

As Reported by the House Health Committee

134th General Assembly

Regular Session

2021-2022

Sub. H. B. No. 28

Representative Wiggam

Cosponsors: Representatives Lipps, Kick

A BILL

To amend sections 4766.01, 4766.03, 4766.04, 1
4766.05, 4766.06, 4766.07, 4766.08, 4766.09, 2
4766.13, 4766.14, 4766.15, 4766.22, and 4766.23 3
and to enact section 4766.18 of the Revised Code 4
to establish requirements for the regulation of 5
stretcher vans and to modify certain laws 6
governing ambulances and other medical-related 7
vehicles. 8

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

Section 1. That sections 4766.01, 4766.03, 4766.04, 9
4766.05, 4766.06, 4766.07, 4766.08, 4766.09, 4766.13, 4766.14, 10
4766.15, 4766.22, and 4766.23 be amended and section 4766.18 of 11
the Revised Code be enacted to read as follows: 12

Sec. 4766.01. As used in this chapter: 13

(A) "Advanced life support" means treatment described in 14
section 4765.39 of the Revised Code that a paramedic is 15
certified to perform. 16

(B) "Air medical service organization" means an 17
organization that furnishes, conducts, maintains, advertises, 18

promotes, or otherwise engages in providing medical services 19
with a rotorcraft air ambulance or fixed wing air ambulance. 20

(C) "Air medical transportation" means the transporting of 21
a patient by rotorcraft air ambulance or fixed wing air 22
ambulance with appropriately licensed and certified medical 23
personnel. 24

(D) "Ambulance" means any motor vehicle that is 25
specifically designed, constructed, or modified and equipped and 26
is intended to be used to provide basic life support, 27
intermediate life support, advanced life support, or mobile 28
intensive care unit services and transportation upon the streets 29
or highways of this state of persons who are seriously ill, 30
injured, wounded, or otherwise incapacitated or helpless. 31
"Ambulance" does not include ~~air medical transportation~~ any of 32
the following: 33

(1) A rotorcraft air ambulance or fixed wing air 34
ambulance; 35

(2) An ambulette or a ~~any other~~ vehicle designed and used 36
solely for the transportation of nonstretcher-bound persons, 37
whether hospitalized or handicapped or whether ambulatory or 38
confined to a wheelchair; 39

(3) A stretcher van. 40

(E) "Ambulette" means a motor vehicle that is specifically 41
designed, constructed, or modified and equipped and is intended 42
to be used for transportation upon the streets or highways of 43
this state of persons who require use of a wheelchair or other 44
mobility aid. 45

(F) "Basic life support" means treatment described in 46
section 4765.37 of the Revised Code that an EMT is certified to 47

perform. 48

(G) "Disaster situation" means any condition or situation 49
described by rule of the state board of emergency medical, fire, 50
and transportation services as a mass casualty, major emergency, 51
natural disaster, or national emergency. 52

(H) "Emergency medical service organization" means an 53
organization that uses EMTs, AEMTs, or paramedics, or a 54
combination of EMTs, AEMTs, and paramedics, to provide medical 55
care to victims of illness or injury. An emergency medical 56
service organization includes, but is not limited to, a 57
commercial ambulance service organization, a hospital, and a 58
funeral home. 59

(I) ~~"EMT," and "AEMT," and "paramedic" have the same~~ 60
~~meanings as in sections 4765.01 and means an emergency medical~~ 61
technician and an advanced emergency medical technician, 62
respectively. "EMT" and "AEMT" are the terms that the following 63
are also known as, respectively, as provided in section 4765.011 64
of the Revised Code: an emergency medical technician-basic or 65
EMT-basic and an emergency medical technician-intermediate or 66
EMT-I. 67

(J) "Fixed wing air ambulance" means a fixed wing aircraft 68
that is specifically designed, constructed, or modified and 69
equipped and is intended to be used as a means of air medical 70
transportation. 71

(K) "Health care practitioner" has the same meaning as in 72
section 3701.74 of the Revised Code. 73

(L) "Health care services" has the same meaning as in 74
section 3922.01 of the Revised Code. 75

(M) "Health care facility" has the same meaning as in 76

section 1751.01 of the Revised Code. 77

(N) "Hospice care program" has the same meaning as in 78
section 3712.01 of the Revised Code. 79

(O) "Intermediate life support" means treatment described 80
in section 4765.38 of the Revised Code that an AEMT is certified 81
to perform. 82

~~(N)~~(P) "Major emergency" means any emergency event that 83
cannot be resolved through the use of locally available 84
emergency resources. 85

~~(O)~~(Q) "Mass casualty" means an emergency event that 86
results in ten or more persons being injured, incapacitated, 87
made ill, or killed. 88

~~(P)~~(R) "Medical emergency" means an unforeseen event 89
affecting an individual in such a manner that a need for 90
immediate care is created. 91

~~(Q)~~(S) "Mobile intensive care unit" means an ambulance 92
used only for maintaining specialized or intensive care 93
treatment and used primarily for interhospital transports of 94
patients whose conditions require care beyond the scope of a 95
paramedic as provided in section 4765.39 of the Revised Code. 96

~~(R)(1)~~(T)(1) "Nonemergency medical service organization" 97
means a person that does both of the following: 98

(a) Provides services to the public on a regular basis for 99
the purpose of transporting individuals who require the use of a 100
wheelchair or other mobility aid to receive health care services 101
in nonemergency circumstances; 102

(b) Provides the services for a fee, regardless of whether 103
the fee is paid by the person being transported, a ~~third party~~ 104

~~third-party payer, as defined in section 3702.51 of the Revised Code,~~ or any other person or government entity. 105
106

(2) "Nonemergency medical service organization" does not 107
include a health care facility,~~as defined in section 1751.01 of~~ 108
~~the Revised Code,~~ that provides ambulette services only to 109
patients of that facility. 110

