

# AN ACT

To amend sections 4765.10, 4765.11, 4765.15, 4765.16, 4765.17, 4765.18, 4765.22, 4765.23, 4765.24, 4765.29, 4765.30, 4765.31, 4765.49, and 4765.50 of the Revised Code to restore law related to emergency medical services training and continuing education programs, to amend the versions of sections 4765.10, 4765.11, and 4765.30 of the Revised Code that are scheduled to take effect on December 29, 2023, to continue the changes on and after that date, and to declare an emergency.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 4765.10, 4765.11, 4765.15, 4765.16, 4765.17, 4765.18, 4765.22, 4765.23, 4765.24, 4765.29, 4765.30, 4765.31, 4765.49, and 4765.50 of the Revised Code be amended to read as follows:

Sec. 4765.10. (A) The state board of emergency medical, fire, and transportation services shall do all of the following:

- (1) Administer and enforce the provisions of this chapter and the rules adopted under it;
- (2) Approve, in accordance with procedures established in rules adopted under section 4765.11 of the Revised Code, examinations that demonstrate competence to have a certificate to practice renewed without completing a continuing education requirements program;
- (3) Advise applicants for state or federal emergency medical services funds, review and comment on applications for these funds, and approve the use of all state and federal funds designated solely for emergency medical service programs unless federal law requires another state agency to approve the use of all such federal funds;
- (4) Serve as a statewide clearinghouse for discussion, inquiry, and complaints concerning emergency medical services;
- (5) Make recommendations to the general assembly on legislation to improve the delivery of emergency medical services;
- (6) Maintain a toll-free long distance telephone number through which it shall respond to questions about emergency medical services;
- (7) Work with appropriate state offices in coordinating the training of firefighters and emergency medical service personnel. Other state offices that are involved in the training of firefighters or emergency medical service personnel shall cooperate with the board and its committees and subcommittees to achieve this goal.
- (8) Provide a liaison to the state emergency operation center during those periods when a disaster, as defined in section 5502.21 of the Revised Code, has occurred in this state and the governor has declared an emergency as defined in that section.

(B) The board may do any of the following:

(1) Investigate complaints concerning emergency medical services and emergency medical service organizations as it determines necessary;

(2) Enter into reciprocal agreements with other states that have standards for accreditation of emergency medical services training ~~and continuing education~~ programs and for certification of first responders, EMTs-basic, EMTs-I, paramedics, firefighters, or fire safety inspectors that are substantially similar to those established under this chapter and the rules adopted under it;

(3) Establish a statewide public information system and public education programs regarding emergency medical services;

(4) Establish an injury prevention program.

(C) The state board of emergency medical, fire, and transportation services shall not regulate any profession that otherwise is regulated by another board, commission, or similar regulatory entity.

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 an applicant cannot afford to pay the fee;

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

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

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

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

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

(10) Qualifications for certificates to teach;

(11) Requirements for a certificate to practice;

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

(13) Procedures for conducting courses in recognizing symptoms of life-threatening allergic reactions and in calculating proper dosage levels and administering injections of epinephrine to adult and pediatric patients who suffer life-threatening allergic reactions;

(14) Examinations for certificates to practice;

(15) Procedures for administering examinations for certificates to practice;

(16) Procedures for approving examinations that demonstrate competence to have a certificate to practice renewed without completing an emergency medical services continuing education requirements program;

(17) Procedures for granting extensions and exemptions of emergency medical services continuing education requirements;

(18) Specifications of the emergency medical services that first responders are authorized to perform under section 4765.35 of the Revised Code, that EMTs-basic are authorized to perform under section 4765.37 of the Revised Code, that EMTs-I are authorized to perform under section 4765.38 of the Revised Code, and that paramedics are authorized to perform under section 4765.39 of the Revised Code;

(19) Standards and procedures for implementing the requirements of section 4765.06 of the Revised Code, including designations of the persons who are required to report information to the board and the types of information to be reported;

(20) Procedures for administering the emergency medical services grant program established under section 4765.07 of the Revised Code;

(21) Procedures consistent with Chapter 119. of the Revised Code for appealing decisions of the board;

(22) Minimum qualifications and peer review and quality improvement requirements for persons who provide medical direction to emergency medical service personnel, including, subject to division (B) of section 4765.42 of the Revised Code, qualifications for a physician to be eligible to serve as the medical director of an emergency medical service organization or a member of its cooperating physician advisory board;

(23) The manner in which a patient, or a patient's parent, guardian, or custodian, may consent to the board releasing identifying information about the patient under division (D) of section 4765.102 of the Revised Code;

(24) Circumstances under which a training ~~or continuing education~~ program or continuing education program, or portion of either type of program, may be taught by a person who does not hold a certificate to teach issued under section 4765.23 of the Revised Code;

(25) Certification cycles for certificates issued under sections 4765.23 and 4765.30 of the Revised Code and certificates issued by the executive director of the state board of emergency medical, fire, and transportation services under section 4765.55 of the Revised Code that establish a common expiration date for all certificates;

~~(26) Procedures and requirements for accrediting emergency medical services training and continuing education programs under one certificate of accreditation. An accredited program shall offer both training and continuing education services. The rules adopted under division (A)(26) of this section shall specify all of the following:~~

