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House Transportation and Public Safety Committee
Chief Steve Agenbroad
Ohio Fire Chiefs' Association
House Bill 138 Proponent Testimony

Chair Baldrige, Vice Chair McClain, Ranking Member Sheehy, and members of the House Transportation and Public Safety Committee, thank you for the opportunity to provide proponent testimony on House Bill 138. My name is Steve Agenbroad, and I am the Fire Chief of Clearcreek Fire District in Springboro, Ohio and I also serve as the Chair of the Ohio Fire Chiefs' Association's Legislative Committee.

As first responders, you may suspect that we commonly find ourselves in traumatic situations. Your suspicions would be correct. We understand and accept such responsibilities when performing our duties. For too long, there has been a troubling gap in Ohio law that needlessly contributes to the trauma experienced by our first responders; and to the family of loved ones caring for those that have arrived at the end of their life's journey.

Today, in the state of Ohio, Emergency Medical Technicians are not able to honor the last wishes of some suffering from chronic illness. Legally issued Do-Not-Resuscitate (DNR) orders issued by Physician Assistants and Nurse Practitioners cannot legally be acknowledged by your first responders in the field. This means first responders are put in the unfair position of being legally required to provide life saving medical care, despite the expressed and informed wishes and consent of the patient, and/or their medical power of attorney. There are countless examples of our providers being stuck within these ethical, moral, and legal conundrums across this great state. These situations are heart wrenching and leave an indelible mark upon our responders and the loved ones that such circumstances create.

House Bill 138 solves this problem, and quite frankly rights this wrong. Ohio law permits Physician Assistants and Nurse Practitioners to write Do-Not-Resuscitate orders within strict

protocols. The patient (and family) have an expectation that those expressed orders will be honored. But this gap in Ohio law forces first responders to make difficult decisions in the field, often introducing strife and distress, into already emotionally charged situations. Further, the first responders and life squad are often needlessly tied up on a scene where those resources are not necessary as crews wrestle with administrative issues involving departmental protocols, medical control physicians, and the patient's healthcare providers. In the wake of such issues, EMT's are often required to provide medical treatment to patient's against their will, perhaps to include transport to the hospital while using emergency lights and sirens. Such circumstances only extend the commitment of life saving resources where they are not desired, needlessly adding significant medical cost, and placing members of the public at risk due to an unnecessary emergency response to the emergency department.

As fire chiefs, we strive to make good decisions to decrease these risks to our patients, their family and the community overall, not to mention reducing or eliminating needless stressors placed upon our crews. Therefore, it is absolutely necessary that EMT's in the state of Ohio be granted the ability to honor legally issued DNR's so that we may respect the patient's end of life wishes, and keep our communities safe. Oscar Wilde said, "Duty is what one expects from others". When our first responders are unable to honor legal DNR's, we are unable to fulfill our duty. For that reason, I would like to thank you, Representative Baldrige and your cosponsor Representative Seitz, for taking the initiative to help us complete our duty honorably and respectfully while in the field.

Further, HB 138 has an additional key provision. The bill enables the State Board of Emergency Medical, Fire, and Transportation Services to utilize the rule making process that allows individuals seeking a certification to practice as a first responder, to pursue their education and achieve legal certification without first being affiliated with a EMS organization or Fire department. We are facing difficult staffing challenges, and the OFCA supports the removal of barriers that slow individuals wishing to serve their communities as volunteers, or who choose to pursue a career in the fire service by having to first be sponsored by a local community. We as a profession have advanced well past such barriers to entry thanks to the tools afforded to us which include personal and criminal background investigations, health and wellness assessments, and rigorous training protocols and certification procedures.

Thank you for the opportunity to testify and I would be happy to answer any questions the committee may have.