~~(S)~~ (U) "Nontransport vehicle" means a motor vehicle 111
operated by a licensed emergency medical service organization 112
not as an ambulance, but as a vehicle for providing services in 113
conjunction with the ambulances operated by the organization or 114
other emergency medical service organizations. 115

~~(T)~~ (V) "Paramedic" has the same meaning as in section 116
4765.01 of the Revised Code. 117

(W) "Patient" means any of the following: 118

(1) An individual who as a result of illness or injury 119
needs medical attention, whose physical or mental condition is 120
such that there is imminent danger of loss of life or 121
significant health impairment, or who may be otherwise 122
incapacitated or helpless as a result of a physical or mental 123
condition,~~or any:~~ 124

(2) An individual whose physical condition requires the 125
use of a wheelchair or other mobility aid; 126

(3) An individual whose physical condition requires the 127
use of a stretcher even though the individual is not 128
experiencing a medical emergency. 129

~~(U)~~ (X) "Rotorcraft air ambulance" means a helicopter or 130
other aircraft capable of vertical takeoffs, vertical landings, 131
and hovering that is specifically designed, constructed, or 132

modified and equipped and is intended to be used as a means of 133
air medical transportation. 134

~~(V)~~ (Y) "Stretcher van" means a motor vehicle specifically 135
designed and equipped to provide nonemergency transportation to 136
individuals on a stretcher. 137

(Z) (1) "Stretcher van organization" means a person that 138
does both of the following: 139

(a) Provides services to the public on a regular basis for 140
the purpose of transporting individuals who require the use of a 141
stretcher in nonemergency circumstances; 142

(b) Provides the services for a fee, regardless of whether 143
the fee is paid by the person being transported, a third-party 144
payer, or any other person or government entity. 145

(2) "Stretcher van organization" does not include a health 146
care facility or hospice care program that provides stretcher 147
van services only to patients of that facility or program, 148
provided that the facility or program notifies the patient and 149
the patient's guardian or attorney in fact under a durable power 150
of attorney for health care executed pursuant to sections 151
1337.11 to 1337.17 of the Revised Code and receives the 152
patient's and guardian or attorney in fact's consent before 153
transporting the patient using a stretcher van rather than an 154
ambulance or other vehicle. 155

(AA) "Taxicab" means a taxicab vehicle operated by a 156
taxicab service company, provided the company is not a 157
nonemergency medical service organization. 158

~~(W)~~ (BB) "Third-party payer" has the same meaning as in 159
section 3901.38 of the Revised Code. 160

<u>(CC)</u> "Transportation network company driver" has the same	161
meaning as in section 3942.01 of the Revised Code.	162
(X) <u>(DD)</u> "Transportation network company services" has the	163
same meaning as in section 3942.01 of the Revised Code.	164
Sec. 4766.03. (A) The state board of emergency medical,	165
fire, and transportation services shall adopt rules, in	166
accordance with Chapter 119. of the Revised Code, implementing	167
the requirements of this chapter. The rules shall include	168
provisions relating to the following:	169
(1) Requirements for an emergency medical service	170
organization to receive a permit for an ambulance or	171
nontransport vehicle;	172
(2) Requirements for an emergency medical service	173
organization to receive a license as a basic life-support,	174
intermediate life-support, advanced life-support, or mobile	175
intensive care unit organization;	176
(3) Requirements for a nonemergency medical service	177
organization to receive a permit for an ambulette- vehicle ;	178
(4) Requirements for a nonemergency medical service	179
organization to receive a license for an ambulette service;	180
(5) Requirements for an air medical service organization	181
to receive a permit for a rotorcraft air ambulance or fixed wing	182
air ambulance;	183
(6) Requirements for licensure of air medical service	184
organizations;	185
(7) <u>Requirements for a stretcher van organization to</u>	186
<u>receive a permit for a stretcher van;</u>	187

<u>(8) Requirements for licensure of stretcher van organizations;</u>	188
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<u>(9) Forms for applications and renewals of licenses and permits;</u>	190
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(8) <u>(10) Requirements for record keeping of service responses made by licensed emergency medical service organizations;</u>	192
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(9) <u>(11) Fee amounts for licenses and permits, and their renewals;</u>	195
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(10) <u>(12) Inspection requirements for licensees' vehicles or aircraft, records, and physical facilities;</u>	197
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(11) <u>(13) Fee amounts for inspections of ambulances, ambulettes, rotorcraft air ambulances, fixed wing air ambulances, and nontransport vehicles, and stretcher vans;</u>	199
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(12) Requirements for <u>(14) With regard to ambulances and nontransport vehicles used by licensed emergency medical service organizations subject to licensure under this chapter, for ambulette vehicles ambulettes used by licensed nonemergency medical service organizations subject to licensure under this chapter, and for rotorcraft air ambulances or fixed wing air ambulances used by licensed air medical service organizations subject to licensure under this chapter, and stretcher vans used by stretcher van organizations subject to licensure under this chapter, requirements that specify for each type of vehicle or aircraft the types of equipment that must be carried, the communication systems that must be maintained, and the personnel who must staff the vehicle or aircraft;</u>	202
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(13) <u>(15) The level of care that may be provided by each type of emergency medical service organization, nonemergency</u>	215
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medical service organization, and air medical service 217
organization ~~is authorized to provide~~ and the types of services 218
that may be provided by a stretcher van organization; 219

~~(14)~~ (16) Eligibility requirements for employment as an 220
ambulette or stretcher van driver, including grounds for 221
disqualification due to the results of a motor vehicle law 222
violation check, chemical test, or criminal records check. The 223
rule may require that an applicant for employment as an 224
ambulette or stretcher van driver provide a set of ~~fingerprints~~ 225
fingerprint impressions to law enforcement authorities if the 226
applicant comes under final consideration for employment. 227

~~(15)~~ (17) Any other rules that the board determines 228
necessary for the implementation and enforcement of this 229
chapter. 230