~~(a) The steps that the operator of a training program accredited prior to the effective date of~~

~~this amendment shall take in order to offer continuing education courses;~~

~~(b) The steps the operator of a continuing education program accredited prior to the effective date of this amendment shall take in order to offer training courses;~~

~~(c) The steps any person certified as an emergency medical instructor or an emergency medical services continuing education teacher prior to the effective date of this amendment shall take to retain certification in order to teach both training and continuing education courses.~~

(B) The board may 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 any of the following:

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

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

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

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

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

(D) On and after ~~the effective date of this amendment~~ April 6, 2023, the executive director shall not require certification to practice as an emergency medical services assistant instructor and shall not adopt or enforce rules or issue a certificate regarding the position of an emergency medical services assistant instructor. Any emergency medical services assistant instructor certificate that was issued in accordance with rules adopted under division (A) of this section prior to ~~the effective date of this amendment~~ April 6, 2023, remain valid only until the expiration date of the certificate, subject to any conditions or responsibilities of retaining the validity of that certificate. The certificate shall not be renewed. The board shall adopt, amend, or rescind rules in accordance with Chapter 119. of the Revised Code in order to effectuate this division.

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

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

Sec. 4765.15. A person seeking to operate an emergency medical services training ~~and continuing education~~ program shall submit a completed application for accreditation to the state board of emergency medical, fire, and transportation services on a form the board shall prescribe and

furnish. The application shall be accompanied by the appropriate application fee established in rules adopted under section 4765.11 of the Revised Code.

A person seeking to operate an emergency medical services continuing education program shall submit a completed application for approval to the board on a form the board shall prescribe and furnish. The application shall be accompanied by the appropriate application fee established in rules adopted under section 4765.11 of the Revised Code.

The board shall administer the accreditation ~~process and approval processes~~ pursuant to rules adopted under section 4765.11 of the Revised Code. In administering ~~this process~~ these processes, the board may authorize other persons to evaluate applications for accreditation or approval and may accept the recommendations made by those persons.

The board may cause an investigation to be made into the accuracy of the information submitted in any application for accreditation or approval. If an investigation indicates that false, misleading, or incomplete information has been submitted to the board in connection with any application for accreditation or approval, the board shall conduct a hearing on the matter in accordance with Chapter 119. of the Revised Code.

Sec. 4765.16. (A) All courses offered through an emergency medical services training ~~and continuing education program~~ or an emergency medical services continuing education program, other than an ambulance driving course and the dementia-related training course developed under section 4765.162 of the Revised Code, shall be developed under the direction of a physician who specializes in emergency medicine. Each course that deals with trauma care shall be developed in consultation with a physician who specializes in trauma surgery.

Except as specified by the state board of emergency medical, fire, and transportation services pursuant to rules adopted under section 4765.11 of the Revised Code, each course offered through a training ~~and continuing education program~~ or continuing education program shall be taught by a person who holds the appropriate certificate to teach issued under section 4765.23 of the Revised Code.

(B) ~~At~~ A training program for first responders shall meet the standards established in rules adopted by the board under section 4765.11 of the Revised Code. The ~~training program~~ shall include courses in each of the following areas for at least the number of hours established by the board's rules:

- (1) Emergency victim care;
- (2) Reading and interpreting a trauma victim's vital signs;
- (3) Identifying and interacting with individuals with dementia, as provided in the dementia-related training course developed under section 4765.162 of the Revised Code.

(C) ~~At~~ A training program for emergency medical technicians-basic shall meet the standards established in rules adopted by the board under section 4765.11 of the Revised Code. The ~~training program~~ shall include courses in each of the following areas for at least the number of hours established by the board's rules:

- (1) Emergency victim care;
- (2) Reading and interpreting a trauma victim's vital signs;
- (3) Triage protocols for adult and pediatric trauma victims;
- (4) In-hospital training;

- (5) Clinical training;
- (6) Training as an ambulance driver;
- (7) Identifying and interacting with individuals with dementia, as provided in the dementia-related training course developed under section 4765.162 of the Revised Code.

Each operator of a training ~~and continuing education~~ program for emergency medical technicians-basic shall allow any pupil in the twelfth grade in a secondary school who is at least seventeen years old and who otherwise meets the requirements for admission into such a training program to be admitted to and complete the program and, as part of the training, to ride in an ambulance with emergency medical technicians-basic, emergency medical technicians-intermediate, and emergency medical technicians-paramedic. Each emergency medical service organization shall allow pupils participating in training programs to ride in an ambulance with emergency medical technicians-basic, advanced emergency medical technicians-intermediate, and emergency medical technicians-paramedic.

(D) ~~Alt-A~~ training program for emergency medical technicians-intermediate shall meet the standards established in rules adopted by the board under section 4765.11 of the Revised Code. The ~~training program~~ shall include, or require as a prerequisite, the training specified in division (C) of this section and courses in each of the following areas for at least the number of hours established by the board's rules:

(1) Recognizing symptoms of life-threatening allergic reactions and in calculating proper dosage levels and administering injections of epinephrine to persons who suffer life-threatening allergic reactions, conducted in accordance with rules adopted by the board under section 4765.11 of the Revised Code;

(2) Venous access procedures;

(3) Cardiac monitoring and electrical interventions to support or correct the cardiac function.

