency medical services assistant instructor. Any 128
emergency medical services assistant instructor certificate that 129
was issued in accordance with rules adopted under division (A) 130
of this section prior to April 6, 2023, remains valid, subject 131
to any conditions or responsibilities of retaining the validity 132

of that certificate, until the holder of the certificate allows 133
it to expire or lapse. The certificate may be renewed by the 134
holder of that certificate. The board shall adopt, amend, or 135
rescind rules in accordance with Chapter 119. of the Revised 136
Code in order to effectuate this division. 137

(E) Except as otherwise provided in this division, before 138
adopting, amending, or rescinding any rule under this chapter, 139
the board shall submit the proposed rule to the director of 140
public safety for review. The director may review the proposed 141
rule for not more than sixty days after the date it is 142
submitted. If, within this sixty-day period, the director 143
approves the proposed rule or does not notify the board that the 144
rule is disapproved, the board may adopt, amend, or rescind the 145
rule as proposed. If, within this sixty-day period, the director 146
notifies the board that the proposed rule is disapproved, the 147
board shall not adopt, amend, or rescind the rule as proposed 148
unless at least twelve members of the board vote to adopt, 149
amend, or rescind it. 150

This division does not apply to an emergency rule adopted 151
in accordance with section 119.03 of the Revised Code. 152

(F) Notwithstanding any requirement for a certificate 153
issued in accordance with rules adopted by the board under this 154
section, the board, in accordance with Chapter 4796. of the 155
Revised Code, shall issue a certificate that is a license as 156
defined in section 4796.01 of the Revised Code to an individual 157
if either of the following applies: 158

(1) The individual holds a license or certificate in 159
another state. 160

(2) The individual has satisfactory work experience, a 161

government certification, or a private certification as 162
described in that chapter as a first responder, emergency 163
medical technician-basic, emergency medical technician- 164
intermediate, or emergency medical technician-paramedic in a 165
state that does not issue that license or certificate. 166

Sec. 4765.55. (A) The executive director of the state 167
board of emergency medical, fire, and transportation services, 168
with the advice and counsel of the firefighter and fire safety 169
inspector training committee of the state board of emergency 170
medical, fire, and transportation services, shall assist in the 171
establishment and maintenance by any state agency, or any 172
county, township, city, village, school district, or educational 173
service center of a fire service training program for the 174
training of all persons in positions of any fire training 175
certification level approved by the executive director, 176
including full-time paid firefighters, part-time paid 177
firefighters, volunteer firefighters, and fire safety inspectors 178
in this state. The executive director, with the advice and 179
counsel of the committee, shall adopt rules to regulate those 180
firefighter and fire safety inspector training programs, and 181
other training programs approved by the executive director. The 182
rules may include, but need not be limited to, training 183
curriculum, certification examinations, training schedules, 184
minimum hours of instruction, attendance requirements, required 185
equipment and facilities, basic physical requirements, and 186
methods of training for all persons in positions of any fire 187
training certification level approved by the executive director, 188
including full-time paid firefighters, part-time paid 189
firefighters, volunteer firefighters, and fire safety 190
inspectors. The rules adopted to regulate training programs for 191
volunteer firefighters shall not require more than thirty-six 192

hours of training. 193

The executive director, with the advice and counsel of the 194
committee, shall provide for the classification and chartering 195
of fire service training programs in accordance with rules 196
adopted under division (B) of this section, and may take action 197
against any chartered training program or applicant, in 198
accordance with rules adopted under divisions (B)(4) and (5) of 199
this section, for failure to meet standards set by the adopted 200
rules. 201

(B) The executive director, with the advice and counsel of 202
the firefighter and fire safety inspector training committee of 203
the state board of emergency medical, fire, and transportation 204
services, shall adopt, and may amend or rescind, rules under 205
Chapter 119. of the Revised Code that establish all of the 206
following: 207

(1) Requirements for, and procedures for chartering, the 208
training programs regulated by this section; 209

(2) Requirements for, and requirements and procedures for 210
obtaining and renewing, an instructor certificate to teach the 211
training programs and continuing education classes regulated by 212
this section; 213

(3) Requirements for, and requirements and procedures for 214
obtaining and renewing, any of the fire training certificates 215
regulated by this section; 216

(4) Grounds and procedures for suspending, revoking, 217
restricting, or refusing to issue or renew any of the 218
certificates or charters regulated by this section, which 219
grounds shall be limited to one of the following: 220

(a) Failure to satisfy the education or training requirements of this section;	221 222
(b) Conviction of a felony offense;	223
(c) Conviction of a misdemeanor involving moral turpitude;	224
(d) Conviction of a misdemeanor committed in the course of practice;	225 226
(e) In the case of a chartered training program or applicant, failure to meet standards set by the rules adopted under this division.	227 228 229
(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;	230 231 232 233 234 235 236
(6) Continuing education requirements for certificate holders, including a requirement that credit shall be granted for in-service training programs conducted by local entities. The continuing education requirements shall not require more than thirty-six hours of continuing education every three-year certification cycle. Local entities may require additional continuing education, provided that completion of such additional continuing education is not required for renewal of certification.	237 238 239 240 241 242 243 244 245
(7) Procedures for considering the granting of an extension or exemption of fire service continuing education requirements;	246 247 248