(B) In the rules for ambulances and nontransport vehicles 231
adopted under division ~~(A) (12)~~ (A) (14) of this section, the 232
board may establish requirements that vary according to whether 233
the emergency medical service organization using the vehicles is 234
licensed as a basic life-support, intermediate life-support, 235
advanced life-support, or mobile intensive care unit 236
organization. 237

(C) A mobile intensive care unit that is not dually 238
certified to provide advanced life-support and meets the 239
requirements of the rules adopted under this section is not 240
required to carry immobilization equipment, including board 241
splint kits, traction splints, backboards, backboard straps, 242
cervical immobilization devices, cervical collars, stair chairs, 243
folding cots, or other types of immobilization equipment 244
determined by the board to be unnecessary for mobile intensive 245
care units. 246

A mobile intensive care unit is exempt from the emergency 247
medical technician staffing requirements of section 4765.43 of 248
the Revised Code when it is staffed by at least one physician or 249
registered nurse and another person, designated by a physician, 250
who holds a valid license or certificate to practice in a health 251
care profession, and when at least one of the persons staffing 252
the mobile intensive care unit is a registered nurse whose 253
training meets or exceeds the training required for a paramedic. 254

Sec. 4766.04. (A) (1) Except as otherwise provided in this 255
chapter, unless a person is an emergency medical service 256
organization licensed under division (B) or an air medical 257
service organization licensed under division (D) of this 258
section, no person shall engage in, or profess to engage in, the 259
business or service in this state of providing emergency medical 260
transportation to an individual who is experiencing a medical 261
emergency. 262

(2) Except as otherwise provided in this chapter, unless a 263
person is a nonemergency medical service organization licensed 264
under division (C) of this section, no person shall engage in, 265
or profess to engage in, the business or service of providing 266
nonemergency medical transportation to an individual who 267
requires the use of a wheelchair or other mobility aid, and who 268
is not experiencing a medical emergency, between any of the 269
following locations: 270

(a) A hospital; 271

(b) An emergency department; 272

(c) A dialysis center; 273

(d) A long-term care facility, including a nursing home; 274

(e) A surgical facility; 275

(f) An inpatient rehabilitation facility;	276
(g) A memory care center;	277
(h) A health care practitioner's office;	278
(i) Any other licensed inpatient facility.	279
<u>(3) Except as otherwise provided in this chapter, unless a</u>	280
<u>person is a stretcher van organization that holds a license</u>	281
<u>under division (E) of this section, no person shall engage in,</u>	282
<u>or profess to engage in, the business or service of providing</u>	283
<u>nonemergency transportation to an individual who requires the</u>	284
<u>use of a stretcher and is not experiencing a medical emergency.</u>	285
(B) To qualify for a license as a basic life-support,	286
intermediate life-support, advanced life-support, or mobile	287
intensive care unit organization, an emergency medical service	288
organization shall do all of the following:	289
(1) Apply for a permit for each ambulance and nontransport	290
vehicle owned or leased as provided in section 4766.07 of the	291
Revised Code;	292
(2) Meet all requirements established in rules adopted by	293
the state board of emergency medical, fire, and transportation	294
services regarding ambulances and nontransport vehicles,	295
including requirements pertaining to equipment, communications	296
systems, staffing, and level of care the particular organization	297
is permitted to render;	298
(3) Maintain the appropriate type and amount of insurance	299
as specified in section 4766.06 of the Revised Code;	300
(4) Meet all other requirements established under rules	301
adopted by the board for the particular license.	302

(C) To qualify for a license to provide ambulette service, 303
a nonemergency medical service organization shall do all of the 304
following: 305

(1) Apply for a permit for each ambulette owned or leased 306
as provided in section 4766.07 of the Revised Code; 307

(2) Meet all requirements established in rules adopted by 308
the state board of emergency medical, fire, and transportation 309
services regarding ambulances, including requirements pertaining 310
to equipment, communication systems, staffing, and level of care 311
the organization is permitted to render; 312

(3) Maintain the appropriate type and amount of insurance 313
as specified in section 4766.06 of the Revised Code; 314

(4) Meet all other requirements established under rules 315
adopted by the board for the license. 316

(D) To qualify for a license to provide air medical 317
transportation, an air medical service organization shall do all 318
of the following: 319

(1) Apply for a permit for each rotorcraft air ambulance 320
and fixed wing air ambulance owned or leased as provided in 321
section 4766.07 of the Revised Code; 322

(2) Meet all requirements established in rules adopted by 323
the state board of emergency medical, fire, and transportation 324
services regarding rotorcraft air ambulances and fixed wing air 325
ambulances, including requirements pertaining to equipment, 326
communication systems, staffing, and level of care the 327
organization is permitted to render; 328

(3) Maintain the appropriate type and amount of insurance 329
as specified in section 4766.06 of the Revised Code; 330

(4) Meet all other requirements established under rules 331
adopted by the board for the license. 332

(E) To qualify for a license to provide services with a 333
stretcher van, a stretcher van organization shall do all of the 334
following: 335

(1) Apply for a permit for each stretcher van owned or 336
leased as provided in section 4766.07 of the Revised Code; 337

(2) Meet all of the requirements established in rules 338
adopted by the state board of emergency medical, fire, and 339
transportation services regarding stretcher vans, including 340
requirements pertaining to equipment, communication systems, 341
staffing, and the types of services that may be provided by a 342
stretcher van organization; 343

(3) Maintain the appropriate type and amount of insurance 344
as specified in section 4766.06 of the Revised Code; 345

(4) Meet all other requirements established under rules 346
adopted by the board for the license. 347