(E) ~~Alt-A~~ training program for emergency medical technicians-paramedic shall meet the standards established in rules adopted by the board under section 4765.11 of the Revised Code. The ~~training program~~ shall include, or require as a prerequisite, the training specified in divisions (C) and (D) of this section and courses in each of the following areas for at least the number of hours established by the board's rules:

(1) Medical terminology;

(2) Venous access procedures;

(3) Airway procedures;

(4) Patient assessment and triage;

(5) Acute cardiac care, including administration of parenteral injections, electrical interventions, and other emergency medical services;

(6) Emergency and trauma victim care beyond that required under division (C) of this section;

(7) Clinical training beyond that required under division (C) of this section.

(F) ~~Alt-A~~ continuing education program for first responders, EMTs-basic, EMTs-I, or paramedics shall meet the standards established in rules adopted by the board under section 4765.11 of the Revised Code. ~~Alt-A~~ continuing education program shall include instruction and training in subjects established by the board's rules for at least the number of hours established by the board's

rules. ~~Continuing~~ A continuing education program also shall include instruction in identifying and interacting with individuals with dementia, as provided in the dementia-related training course developed under section 4765.162 of the Revised Code. The continuing education requirements for paramedics shall not require more than seventy-five hours of continuing education for every three-year certification cycle.

Sec. 4765.17. (A) The state board of emergency medical, fire, and transportation services shall issue the appropriate certificate of accreditation or certificate of approval to an applicant who meets the requirements of section 4765.16 of the Revised Code. The board shall grant or deny a certificate of accreditation or certificate of approval within one hundred twenty days of receipt of the application. The board may issue a certificate of accreditation or certificate of approval on a provisional basis to an applicant who is in substantial compliance with the requirements of section 4765.16 of the Revised Code or renew a certificate of accreditation or certificate of approval on a provisional basis to an applicant who is of good reputation and is in substantial compliance with the requirements of section 4765.16 of the Revised Code. The board shall inform an applicant receiving such a certificate of the conditions that must be met to complete compliance with section 4765.16 of the Revised Code.

(B) Except as provided in division (C) of this section, a certificate of accreditation or certificate of approval is valid for up to five years and may be renewed by the board pursuant to procedures and standards established in rules adopted under section 4765.11 of the Revised Code. An application for renewal shall be accompanied by the appropriate renewal fee established in rules adopted under section 4765.11 of the Revised Code.

(C) A certificate of accreditation or certificate of approval issued on a provisional basis is valid for the length of time established by the board. If the board finds that the holder of such a certificate has met the conditions it specifies under division (A) of this section, the board shall issue the appropriate certificate of accreditation or certificate of approval.

(D) A certificate of accreditation is valid only for the emergency medical services training ~~and continuing education~~ program or programs for which it is issued. The holder of a certificate of accreditation may apply to operate additional training ~~and continuing education~~ programs in accordance with rules adopted by the board under section 4765.11 of the Revised Code. Any additional training ~~and continuing education~~ programs shall expire on the expiration date of the applicant's current certificate. A certificate of ~~accreditation~~ approval is valid only for the emergency medical services continuing education program for which it is issued. Neither is not-transferable.

(E) The holder of a certificate of accreditation or certificate of approval may offer courses at more than one location in accordance with rules adopted under section 4765.11 of the Revised Code.

Sec. 4765.18. The state board of emergency medical, fire, and transportation services may suspend or revoke a certificate of accreditation or a certificate of approval issued under section 4765.17 of the Revised Code for any of the following reasons:

(A) Violation of this chapter or any rule adopted under it;

(B) Furnishing of false, misleading, or incomplete information to the board;

(C) The signing of an application or the holding of a certificate of accreditation by a person who has pleaded guilty to or has been convicted of a felony, or has pleaded guilty to or been convicted of a crime involving moral turpitude;

(D) The signing of an application or the holding of a certificate of accreditation by a person who is addicted to the use of any controlled substance or has been adjudicated incompetent for that purpose by a court, as provided in section 5122.301 of the Revised Code;

(E) Violation of any commitment made in an application for a certificate of accreditation or certificate of approval;

(F) Presentation to prospective students of misleading, false, or fraudulent information relating to the emergency medical services training ~~and continuing education program~~ or emergency medical services continuing education program, employment opportunities, or opportunities for enrollment in accredited institutions of higher education after entering or completing courses offered by the operator of a program;

(G) Failure to maintain in a safe and sanitary condition premises and equipment used in conducting courses of study;

(H) Failure to maintain financial resources adequate for the satisfactory conduct of courses of study or to retain a sufficient number of certified instructors;

(I) Discrimination in the acceptance of students upon the basis of race, color, religion, sex, or national origin.

Sec. 4765.22. A person seeking a certificate to teach in an emergency medical services training ~~and continuing education program~~ or an emergency medical services continuing education program shall submit a completed application for certification to the state board of emergency medical, fire, and transportation services on a form the board shall prescribe and furnish. The application shall be accompanied by the appropriate application fee established in rules adopted under section 4765.11 of the Revised Code.

