



**Representatives Thomas F. Patton & Bride Rose Sweeney**  
Sponsor Testimony on H.B. 261 (EMS Workers) – Pensions Committee  
October 3, 2023

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Chairman Mathews, Vice Chair King, Ranking Member Lightbody, and members of the Ohio House Pensions Committee – thank you for the opportunity to testify on House Bill 261. This legislation aims to make emergency medical services workers labeled as “public safety officers” under the Ohio Public Employees Retirement System.

As we all understand, serving your community as a First Responder, such as an emergency medical service (EMS) worker is a very brave role that involves specialized training to ensure any situation one faces will be dealt with in a safe and precise manner. EMS workers are exposed to volatile scenes including domestic violence situations, hostile patients, inclement weather, contagious diseases, and vehicle collisions just to name a handful. Although these different situations are something EMS workers necessary training to deal with them, nonetheless, these are highly dangerous environments to work in.

In our community of Northeast Ohio, the Cleveland EMS crew are being trained in protocol involving active shooters, civil unrest, mentally ill patients, combative patients, and hazardous materials. Cleveland EMS workers are now required to wear bulletproof vests due to the incredible risk they take on every time they are called to action. House Bill 261 would ensure that EMS workers are treated appropriately by the Ohio Public Employees Retirement System (OPERS).

Paramedics and EMTs have physically demanding jobs that take a heavy toll. Unfortunately, some of these individuals fall through the cracks of our retirement system. In most cities, EMS workers are also firefighters and therefore covered by the Police and Fire Pension Fund. However, those who are not also firefighters are not eligible for the Police and Fire Pension Fund and are instead classified under regular OPERS with the same retirement options as other public employees. This means that they cannot consider retirement until after 32 years of service. In the case of the City of Cleveland, this has resulted in paramedics “aging out” at the mandatory retirement age of 65 without full benefits or earlier due to the stress of the job.

Within OPERS, there is a special retirement classification – the public safety division – which is designed to capture those who are not eligible for the Police/Fire Pension Fund but still deserve unique consideration due to the nature of their work. Some examples of those covered include casino gaming agents, tax investigators, and police officers not covered by the Police/Fire Pension Fund. This division requires 25 years of service and a higher contribution rate.

House Bill 261 will allow current full-time, certified EMTs and paramedics not covered under the Police and Fire Pension Fund to choose whether or not to participate in the public safety division of the Public Employee Retirement System rather than regular PERS for the member’s future service. In order to opt-in, a member must notify OPERS on a form provided by the

OPERS Board, and OPERS must receive the notice not later than 90 days after the bill's effective date. The election, once made, is irrevocable. New EMS workers would be automatically opted-in to this new system.

We believe this legislation is reasonable and fiscally responsible. Nobody is cheating the system: The overall pension amount a member receives is still determined based on the member's age, years of service, and final average salary. Only public safety service counts towards retirement under the public safety division. Any service credit the member earned before the first day of the first month following the system's receipt of the election will be treated as regular OPERS credit.

### **Differences between employer and employee contribution rates**

<b>Division</b>	<b>Employer Contribution Rates</b>	<b>Employee Contribution Rates</b>
Local	14.00%	10.00%
State	14.00%	10.00%
Law Enforcement	18.10%	13.00%
Public Safety	18.10%	12.00%

At a time when it's more difficult than ever to recruit first responders, House Bill 261 offers a new recruitment and retention tool for this essential position. These are workers who put themselves in harm's way, who have to show up on everyone's worst day, and who do difficult and stressful labor that often goes unseen. This legislation treats them as they ought to be treated: as frontline first responders with a path to earning the same retirement as other first responders.

EMS workers certainly fit the spirit of the OPERS statute that allows earlier retirement for public safety officers because of the dangers of their jobs. They put their lives on the line every single day, and they should be eligible for the fair and equitable retirement that they truly deserve.