(F) An emergency medical service organization that applies 348
for a license as a basic life-support, intermediate life- 349
support, advanced life-support, or mobile intensive care unit 350
organization; a nonemergency medical service organization that 351
applies for a license to provide ambulette service; ~~or~~ an air 352
medical service organization that applies for a license to 353
provide air medical transportation; or a stretcher van 354
organization that applies for a license to provide services with 355
a stretcher van shall submit a completed application to the 356
board, on a form provided by the board for each particular 357
license, together with the appropriate fees established under 358
section 4766.05 of the Revised Code. The application form shall 359

include all of the following:	360
(1) The name and business address of the operator of the organization for which licensure is sought;	361 362
(2) The name under which the applicant will operate the organization;	363 364
(3) A list of the names and addresses of all officers and directors of the organization;	365 366
(4) For <u>In the case of</u> emergency medical service organizations and, nonemergency medical service organizations, and stretcher van organizations, a description of each vehicle to be used, including the make, model, year of manufacture, mileage, vehicle identification number, and the color scheme, insignia, name, monogram, or other distinguishing characteristics to be used to designate the applicant's vehicle;	367 368 369 370 371 372 373
(5) For <u>In the case of</u> air medical service organizations using fixed wing air ambulances, a description of each aircraft to be used, including the make, model, year of manufacture, and aircraft hours on airframe;	374 375 376 377
(6) For <u>In the case of</u> air medical service organizations using rotorcraft air ambulances, a description of each aircraft to be used, including the make, model, year of manufacture, aircraft hours on airframe, aircraft identification number, and the color scheme, insignia, name, monogram, or other distinguishing characteristics to be used to designate the applicant's rotorcraft air ambulance;	378 379 380 381 382 383 384
(7) The location and description of each place from which the organization will operate;	385 386
(8) A description of the geographic area to be served by	387

the applicant; 388

(9) Any other information the board, by rule, determines 389
necessary. 390

~~(F) Within sixty days after receiving a completed~~ 391
~~application for licensure as a basic life support, intermediate~~ 392
~~life support, advanced life support, or mobile intensive care~~ 393
~~unit organization; an ambulance service; or an air medical~~ 394
~~service organization, the~~ (G) The board shall approve or deny 395
the application review all applications received for licenses 396
issued under this chapter. The board shall approve an 397
application if it determines that the applicant satisfies all of 398
the requirements for issuance of a license under this chapter. 399
The board shall deny an application if it determines that the 400
applicant does not meet the requirements of this chapter or any 401
rules adopted under it. ~~The board shall send notice of the~~ 402
~~denial of~~ In denying an application by certified mail to the 403
applicant. The applicant may request a hearing within ten days 404
after receipt of the notice. If, ~~the board receives a timely~~ 405
~~request, it shall hold a hearing~~ act in accordance with Chapter 406
119. of the Revised Code. 407

~~(G)~~ ~~(H)~~ (1) If an applicant or licensee operates or plans 408
to operate an organization in more than one location or 409
satellite location under the same identity, or under different 410
identities with the same tax identification number, the 411
applicant or licensee shall apply for and meet all requirements 412
for licensure or renewal of a license, ~~other than payment of a~~ 413
~~license fee or renewal fee, for operating the organization at~~ 414
each separate location. ~~An applicant or licensee that operates~~ 415
~~or plans to operate under the same organization identity in~~ 416
~~separate locations shall pay only a single license fee~~ 417

(2) If an applicant or licensee provides or plans to 418
provide services under different identities with the same tax 419
identification number, the applicant or licensee shall identify 420
all identities that are connected to a permitted vehicle or 421
aircraft. 422

~~(H)~~ (I) An emergency medical service organization that 423
wishes to provide ambulette services to the public must apply 424
for a separate license under division (C) of this section. 425

~~(I)~~ (J) Each license issued under this section and each 426
permit issued under section 4766.07 of the Revised Code expires 427
one year after the date of issuance and may be renewed in 428
accordance with the standard renewal procedures of Chapter 4745. 429
of the Revised Code. An application for renewal shall include 430
the license or permit renewal fee established under section 431
4766.05 of the Revised Code. An applicant for renewal of a 432
permit also shall submit to the board proof of an annual 433
inspection of the vehicle or aircraft for which permit renewal 434
is sought. The board shall renew a license if the applicant 435
meets the requirements for licensure and shall renew a permit if 436
the applicant and vehicle or aircraft meet the requirements to 437
maintain a permit for that vehicle or aircraft. 438

~~(J)~~ (K) Each licensee shall maintain accurate records of 439
all service responses conducted. The records shall be maintained 440
on forms prescribed by the board and shall contain information 441
as specified by rule by the board. 442

Sec. 4766.05. (A) (1) The state board of emergency medical, 443
fire, and transportation services shall establish by rule a 444
license fee; a permit fee for each ambulance, ambulette, 445
rotorcraft air ambulance, fixed wing air ambulance, ~~and~~ 446
nontransport vehicle, and stretcher van owned or leased by the 447

licensee that is or will be used as provided in section 4766.07 448
of the Revised Code⁷ⁱ; and fees for renewals of licenses and 449
permits, ~~taking~~. In establishing the fees, the board shall take 450
into consideration the actual costs incurred by the board in 451
carrying out its duties under this chapter. ~~However, the subject~~ 452
to all of the following: 453

(a) The fee for each license and each renewal of a license 454
shall not exceed one hundred dollars, ~~and the~~. 455

(b) The fee for each permit and each renewal of a permit 456
shall not exceed one hundred dollars for each ambulance, 457
rotorcraft air ambulance, fixed wing air ambulance, ~~and~~ 458
nontransport vehicle, and stretcher van. ~~The board shall~~ 459
~~determine by rule the fee, which~~ 460

(c) The fee for each permit and each renewal of a permit 461
for each ambulette shall not exceed fifty dollars, ~~for each~~ 462
~~permit and each renewal of a permit for each ambulette~~. ~~For~~ 463

(2) For purposes of establishing fees under division (A) 464
(1) of this section, "actual costs" includes the costs of 465
salaries, expenses, inspection equipment, supervision, and 466
program administration. 467