Sec. 4765.23. The state board of emergency medical, fire, and transportation services shall issue a certificate to teach in an emergency medical services training ~~and continuing education program~~ or an emergency medical services continuing education program to any applicant who it determines meets the qualifications established in rules adopted under section 4765.11 of the Revised Code. The certificate shall indicate ~~the each~~ type of instruction and training the certificate holder may teach under the certificate.

A certificate to teach shall have a certification cycle established by the board and may be renewed by the board pursuant to rules adopted under section 4765.11 of the Revised Code. An application for renewal shall be accompanied by the appropriate renewal fee established in rules adopted under section 4765.11 of the Revised Code.

The board may suspend or revoke a certificate to teach pursuant to rules adopted under section 4765.11 of the Revised Code.

Sec. 4765.24. The operator of an accredited training ~~and continuing education program~~ for first responders shall issue a certificate of completion in first responder training to each student who successfully completes the training program described in division (B) of section 4765.16 of the Revised Code.

The operator of an accredited training ~~and continuing education program~~ for emergency medical technicians-basic shall issue a certificate of completion in emergency medical services training-basic to each student who successfully completes the EMT-basic training program described in division (C) of section 4765.16 of the Revised Code.



The operator of an accredited training ~~and continuing education~~ program for emergency medical technicians-intermediate shall issue a certificate of completion in emergency medical services training-intermediate to each student who successfully completes the EMT-I ~~training program~~ described in division (D) of section 4765.16 of the Revised Code.

The operator of an accredited training ~~and continuing education~~ program for emergency medical technicians-paramedic shall issue a certificate of completion in emergency medical services training-paramedic to each student who successfully completes the training program described in division (E) of section 4765.16 of the Revised Code.

The operator of an ~~accredited training and approved emergency medical services~~ continuing education program shall issue the appropriate certificate of completion in emergency medical services continuing education to each student who successfully completes ~~any a continuing education requirements program~~ described in division (F) of section 4765.16 of the Revised Code.

Sec. 4765.29. (A) The state board of emergency medical, fire, and transportation services shall provide for the examination of applicants for certification to practice as first responders, emergency medical technicians-basic, emergency medical technicians-intermediate, and emergency medical technicians-paramedic. The examinations shall be established by the board in rules adopted under section 4765.11 of the Revised Code. The board may administer the examinations or contract with other persons to administer the examinations. In either case, the examinations shall be administered pursuant to procedures established in rules adopted under section 4765.11 of the Revised Code and shall be offered at various locations in the state selected by the board.

Except as provided in division (B) of this section, an applicant shall not be permitted to take an examination for the same certificate to practice more than three times since last receiving the certificate of completion pursuant to section 4765.24 of the Revised Code that qualifies the applicant to take the examination unless the applicant receives another certificate of completion that qualifies the applicant to take the examination.

(B) On request of an applicant who fails three examinations for the same certificate to practice, the board may direct the applicant to complete a specific portion of an accredited emergency medical services training ~~and continuing education~~ program. If the applicant provides satisfactory proof to the board that the applicant has successfully completed that portion of the program, the applicant shall be permitted to take the examination.

Sec. 4765.30. All of the following apply to the state board of emergency medical, fire, and transportation services with respect to issuing and renewing certificates to practice:

(A) The board shall issue a certificate to practice as a first responder to an applicant who meets all of the following conditions:

(1) Holds the appropriate certificate of completion issued in accordance with section 4765.24 of the Revised Code;

(2) Passes the appropriate examination conducted under section 4765.29 of the Revised Code;

(3) Is not in violation of any provision of this chapter or the rules adopted under it;

(4) Meets any other certification requirements established in rules adopted under section 4765.11 of the Revised Code.

(B) The board shall issue a certificate to practice as an emergency medical technician-basic to

an applicant who meets all of the following conditions:

(1) Holds the appropriate certificate of completion issued in accordance with section 4765.24 of the Revised Code;

(2) Passes the appropriate examination conducted under section 4765.29 of the Revised Code;

(3) Is not in violation of any provision of this chapter or the rules adopted under it;

(4) Meets any other certification requirements established in rules adopted under section 4765.11 of the Revised Code.

(C) The board shall issue a certificate to practice as an emergency medical technician-intermediate or emergency medical technician-paramedic to an applicant who meets all of the following conditions:

(1) Holds a certificate to practice as an emergency medical technician-basic;

(2) Holds the appropriate certificate of completion issued in accordance with section 4765.24 of the Revised Code;

(3) Passes the appropriate examination conducted under section 4765.29 of the Revised Code;

(4) Is not in violation of any provision of this chapter or the rules adopted under it;

(5) Meets any other certification requirements established in rules adopted under section 4765.11 of the Revised Code.

(D) A certificate to practice shall have a certification cycle established by the board and may be renewed by the board pursuant to rules adopted under section 4765.11 of the Revised Code. Not later than sixty days prior to the expiration date of an individual's certificate to practice, the board shall notify the individual of the scheduled expiration.