(8) Certification cycles for which the certificates and 249
charters regulated by this section are valid; 250

(9) If determined necessary by the executive director, 251
procedures and requirements for conducting background checks on 252
applicants for the issuance and renewal of certification as a 253
fire safety inspector in accordance with section 109.578 of the 254
Revised Code; 255

(10) Procedures by which a firefighter or fire safety 256
inspector who intends to retire may request the department for 257
which the firefighter or inspector performs services to direct 258
the executive director of the state board of emergency medical, 259
fire, and transportation services to designate the firefighter 260
or inspector as "retired" in the board's records when the 261
firefighter or inspector retires. 262

(C) (1) The executive director, with the advice and counsel 263
of the firefighter and fire safety inspector training committee 264
of the state board of emergency medical, fire, and 265
transportation services, shall issue or renew an instructor 266
certificate to teach the training programs and continuing 267
education classes regulated by this section to any applicant 268
that the executive director determines meets the qualifications 269
established in rules adopted under division (B) of this section, 270
and may take disciplinary action against an instructor 271
certificate holder or applicant in accordance with rules adopted 272
under division (B) of this section. 273

(2) On and after April 6, 2023, the executive director 274
shall not issue to any new applicant a certificate to practice 275
as an assistant fire instructor. Any assistant fire instructor 276
certificate that was issued in accordance with rules adopted 277
under division (B) of this section prior to April 6, 2023, 278

remains valid, subject to any conditions or responsibilities of 279
retaining the validity of that certificate, until the holder of 280
the certificate allows it to expire or lapse. The certificate 281
may be renewed by the holder of that certificate. The executive 282
director shall adopt, amend, or rescind rules in accordance with 283
Chapter 119. of the Revised Code in order to effectuate division 284
(C) (2) of this section. 285

(3) The executive director, with the advice and counsel of 286
the committee, shall charter or renew the charter of any 287
training program that the executive director determines meets 288
the qualifications established in rules adopted under division 289
(B) of this section, and may take disciplinary action against 290
the holder of a charter in accordance with rules adopted under 291
division (B) of this section. 292

(D) The executive director shall issue or renew a fire 293
training certificate for a firefighter, a fire safety inspector, 294
or another position of any fire training certification level 295
approved by the executive director, to any applicant that the 296
executive director determines meets the qualifications 297
established in rules adopted under division (B) of this section 298
and may take disciplinary actions against a certificate holder 299
or applicant in accordance with rules adopted under division (B) 300
of this section. 301

(E) Certificates issued under this section shall be on a 302
form prescribed by the executive director, with the advice and 303
counsel of the firefighter and fire safety inspector training 304
committee of the state board of emergency medical, fire, and 305
transportation services. 306

(F) (1) The executive director, with the advice and counsel 307
of the firefighter and fire safety inspector training committee 308

of the state board of emergency medical, fire, and 309
transportation services, shall establish criteria for evaluating 310
the standards maintained by the branches of the United States 311
military for firefighter, fire safety inspector, and fire 312
instructor training programs, and other training programs 313
recognized by the executive director, to determine whether the 314
standards are equivalent to those established under this section 315
and shall establish requirements and procedures for issuing a 316
certificate to each person who presents proof to the executive 317
director of having satisfactorily completed a training program 318
that meets those standards. 319

(2) The executive director, with the committee's advice 320
and counsel, shall adopt rules establishing requirements and 321
procedures for issuing a fire training certificate in lieu of 322
completing a chartered training program. 323

(G) Notwithstanding any requirement for a certificate 324
issued under this section, the executive director shall issue a 325
certificate in accordance with Chapter 4796. of the Revised Code 326
to an individual if either of the following applies: 327

(1) The individual holds a license or certificate in 328
another state. 329

(2) The individual has satisfactory work experience, a 330
government certification, or a private certification as 331
described in that chapter as a firefighter or fire safety 332
inspector in a state that does not issue that license or 333
certificate. 334

(H) Nothing in this section invalidates any other section 335
of the Revised Code relating to the fire training academy. 336
Section 4765.11 of the Revised Code does not affect any powers 337

and duties granted to the executive director under this section. 338

(I) Notwithstanding any provision of division (B) (4) of 339
 this section to the contrary, the executive director shall not 340
 adopt rules for refusing to issue any of the certificates or 341
 charters regulated by this section to an applicant because of a 342
 criminal conviction unless the rules establishing grounds and 343
 procedures for refusal are in accordance with section 9.79 of 344
 the Revised Code." 345

Update the title, amend, enact, or repeal clauses accordingly 346

The motion was _____ agreed to.

SYNOPSIS

347

Emergency service provider "retired" designation

348

R.C. 4765.11 and 4765.55

349

Reinstates the House-passed requirement that the State 350
 Board of Emergency Medical, Fire, and Transportation Services 351
 establish procedures by which a first responder, EMT, paramedic, 352
 firefighter, or fire safety inspector may designate themselves 353
 as "retired" in the Board's records. 354