(B) The board shall deposit all fees and other moneys 468
collected pursuant to sections 4766.04, 4766.07, and 4766.08 of 469
the Revised Code in the state treasury to the credit of the 470
trauma and emergency medical services fund, which is created by 471
section 4513.263 of the Revised Code. 472

(C) The board, subject to the approval of the controlling 473
board, may establish fees in excess of the maximum amounts 474
allowed under division (A) of this section, but such fees shall 475
not exceed those maximum amounts by more than fifty per cent. 476

Sec. 4766.06. (A) (1) Every emergency medical service 477
organization ~~and, nonemergency medical service organization~~ 478
~~licensee, and stretcher van organization that holds a license~~ 479
issued under this chapter shall furnish adequate evidence of 480
liability insurance coverage, in an amount of not less than five 481
hundred thousand dollars per occurrence and not less than five 482
hundred thousand dollars in the aggregate, for any cause for 483
which the ~~licensee~~license holder would be liable. 484

(2) Every air medical service organization licensed under 485
this chapter shall furnish adequate evidence of liability 486
insurance coverage, in an amount not less than twenty million 487
dollars per occurrence and not less than twenty million dollars 488
in the aggregate, for any cause for which the licensee would be 489
liable. 490

(B) In addition to the insurance requirements of division 491
(A) of this section, every ~~licensee~~holder of a license issued 492
under this chapter shall carry bodily injury and property damage 493
insurance with solvent and responsible insurers licensed to do 494
business in this state for any loss or damage resulting from any 495
occurrence arising out of or caused by the operation or use of 496
any ambulance, ambulette, rotorcraft air ambulance, fixed wing 497
air ambulance, ~~or nontransport vehicle,~~ or stretcher van. The 498
insurance shall insure each vehicle or aircraft for the sum of 499
not less than one hundred thousand dollars for bodily injury to 500
or death of any one person arising out of any one accident and 501
the sum of not less than three hundred thousand dollars for 502
bodily injury to or death of more than one person in any one 503
accident and for the sum of fifty thousand dollars for damage to 504
property arising from any one accident. 505

(C) Each policy or contract of insurance issued shall 506

provide for both of the following: 507

(1) The payment and satisfaction of any financial judgment 508
entered against the ~~licensee~~ holder of the license issued under 509
this chapter and any person operating the vehicle or aircraft 510
and for a; 511

(2) A thirty-day cancellation notice to the state board of 512
emergency medical, fire, and transportation services. 513

Sec. 4766.07. (A) Except as otherwise provided by rule of 514
the state board of emergency medical, fire, and transportation 515
services, each emergency medical service organization subject to 516
licensure under this chapter, nonemergency medical service 517
organization subject to licensure under this chapter, ~~and~~ air 518
medical service organization subject to licensure under this 519
chapter, and stretcher van organization subject to licensure 520
under this chapter shall possess a valid permit for each 521
ambulance, ambulette, rotorcraft air ambulance, fixed wing air 522
ambulance, ~~and nontransport vehicle~~, and stretcher van it owns 523
or leases that is or will be used by the ~~licensee~~ license holder 524
to perform the services permitted by the license. ~~Each licensee~~ 525

Each license holder and license applicant shall submit to 526
the state board of emergency medical, fire, and transportation 527
services the appropriate fee and an application for a permit for 528
each ambulance, ambulette, rotorcraft air ambulance, fixed wing 529
air ambulance, ~~and nontransport vehicle~~, and stretcher van the 530
holder or applicant is or will be using. The fee and application 531
shall be submitted to the ~~state board of emergency medical,~~ 532
~~fire, and transportation services~~ on forms provided by the 533
board. The application shall include documentation that the 534
vehicle or aircraft meets the appropriate standards set by the 535
board, that the vehicle or aircraft has been inspected pursuant 536

to division (C) of this section, that the permit applicant 537
maintains insurance as provided in section 4766.06 of the 538
Revised Code, and that the vehicle or aircraft and permit 539
applicant meet any other requirements established under rules 540
adopted by the board. 541

The state board of emergency medical, fire, and 542
transportation services may adopt rules in accordance with 543
Chapter 119. of the Revised Code to authorize the temporary use 544
of a vehicle or aircraft for which a permit is not possessed 545
under this section in back-up or disaster situations. 546

~~(B) (1) Within sixty days after receiving a completed~~ 547
~~application for a permit, the~~ The board shall issue or deny the 548
~~permit~~ review all applications received for permits issued under 549
this section. The board shall approve an application if it 550
determines that the permit applicant and the applicant's vehicle 551
or aircraft meet the requirements for issuance of a permit under 552
this chapter and rules adopted under it that apply to the 553
applicant, vehicle, or aircraft. The board shall deny an 554
application if it determines that the permit applicant, ~~or the~~ 555
applicant's vehicle, ~~or aircraft~~ does not meet the requirements 556
of this chapter and the rules adopted under it that apply to 557
~~permits for ambulances, ambulettes, rotorcraft air ambulances,~~ 558
~~fixed wing air ambulances, and nontransport vehicles~~ the 559
applicant, vehicle, or aircraft. ~~The board shall send notice of~~ 560
~~the denial of~~ In denying an application ~~by certified mail to the~~ 561
~~permit applicant. The permit applicant may request a hearing~~ 562
~~within ten days after receipt of the notice. If,~~ the board 563
~~receives a timely request, it shall hold a hearing~~ act in 564
accordance with Chapter 119. of the Revised Code. 565

(2) If the board issues the vehicle permit for an 566

ambulance, ambulette, ~~or nontransport vehicle, or stretcher van,~~ 567
it also shall issue a decal, in a form prescribed by rule, to be 568
displayed on the rear window of the vehicle. The board shall not 569
issue a decal until all of the requirements for licensure and 570
permit issuance have been met. 571