An application for renewal shall be accompanied by the appropriate renewal fee established in rules adopted under section 4765.11 of the Revised Code, unless the board waives the fee on determining pursuant to those rules that the applicant cannot afford to pay the fee. Except as provided in division (B) of section 4765.31 of the Revised Code, the application shall include evidence of either of the following:

(1) That the applicant received a certificate of completion from the appropriate emergency medical services ~~training and continuing education~~ program pursuant to section 4765.24 of the Revised Code;

(2) That the applicant has successfully passed an examination that demonstrates the competence to have a certificate renewed without completing an emergency medical services continuing education ~~requirements program~~. The board shall approve such examinations in accordance with rules adopted under section 4765.11 of the Revised Code.

(E) The board shall not require an applicant for renewal of a certificate to practice to take an examination as a condition of renewing the certificate. This division does not preclude the use of examinations by operators of ~~aeereditied~~ approved emergency medical services ~~training and continuing education~~ programs as a condition for issuance of a certificate of completion in emergency medical services continuing education.

Sec. 4765.31. (A) Except as provided in division (B) of this section, a first responder, emergency medical technician-basic, emergency medical technician-intermediate, and emergency

medical technician-paramedic shall complete ~~all~~an emergency medical services continuing education ~~requirements program~~ or pass an examination approved by the state board of emergency medical, fire, and transportation services under division (A) of section 4765.10 of the Revised Code prior to the expiration of the individual's certificate to practice. Completion of the continuing education requirements for EMTs-I or paramedics satisfies the continuing education requirements for renewing the certificate to practice as an EMT-basic held by an EMT-I or paramedic.

(B)(1) An applicant for renewal of a certificate to practice may apply to the board, in writing, for an extension to complete the continuing education requirements established under division (A) of this section. The board may grant such an extension and determine the length of the extension. The board may authorize the applicant to continue to practice during the extension as if the certificate to practice had not expired.

(2) An applicant for renewal of a certificate to practice may apply to the board, in writing, for an exemption from the continuing education requirements established under division (A) of this section. The board may exempt an individual or a group of individuals from all or any part of the continuing education requirements due to active military service, unusual circumstance, emergency, special hardship, or any other cause considered reasonable by the board.

(C) Decisions of whether to grant an extension or exemption under division (B) of this section shall be made by the board pursuant to procedures established in rules adopted under section 4765.11 of the Revised Code.

Sec. 4765.49. (A) A first responder, emergency medical technician-basic, emergency medical technician-intermediate, or emergency medical technician-paramedic is not liable in damages in a civil action for injury, death, or loss to person or property resulting from the individual's administration of emergency medical services, unless the services are administered in a manner that constitutes willful or wanton misconduct. A physician, physician assistant designated by a physician, or registered nurse designated by a physician, any of whom is advising or assisting in the emergency medical services by means of any communication device or telemetering system, is not liable in damages in a civil action for injury, death, or loss to person or property resulting from the individual's advisory communication or assistance, unless the advisory communication or assistance is provided in a manner that constitutes willful or wanton misconduct. Medical directors and members of cooperating physician advisory boards of emergency medical service organizations are not liable in damages in a civil action for injury, death, or loss to person or property resulting from their acts or omissions in the performance of their duties, unless the act or omission constitutes willful or wanton misconduct.

(B) A political subdivision, joint ambulance district, joint emergency medical services district, or other public agency, and any officer or employee of a public agency or of a private organization operating under contract or in joint agreement with one or more political subdivisions, that provides emergency medical services, or that enters into a joint agreement or a contract with the state, any political subdivision, joint ambulance district, or joint emergency medical services district for the provision of emergency medical services, is not liable in damages in a civil action for injury, death, or loss to person or property arising out of any actions taken by a first responder, EMT-basic, EMT-I, or paramedic working under the officer's or employee's jurisdiction, or for injury, death, or loss to person or property arising out of any actions of licensed medical personnel advising or

assisting the first responder, EMT-basic, EMT-I, or paramedic, unless the services are provided in a manner that constitutes willful or wanton misconduct.

(C) A student who is enrolled in an emergency medical services training ~~and continuing education~~ program accredited under section 4765.17 of the Revised Code or an emergency medical services continuing education program approved under that section is not liable in damages in a civil action for injury, death, or loss to person or property resulting from either of the following:

(1) The student's administration of emergency medical services or patient care or treatment, if the services, care, or treatment is administered while the student is under the direct supervision and in the immediate presence of an EMT-basic, EMT-I, paramedic, registered nurse, physician assistant, or physician and while the student is receiving clinical training that is required by the program, unless the services, care, or treatment is provided in a manner that constitutes willful or wanton misconduct;

(2) The student's training as an ambulance driver, unless the driving is done in a manner that constitutes willful or wanton misconduct.

(D) An EMT-basic, EMT-I, paramedic, or other operator, who holds a valid commercial driver's license issued pursuant to Chapter 4506. of the Revised Code or driver's license issued pursuant to Chapter 4507. of the Revised Code and who is employed by an emergency medical service organization that is not owned or operated by a political subdivision as defined in section 2744.01 of the Revised Code, is not liable in damages in a civil action for injury, death, or loss to person or property that is caused by the operation of an ambulance by the EMT-basic, EMT-I, paramedic, or other operator while responding to or completing a call for emergency medical services, unless the operation constitutes willful or wanton misconduct or does not comply with the precautions of section 4511.03 of the Revised Code. An emergency medical service organization is not liable in damages in a civil action for any injury, death, or loss to person or property that is caused by the operation of an ambulance by its employee or agent, if this division grants the employee or agent immunity from civil liability for the injury, death, or loss.