(3) If the board issues the aircraft permit for a 572
rotorcraft air ambulance or fixed wing air ambulance, it also 573
shall issue a decal, in a form prescribed by rule, to be 574
displayed ~~on the left fuselage aircraft window~~ in a manner that 575
complies with all applicable federal aviation regulations. The 576
board shall not issue a decal until all of the requirements for 577
licensure and permit issuance have been met. 578

(C) In addition to any other requirements that the board 579
establishes by rule, a ~~licensee~~ license holder or license 580
applicant applying for an initial vehicle or aircraft permit 581
under division (A) of this section shall submit to the board the 582
vehicle or aircraft for which the permit is sought. Thereafter, 583
a ~~licensee~~ license holder shall annually submit to the board 584
each vehicle or aircraft for which a permit has been issued. 585
With respect to the inspection of the submitted vehicles and 586
aircraft, all of the following apply: 587

(1) The board shall conduct a physical inspection of an 588
ambulance, ambulette, ~~or nontransport vehicle, or stretcher van~~ 589
to determine its roadworthiness and compliance with ~~standard~~ 590
motor vehicle requirements standards. The board shall establish 591
by rule requirements that must be met for roadworthiness and 592
motor vehicle standards. 593

(2) The board shall conduct a physical inspection of ~~the~~ 594
~~medical equipment, communication system, and interior of an~~ 595
ambulance, ambulette, or stretcher van to determine ~~the~~ 596

~~operational condition and safety of the equipment and the~~ 597
~~ambulance's interior and to determine whether the~~ 598
construction of an ambulance, ambulette, or stretcher van is in compliance 599
with ~~the federal~~ one of the following, as the case may be: 600

(a) Federal requirements for ambulance construction that 601
were in effect at the time the ambulance was manufactured, as 602
specified by the general services administration in the various 603
versions of its publication titled "~~federal specification~~ 604
Federal Specification for the star of life ambulance Star-of- 605
Life Ambulance, KKK-A-1822-"; 606

(b) A national standard for ambulance, ambulette, or 607
stretcher van construction approved by the American national 608
standards institute, in effect at the time the vehicle was 609
constructed. 610

(3) The board shall conduct a physical inspection of the 611
equipment, communication system, and interior of an ambulance, 612
ambulette, or stretcher van to determine the operational 613
condition and safety of the equipment and the ~~ambulette's~~ 614
~~vehicle's interior and to determine whether the ambulette is in~~ 615
~~compliance with state requirements for ambulette construction.~~ 616
The board shall ~~determine~~ establish by rule requirements that 617
must be met for the equipment, communication system, and 618
interior, and construction of an ambulance, ambulette, or 619
stretcher van. 620

(4) The board shall conduct a physical inspection of the 621
medical equipment, communication system, and interior of a 622
rotorcraft air ambulance or fixed wing air ambulance to 623
determine the operational condition and safety of the equipment 624
and the aircraft's interior. 625

(5) The board shall issue a certificate to the applicant 626
for each vehicle or aircraft that passes the inspection and may 627
assess a fee for each inspection, as established by the board. 628

(6) The board shall adopt rules regarding the 629
implementation and coordination of inspections. The rules may 630
permit the board to contract with a third party to conduct the 631
inspections required of the board under this section. 632

Sec. 4766.08. (A) The state board of emergency medical, 633
fire, and transportation services, pursuant to an adjudication 634
conducted in accordance with Chapter 119. of the Revised Code, 635
may suspend or revoke any license or permit or renewal thereof 636
issued under this chapter for any one or combination of the 637
following causes: 638

(1) Violation of this chapter or any rule adopted 639
thereunder; 640

(2) Refusal to permit the board to inspect a vehicle or 641
aircraft used under the terms of a permit or to inspect the 642
records or physical facilities of a licensee; 643

(3) Failure to meet the ambulance, ambulette, rotorcraft 644
air ambulance, fixed wing air ambulance, ~~and~~ nontransport 645
vehicle, and stretcher van requirements specified in this 646
chapter or the rules adopted thereunder; 647

(4) Violation of an order issued by the board; 648

(5) Failure to comply with any of the terms of an 649
agreement entered into with the board regarding the suspension 650
or revocation of a license or permit or the imposition of a 651
penalty under this section. 652

(B) If the board determines that the records, record- 653

keeping procedures, or physical facilities of a licensee, or an ambulance, ambulette, rotorcraft air ambulance, fixed wing air ambulance, ~~or nontransport vehicle,~~ or stretcher van for which a valid permit has been issued, do not meet the standards specified in this chapter and the rules adopted thereunder, the board shall notify the licensee of any deficiencies within thirty days of finding the deficiencies. If the board determines that the deficiencies exist and they remain uncorrected after thirty days, the board may suspend the license, vehicle permit, or aircraft permit. The licensee, notwithstanding the suspension under this division, may operate until all appeals have been exhausted.

(C) At the discretion of the board, a licensee whose license has been suspended or revoked under this section may be ineligible to be licensed under this chapter for a period of not more than three years from the date of the violation, provided that the board shall make no determination on a period of ineligibility until all the licensee's appeals relating to the suspension or revocation have been exhausted.

(D) The board may, in addition to any other action taken under this section and after a hearing conducted pursuant to Chapter 119. of the Revised Code, impose a penalty of not more than fifteen hundred dollars for any violation specified in this section. The attorney general shall institute a civil action for the collection of any such penalty imposed.

Sec. 4766.09. This chapter does not apply to any of the following:

(A) A person rendering services with an ambulance in the event of a disaster situation when licensees' vehicles based in the locality of the disaster situation are incapacitated or

insufficient in number to render the services needed;	684
(B) Any person operating an ambulance, ambulette,	685
<u>stretcher van</u> , rotorcraft air ambulance, or fixed wing air	686
ambulance outside this state unless receiving a person within	687
this state for transport to a location within this state;	688
(C) A publicly owned or operated emergency medical service	689
organization and the vehicles it owns or leases and operates,	690
except as provided in section 307.051, division (G) of section	691
307.055, division (F) of section 505.37, division (B) of section	692
505.375, and division (B) (3) of section 505.72 of the Revised	693
Code;	694
(D) An ambulance, ambulette, <u>stretcher van</u> , rotorcraft air	695
ambulance, fixed wing air ambulance, or nontransport vehicle	696
owned or leased and operated by the federal government;	697
(E) A publicly owned and operated fire department vehicle;	698
(F) Emergency vehicles owned by a corporation and	699
operating only on the corporation's premises, for the sole use	700
by that corporation;	701
(G) An ambulance, nontransport vehicle, or other emergency	702
medical service organization vehicle owned and operated by a	703
municipal corporation;	704
(H) A motor vehicle titled in the name of a volunteer	705
rescue service organization, as defined in section 4503.172 of	706
the Revised Code;	707
(I) A public emergency medical service organization;	708
(J) A fire department, rescue squad, or life squad	709
comprised of volunteers who provide services without expectation	710
of remuneration and do not receive payment for services other	711

than reimbursement for expenses;	712
(K) A private, nonprofit emergency medical service organization when fifty per cent or more of its personnel are volunteers, as defined in section 4765.01 of the Revised Code;	713 714 715
(L) Emergency medical service personnel who are regulated by the state board of emergency medical, fire, and transportation services under Chapter 4765. of the Revised Code;	716 717 718
(M) Any of the following that operates a transit bus, as that term is defined in division (Q) of section 5735.01 of the Revised Code, unless the entity provides ambulette services that are reimbursed under the state medicaid plan:	719 720 721 722
(1) A public nonemergency medical service organization;	723
(2) An urban or rural public transit system;	724
(3) A private nonprofit organization that receives grants under section 5501.07 of the Revised Code.	725 726
(N) (1) An entity, to the extent it provides ambulette services, if the entity meets all of the following conditions:	727 728
(a) The entity is certified by the department of aging or the department's designee in accordance with section 173.391 of the Revised Code or operates under a contract or grant agreement with the department or the department's designee in accordance with section 173.392 of the Revised Code.	729 730 731 732 733
(b) The entity meets the requirements of section 4766.14 of the Revised Code.	734 735
(c) The entity does not provide ambulette services that are reimbursed under the state medicaid plan.	736 737
(2) A vehicle, to the extent it is used to provide	738

ambulette services, if the vehicle meets both of the following conditions:	739
	740
(a) The vehicle is owned by an entity that meets the conditions specified in division (N)(1) of this section.	741
	742
(b) The vehicle does not provide ambulette services that are reimbursed under the state medicaid plan.	743
	744
(O) A vehicle that meets both of the following criteria, unless the vehicle provides services that are reimbursed under the state medicaid plan:	745
	746
	747
(1) The vehicle was purchased with funds from a grant made by the United States secretary of transportation under 49 U.S.C. 5310;	748
	749
	750
(2) The department of transportation holds a lien on the vehicle.	751
	752
(P) A taxicab or a vehicle providing transportation network company services that is operated by a transportation network company driver, unless transporting a person under the conditions requiring licensure specified in division (A) of section 4766.04 of the Revised Code.	753
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(Q) A vehicle providing transportation services for a private adult day habilitation services company, unless transporting a person under the conditions requiring licensure specified in division (A) of section 4766.04 of the Revised Code. As used in division (Q) of this section, "adult day habilitation services" has the same meaning as in section 5126.01 of the Revised Code.	758
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Sec. 4766.13. The state board of emergency medical, fire, and transportation services, by endorsement, may license and	765
	766

issue vehicle permits to an emergency medical service 767
organization ~~or a~~, nonemergency medical service organization, or 768
stretcher van organization that is regulated by another state. 769
To qualify for a license and vehicle permits by endorsement, an 770
organization must submit evidence satisfactory to the board that 771
it has met standards in another state that are equal to or more 772
stringent than the standards established by this chapter and the 773
rules adopted under it. 774

Sec. 4766.14. (A) An ambulette service provider described 775
in division (M) or (N) of section 4766.09 of the Revised Code or 776
the entity responsible for a vehicle described in division (O) 777
of section 4766.09 of the Revised Code that provides ambulette 778
services shall do all of the following: 779

(1) Make available to all its ambulette drivers while 780
operating ~~ambulette vehicles~~ ambulettes a means of two-way 781
communication using either ambulette ~~vehicle~~ radios or cellular 782
telephones; 783

(2) Equip every ambulette ~~vehicle~~ with one isolation and 784
biohazard disposal kit that is permanently installed or secured 785
in the ~~vehicle's~~ ambulette's cabin; 786

(3) Before hiring an applicant for employment as an 787
ambulette driver, obtain all of the following: 788

(a) A valid copy of a signed statement from a licensed 789
physician acting within the scope of the physician's practice 790
declaring that the applicant does not have a medical condition 791
or physical condition, including vision impairment that cannot 792
be corrected, that could interfere with safe driving, passenger 793
assistance, and emergency treatment activity or could jeopardize 794
the health and welfare of a client or the general public; 795

(b) All of the certificates and results required under 796
divisions (A) (2), (3), and (4) of section 4766.15 of the Revised 797
Code. 798

(B) No ambulette service provider described in division 799
(M) or ~~the~~(N) of section 4766.09 of the Revised Code or entity 800
responsible for a vehicle described in division (O) of section 801
4766.09 of the Revised Code that provides ambulette services 802
shall employ an applicant as an ambulette driver if the 803
applicant has six or more points on the applicant's driving 804
record pursuant to section 4510.036 of the Revised Code. 805

(C) (1) Except as provided in division (C) (2) of this 806
section, the department of aging shall administer and enforce 807
this section. 808

(2) The department of transportation shall administer and 809
enforce this section as it applies to entities described in 810
division (M) of section 4766.09 of the Revised Code. 811