(E) An employee or agent of an emergency medical service organization who receives requests for emergency medical services that are directed to the organization, dispatches first responders, EMTs-basic, EMTs-I, or paramedics in response to those requests, communicates those requests to those employees or agents of the organization who are authorized to dispatch first responders, EMTs-basic, EMTs-I, or paramedics, or performs any combination of these functions for the organization, is not liable in damages in a civil action for injury, death, or loss to person or property resulting from the individual's acts or omissions in the performance of those duties for the organization, unless an act or omission constitutes willful or wanton misconduct.

(F) A person who is performing the functions of a first responder, EMT-basic, EMT-I, or paramedic under the authority of the laws of a state that borders this state and who provides emergency medical services to or transportation of a patient in this state is not liable in damages in a civil action for injury, death, or loss to person or property resulting from the person's administration of emergency medical services, unless the services are administered in a manner that constitutes willful or wanton misconduct. A physician, physician assistant designated by a physician, or registered nurse designated by a physician, any of whom is licensed to practice in the adjoining state and who is advising or assisting in the emergency medical services by means of any communication device or telemetering system, is not liable in damages in a civil action for injury, death, or loss to

person or property resulting from the person's advisory communication or assistance, unless the advisory communication or assistance is provided in a manner that constitutes willful or wanton misconduct.

(G) A person certified under section 4765.23 of the Revised Code to teach in an emergency medical services training ~~and continuing education program~~ or emergency medical services continuing education program, and a person who teaches at the Ohio fire academy established under section 3737.33 of the Revised Code or in a fire service training program described in division (A) of section 4765.55 of the Revised Code, is not liable in damages in a civil action for injury, death, or loss to person or property resulting from the person's acts or omissions in the performance of the person's duties, unless an act or omission constitutes willful or wanton misconduct.

(H) In the accreditation of emergency medical services training ~~and continuing education programs~~ or approval of emergency medical services continuing education programs, the state board of emergency medical, fire, and transportation services and any person or entity authorized by the board to evaluate applications for accreditation or approval are not liable in damages in a civil action for injury, death, or loss to person or property resulting from their acts or omissions in the performance of their duties, unless an act or omission constitutes willful or wanton misconduct.

(I) A person authorized by an emergency medical service organization to review the performance of first responders, EMTs-basic, EMTs-I, and paramedics or to administer quality assurance programs is not liable in damages in a civil action for injury, death, or loss to person or property resulting from the person's acts or omissions in the performance of the person's duties, unless an act or omission constitutes willful or wanton misconduct.

Sec. 4765.50. (A) Except as provided in division (D) of this section, no person shall represent that the person is a first responder, an emergency medical technician-basic or EMT-basic, an emergency medical technician-intermediate or EMT-I, or an emergency medical technician-paramedic or paramedic unless appropriately certified under section 4765.30 of the Revised Code.

~~(B)(1)~~ No person shall operate an emergency medical services training ~~and continuing education~~ program without a certificate of accreditation issued under section 4765.17 of the Revised Code.

(2) No person shall operate an emergency medical services continuing education program without a certificate of approval issued under section 4765.17 of the Revised Code.

(C) No public or private entity shall advertise or disseminate information leading the public to believe that the entity is an emergency medical service organization, unless that entity actually provides emergency medical services.

(D) A person who is performing the functions of a first responder, EMT-basic, EMT-I, or paramedic under the authority of the laws of a jurisdiction other than this state, who is employed by or serves as a volunteer with an emergency medical service organization based in that state, and provides emergency medical services to or transportation of a patient in this state is not in violation of division (A) of this section.

A person who is performing the functions of a first responder, EMT-basic, EMT-I, or paramedic under a reciprocal agreement authorized by section 4765.10 of the Revised Code is not in violation of division (A) of this section.

(E) On and after November 3, 2002, no physician shall purposefully do any of the following:

- (1) Admit an adult trauma patient to a hospital that is not an adult trauma center for the purpose of providing adult trauma care;
- (2) Admit a pediatric trauma patient to a hospital that is not a pediatric trauma center for the purpose of providing pediatric trauma care;
- (3) Fail to transfer an adult or pediatric trauma patient to an adult or pediatric trauma center in accordance with applicable federal law, state law, and adult or pediatric trauma protocols and patient transfer agreements adopted under section 3727.09 of the Revised Code.

SECTION 2. That existing sections 4765.10, 4765.11, 4765.15, 4765.16, 4765.17, 4765.18, 4765.22, 4765.23, 4765.24, 4765.29, 4765.30, 4765.31, 4765.49, and 4765.50 of the Revised Code are hereby repealed.

SECTION 3. Sections 1 and 2 of this act take effect April 6, 2023.

SECTION 4. That the versions of sections 4765.10, 4765.11, and 4765.30 of the Revised Code that are scheduled to take effect December 29, 2023, be amended to read as follows:

Sec. 4765.10. (A) The state board of emergency medical, fire, and transportation services shall do all of the following:

- (1) Administer and enforce the provisions of this chapter and the rules adopted under it;
- (2) Approve, in accordance with procedures established in rules adopted under section 4765.11 of the Revised Code, examinations that demonstrate competence to have a certificate to practice renewed without completing a continuing education requirements program;
- (3) Advise applicants for state or federal emergency medical services funds, review and comment on applications for these funds, and approve the use of all state and federal funds designated solely for emergency medical service programs unless federal law requires another state agency to approve the use of all such federal funds;
- (4) Serve as a statewide clearinghouse for discussion, inquiry, and complaints concerning emergency medical services;
- (5) Make recommendations to the general assembly on legislation to improve the delivery of emergency medical services;
- (6) Maintain a toll-free long distance telephone number through which it shall respond to questions about emergency medical services;
- (7) Work with appropriate state offices in coordinating the training of firefighters and emergency medical service personnel. Other state offices that are involved in the training of firefighters or emergency medical service personnel shall cooperate with the board and its committees and subcommittees to achieve this goal.
- (8) Provide a liaison to the state emergency operation center during those periods when a disaster, as defined in section 5502.21 of the Revised Code, has occurred in this state and the governor has declared an emergency as defined in that section.

(B) The board may do any of the following:

- (1) Investigate complaints concerning emergency medical services and emergency medical

service organizations as it determines necessary;

(2) Establish a statewide public information system and public education programs regarding emergency medical services;

(3) Establish an injury prevention program.

(C) The state board of emergency medical, fire, and transportation services shall not regulate any profession that otherwise is regulated by another board, commission, or similar regulatory entity.

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 an applicant cannot afford to pay the fee;

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

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

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

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

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

(10) Qualifications for certificates to teach;

(11) Requirements for a certificate to practice;

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

(13) Procedures for conducting courses in recognizing symptoms of life-threatening allergic reactions and in calculating proper dosage levels and administering injections of epinephrine to adult and pediatric patients who suffer life-threatening allergic reactions;

(14) Examinations for certificates to practice;

(15) Procedures for administering examinations for certificates to practice;

(16) Procedures for approving examinations that demonstrate competence to have a

certificate to practice renewed without completing an emergency medical services continuing education requirements program;

(17) Procedures for granting extensions and exemptions of emergency medical services continuing education requirements;

(18) Specifications of the emergency medical services that first responders are authorized to perform under section 4765.35 of the Revised Code, that EMTs-basic are authorized to perform under section 4765.37 of the Revised Code, that EMTs-I are authorized to perform under section 4765.38 of the Revised Code, and that paramedics are authorized to perform under section 4765.39 of the Revised Code;

(19) Standards and procedures for implementing the requirements of section 4765.06 of the Revised Code, including designations of the persons who are required to report information to the board and the types of information to be reported;

(20) Procedures for administering the emergency medical services grant program established under section 4765.07 of the Revised Code;

(21) Procedures consistent with Chapter 119. of the Revised Code for appealing decisions of the board;

(22) Minimum qualifications and peer review and quality improvement requirements for persons who provide medical direction to emergency medical service personnel, including, subject to division (B) of section 4765.42 of the Revised Code, qualifications for a physician to be eligible to serve as the medical director of an emergency medical service organization or a member of its cooperating physician advisory board;

(23) The manner in which a patient, or a patient's parent, guardian, or custodian, may consent to the board releasing identifying information about the patient under division (D) of section 4765.102 of the Revised Code;

(24) Circumstances under which a training ~~or continuing education program~~ or continuing education program, or portion of either type of program, may be taught by a person who does not hold a certificate to teach issued under section 4765.23 of the Revised Code;

(25) Certification cycles for certificates issued under sections 4765.23 and 4765.30 of the Revised Code and certificates issued by the executive director of the state board of emergency medical, fire, and transportation services under section 4765.55 of the Revised Code that establish a common expiration date for all certificates;

~~(26) Procedures and requirements for accrediting emergency medical services training and continuing education programs under one certificate of accreditation. An accredited program shall offer both training and continuing education services. The rules adopted under division (A)(26) of this section shall specify all of the following:~~

~~(a) The steps that the operator of a training program accredited prior to the effective date of this amendment shall take in order to offer continuing education courses;~~

~~(b) The steps the operator of a continuing education program accredited prior to the effective date of this amendment shall take in order to offer training courses;~~

~~(c) The steps any person certified as an emergency medical instructor or an emergency medical services continuing education teacher prior to the effective date of this amendment shall take to retain certification in order to teach both training and continuing education courses.~~



(B) The board may 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 any of the following:

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

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

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

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

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

(D) On and after ~~the effective date of this amendment~~ April 6, 2023, the executive director shall not require certification to practice as an emergency medical services assistant instructor and shall not adopt or enforce rules or issue a certificate regarding the position of an emergency medical services assistant instructor. Any emergency medical services assistant instructor certificate that was issued in accordance with rules adopted under division (A) of this section prior to ~~the effective date of this amendment~~ remain April 6, 2023, remain valid only until the expiration date of the certificate, subject to any conditions or responsibilities of retaining the validity of that certificate. The certificate shall not be renewed. The board shall adopt, amend, or rescind rules in accordance with Chapter 119. of the Revised Code in order to effectuate this division.