Sec. 4766.15. (A) An applicant for employment as an 812
ambulette or stretcher van driver with an organization licensed 813
pursuant to this chapter shall submit proof to the organization 814
of, or give consent to the employer to obtain, all of the 815
following: 816

(1) (a) A valid driver's license issued pursuant to Chapter 817
4506. or 4507. of the Revised Code, or its equivalent, if the 818
applicant is a resident of another state; 819

(b) A recent certified abstract of the applicant's record 820
of convictions for violations of motor vehicle laws provided by 821
the registrar of motor vehicles pursuant to section 4509.05 of 822
the Revised Code, or its equivalent, if the applicant is a 823
resident of another state. 824

(2) (a) A certificate of completion of a course in first aid techniques offered by the American red cross or an equivalent organization;

(b) A certificate of completion of a course in cardiopulmonary resuscitation, or its equivalent, offered by an organization approved by the state board of emergency medical, fire, and transportation services.

(3) The result of a chemical test or tests of the applicant's blood, breath, or urine conducted at a hospital or other institution approved by the board for the purpose of determining the alcohol, drug of abuse, controlled substance, or metabolite of a controlled substance content of the applicant's whole blood, blood serum or plasma, breath, or urine;

(4) The result of a criminal records check conducted by the bureau of criminal identification and investigation.

(B) An organization may employ an applicant on a temporary provisional basis pending the completion of all of the requirements of this section. The length of the provisional period shall be determined by the board.

(C) An organization licensed pursuant to this chapter shall use information received pursuant to this section to determine in accordance with rules adopted by the state board of emergency medical, fire, and transportation services under section 4766.03 of the Revised Code whether an applicant is disqualified for employment.

No applicant shall be accepted for permanent employment as an ambulette or stretcher van driver by an organization licensed pursuant to this chapter until all of the requirements of division (A) of this section have been met.

Sec. 4766.18. (A) A stretcher van organization may use a stretcher van to provide transportation to all of the following: 854
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(1) An individual who needs transportation to or from a nonemergency medical appointment or service, including transportation that originates or concludes at the individual's place of residence; 856
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(2) An individual who is convalescent or otherwise nonambulatory; 860
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(3) An individual who is medically stable and does not require ongoing medical monitoring, medical aid, medical care, or medical treatment during the period of transport or as a condition of being transported. 862
863
864
865

(B) When using a stretcher van to provide transportation to an individual as described in division (A) of this section, all of the following apply to a stretcher van organization: 866
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(1) The organization shall allow at least one other individual, which may include a family member or caregiver, to remain in the stretcher van during the period of transport in order to provide support, assistance, and comfort to the individual described in division (A) of this section. 869
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(2) The organization shall offer to provide the following services to the individual and, if the individual or individual's family member or caregiver accepts the offer, shall provide such services to the individual: 874
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(a) Assisting the individual onto and off a stretcher; 878

(b) Assisting the individual with entering or exiting the stretcher van, the individual's place of residence, or the location to which the individual is being transported. 879
880
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(3) In the event the individual's medical condition 882
changes during the period of transport and requires medical care 883
to be rendered, the organization, as soon as practicable, shall 884
do either or both of the following: 885

(a) Request assistance from an emergency medical service 886
organization; 887

(b) Transport the individual to the nearest hospital. 888

(4) The organization shall not administer oxygen to the 889
individual, except that during the period of transport the 890
individual or individual's family member or caregiver may 891
administer to the individual oxygen that is supplied by the 892
individual. 893

(C) Each stretcher van organization shall train the 894
organization's personnel in the use of stretchers. 895

Sec. 4766.22. (A) Not later than forty-five days after the 896
end of each fiscal year, the state board of emergency medical, 897
fire, and transportation services shall submit a report to the 898
governor and general assembly that provides all of the following 899
information for that fiscal year: 900

(1) The number of each of the following the board issued: 901

(a) Basic life-support organization licenses; 902

(b) Intermediate life-support organization licenses; 903

(c) Advanced life-support organization licenses; 904

(d) Mobile intensive care unit organization licenses; 905

(e) Ambulette service licenses; 906

(f) Air medical service organization licenses; 907

(g) <u>Stretcher van organization licenses;</u>	908
<u>(h) Ambulance permits;</u>	909
(h) <u>(i) Nontransport vehicle permits;</u>	910
(i) <u>(j) Ambulette vehicle permits;</u>	911
(j) <u>(k) Rotorcraft air ambulance permits;</u>	912
(k) <u>(l) Fixed wing air ambulance permits;</u>	913
<u>(m) Stretcher van permits.</u>	914
(2) The amount of fees the board collected for issuing and renewing each type of license and permit specified in division (A) (1) of this section;	915 916 917
(3) The number of inspections the board or a third party on the board's behalf conducted in connection with each type of license and permit specified in division (A) (1) of this section and the amount of fees the board collected for the inspections;	918 919 920 921
(4) The number of complaints that were submitted to the board;	922 923
(5) The number of investigations the board conducted under section 4766.11 of the Revised Code;	924 925
(6) The number of adjudication hearings the board held and the outcomes of the adjudications;	926 927
(7) The amount of penalties the board imposed and collected under section 4766.08 of the Revised Code;	928 929
(8) Other information the board determines reflects the board's operations.	930 931
(B) The board shall post the annual report required by this section on its web site and make it available to the public	932 933

on request. 934

Sec. 4766.23. The ~~Ohio medical transportation board~~ state 935
board of emergency medical, fire, and transportation services 936
shall comply with section 4776.20 of the Revised Code. 937

Section 2. That existing sections 4766.01, 4766.03, 938
4766.04, 4766.05, 4766.06, 4766.07, 4766.08, 4766.09, 4766.13, 939
4766.14, 4766.15, 4766.22, and 4766.23 of the Revised Code are 940
hereby repealed. 941