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

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

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

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

(2) The individual has satisfactory work experience, a government certification, or a private certification as described in that chapter as a first responder, emergency medical technician-basic, emergency medical technician-intermediate, or emergency medical technician-paramedic in a state that does not issue that license or certificate.

Sec. 4765.30. All of the following apply to the state board of emergency medical, fire, and transportation services with respect to issuing and renewing certificates to practice:

(A) The board shall issue a certificate to practice as a first responder to an applicant who meets all of the following conditions:

(1) Holds the appropriate certificate of completion issued in accordance with section 4765.24 of the Revised Code;

(2) Passes the appropriate examination conducted under section 4765.29 of the Revised Code;

(3) Is not in violation of any provision of this chapter or the rules adopted under it;

(4) Meets any other certification requirements established in rules adopted under section 4765.11 of the Revised Code.

(B) The board shall issue a certificate to practice as an emergency medical technician-basic to an applicant who meets all of the following conditions:

(1) Holds the appropriate certificate of completion issued in accordance with section 4765.24 of the Revised Code;

(2) Passes the appropriate examination conducted under section 4765.29 of the Revised Code;

(3) Is not in violation of any provision of this chapter or the rules adopted under it;

(4) Meets any other certification requirements established in rules adopted under section 4765.11 of the Revised Code.

(C) The board shall issue a certificate to practice as an emergency medical technician-intermediate or emergency medical technician-paramedic to an applicant who meets all of the following conditions:

(1) Holds a certificate to practice as an emergency medical technician-basic;

(2) Holds the appropriate certificate of completion issued in accordance with section 4765.24 of the Revised Code;

(3) Passes the appropriate examination conducted under section 4765.29 of the Revised Code;

(4) Is not in violation of any provision of this chapter or the rules adopted under it;

(5) Meets any other certification requirements established in rules adopted under section 4765.11 of the Revised Code.

(D) Notwithstanding any requirement for a certificate to practice issued under this section, the board shall issue a certificate in accordance with Chapter 4796. of the Revised Code to an individual if either of the following applies:

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

(2) The individual has satisfactory work experience, a government certification, or a private certification as described in that chapter as a first responder in a state that does not issue that license or certificate.

(E) A certificate to practice shall have a certification cycle established by the board and may be renewed by the board pursuant to rules adopted under section 4765.11 of the Revised Code. Not later than sixty days prior to the expiration date of an individual's certificate to practice, the board shall notify the individual of the scheduled expiration.

An application for renewal shall be accompanied by the appropriate renewal fee established in rules adopted under section 4765.11 of the Revised Code, unless the board waives the fee on determining pursuant to those rules that the applicant cannot afford to pay the fee. Except as provided in division (B) of section 4765.31 of the Revised Code, the application shall include evidence of either of the following:

(1) That the applicant received a certificate of completion from the appropriate emergency medical services ~~training and~~ continuing education program pursuant to section 4765.24 of the Revised Code;

(2) That the applicant has successfully passed an examination that demonstrates the competence to have a certificate renewed without completing an emergency medical services continuing education ~~requirements~~program. The board shall approve such examinations in accordance with rules adopted under section 4765.11 of the Revised Code.

(F) The board shall not require an applicant for renewal of a certificate to practice to take an examination as a condition of renewing the certificate. This division does not preclude the use of examinations by operators of ~~accredited~~ approved emergency medical services ~~training and~~ continuing education programs as a condition for issuance of a certificate of completion in emergency medical services continuing education.

SECTION 5. That the existing versions of sections 4765.10, 4765.11, and 4765.30 of the Revised Code that are scheduled to take effect on December 23, 2023, are hereby repealed.

SECTION 6. Sections 4 and 5 of this act take effect December 29, 2023.

SECTION 7. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the following sections, presented in this act as composites of the sections as amended by the acts indicated, are the resulting versions of the sections in effect prior to the effective date of the sections as presented in this act:

The version of section 4765.10 of the Revised Code that is scheduled to take effect December 29, 2023, as amended by both H.B. 509 and S.B. 131 of the 134th General Assembly.

The version of section 4765.11 of the Revised Code that is scheduled to take effect December 29, 2023, as amended by both H.B. 509 and S.B. 131 of the 134th General Assembly.

Section 4765.16 of the Revised Code as amended by both H.B. 23 and H.B. 509 of the 134th General Assembly.

The version of section 4765.30 that is scheduled to take effect December 29, 2023, as amended by both H.B. 509 and S.B. 131 of the 134th General Assembly.

SECTION 8. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is that changes from H.B. 509 of the 134th General Assembly merging the emergency medical services

training programs with the continuing educations programs are scheduled to take effect on April 6, 2023. That merger will create serious hardships for emergency medical service organizations and providers. Therefore, this act shall go into immediate effect.

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*Speaker* \_\_\_\_\_ *of the House of Representatives.*

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*President* \_\_\_\_\_ *of the Senate.*

Passed \_\_\_\_\_, 20\_\_\_\_

Approved \_\_\_\_\_, 20\_\_\_\_

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*Governor.*

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

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*Director, Legislative Service Commission.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the \_\_\_\_ day of \_\_\_\_\_, A. D. 20 \_\_\_\_.

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*Secretary of State.*

File No. \_\_\_\_\_ Effective Date \_\_\_\_\_