

4766-3-01

Definitions.

~~[Comment: For dates and availability of material incorporated by reference in this chapter of the Administrative Code, see rule 4766-3-18 of the Administrative Code.]~~

(A) "Advanced emergency medical technician" or "AEMT" is a person holding a current and valid certificate to practice issued under Chapter 4765. of the Revised Code authorizing the holder to provide medical care as set forth in rule 4765-16-04 of the Administrative Code.

(B) "Ambulette service" has the same meaning as "nonemergency medical service organization" as defined in section 4766.01 of the Revised Code.

(C) "Board" means the state board of emergency medical, fire, and transportation services within the division of emergency medical services of the department of public safety set forth in section 4765.02 of the Revised Code.

(D) "Client" means an individual who requires the use of a wheelchair or who is confined to a wheelchair and is transported by an ambulette in order to receive health care services at a health care facility or health practitioner's office in non-emergency circumstances.

(E) "Department of Transportation (DOT) physical" is a health examination mandated by the Federal Motor Carrier Safety Administration (FMCSA) for commercial motor vehicle (CMV) drivers.

~~(E)~~(F) "Division" means the division of emergency medical services within the department of public safety.

~~(E)~~(G) "Emergency medical responder" or "EMR" is a person holding a current and valid certificate to practice issued under Chapter 4765. of the Revised Code authorizing the holder to provide medical care as set forth in rule 4765-12-04 of the Administrative Code.

~~(G)~~(H) "Emergency medical technician" or "EMT" is a person holding a current and valid certificate to practice issued under Chapter 4765. of the Revised Code authorizing the holder to provide medical care as set forth in rule 4765-15-04 of the Administrative Code.

~~(H)~~(I) "Headquarters" means the location from which a licensed ambulette service operates and designated by the licensed ambulette service as the location where the records set forth in this chapter are maintained or readily available.

~~(I)~~(J) "Inspection fee" means a fee required to be paid for the inspection of a permitted

vehicle.

(K) "Medical transportation licensing system" or "MTLS online system" means a web based system for medical transportation agencies to obtain, renew, and maintain their licenses.

~~(H)~~(L) "License" means a certificate of licensure issued by the board to the service, also known as the licensed ambulette service.

~~(K)~~(M) "Operate" means to engage in conduct or activity in furtherance of the licensed activity at or from a physical location owned, leased or maintained by the licensed ambulette service where employees report to work and vehicles are stored. Operate also includes the act of receiving a person within Ohio for transportation to a location within Ohio.

~~(H)~~(N) "Paramedic" is a person holding a current and valid certificate to practice issued under Chapter 4765. of the Revised Code authorizing the holder to provide medical care as set forth in rule 4765-17-03 of the Administrative Code.

~~(M)~~(O) "Permit" is the authorization to operate issued by the board as set forth in section 4766.07 of the Revised Code for a specific vehicle, known as the "permitted vehicle" and requires the issuance of a decal for the permitted vehicle by the board or its designee.

~~(N)~~(P) "Readily available" means produced upon demand by the board.

~~(H)~~(Q) "Reinspection fee" means a fee required to conduct an inspection as a result of the issuance of a violation notification by the board or its designee, to a licensed ambulette service or license applicant, regarding a permitted ambulette or an ambulette for which a permit application is pending with the board.

~~(P)~~(R) "Satellite base" means a physical location other than the headquarters from which an ambulette service, licensed as set forth in Chapter 4766. of the Revised Code operates.

~~(Q) "Service number" or "service code" means the number assigned to the licensed ambulette service by the board for the purpose of identifying and validating the service or permitted ambulette.~~

~~(R)~~(S) "Temporary vehicle" means an ambulette issued a temporary permit used to replace a permitted ambulette in accordance with rule 4766-3-12 of the Administrative Code that is out of service until the permitted ambulette is returned to service or is replaced. A temporary vehicle may be used for a time period not to

exceed sixty days.

~~(S)~~(T) "Violation notification" means a written form issued by the board or its designee during an inspection or investigation identifying deficiencies in record keeping requirements, vehicle roadworthiness requirements, or equipment requirements by a service or its vehicle(s).

4766-3-02

Application for initial or renewal licensure.

~~[Comment: For dates and availability of material incorporated by reference in this chapter of the Administrative Code, see rule 4766-3-18 of the Administrative Code.]~~

(A) An ambulette service applying for initial licensure shall ~~file with the board an "Application for Ambulette License" form in the English language, and shall submit the completed application to the board~~submit to the board a completed application, in the English language, using the MTLs online system:

(1) Accompanied by the appropriate fees as set forth in rule 4766-3-03 of the Administrative Code; and

(2) With all required supporting documentation as set forth in this rule.

(B) An ambulette service applying for renewal of a license shall ~~file with the board a "Renewal Application for Ambulette License" form in the English language, and shall submit the completed application to the board~~submit to the board a completed renewal application, in the English language, using the MTLs online system:

(1) Accompanied by the appropriate fees as set forth in rule 4766-3-03 of the Administrative Code; and

(2) With all required supporting documentation as set forth in this rule that must be received by the board prior to the expiration date of the license.

(C) In addition to the requirements set forth in section 4766.04 of the Revised Code, for each application the ambulette service applicant shall provide and maintain documentation of:

(1) The name of service, organizational structure and address of applicant as follows:

(a) Name;

(b) Identification of organizational structure as a corporation (whether for profit or not-for-profit); limited liability company; partnership; limited liability partnership; government unit; or sole proprietor (individual human);

(c) Tax identification (tax ID) number or employer identification number (EIN);

- (d) All other names under which applicant plans to operate while using the same tax ID or EIN number. Business organizations with different tax ID or EIN numbers cannot operate under the same license;
 - (e) Copies of all trade name registrations and fictitious name registrations for all other names under which applicant plans to operate on file with the Ohio secretary of state;
 - (f) Address of physical location of applicant's headquarters (no post office box);
 - (g) Mailing address of applicant; and
 - (h) List of all ambulette drivers working for the service and the date of hire for each ambulette driver.
- (2) All medicaid provider numbers, if applicable;
- (3) Service areas including county and state;
- (4) For each satellite base, the ambulette service shall provide the physical address, city, county, state, and zip code;
- (5) The name of the primary contact person(s), business or administrative office telephone number, email address of applicant, and if applicable, office fax number;
- (6) A list of the names of all officers, directors, and/or owners of applicant/ambulette service;
- (7) Year of manufacture, make, model, vehicle identification number, service's vehicle number, odometer reading, and license plate number (renewal only) of each ambulette applicant seeks to be permitted;
- (8) A color photograph of the side of applicant's ambulette displaying color scheme, insignia, monogram, or other distinguishing characteristic. If multiple color schemes, insignias, monograms, or other distinguishing characteristics are used, a color photograph of each shall accompany application.

- (a) Color photographs shall be submitted to the division:
 - (i) With all initial ~~"Application for Ambulette License"~~ formsapplications; and
 - (ii) Within thirty days of the date a change is made to the vehicle's color scheme, insignia, monogram, or other distinguishing characteristics.
 - (b) Digital photographs are preferred.
- (9) A current and valid certificate of liability insurance in the name of applicant, listing the board as a certificate holder with a thirty day cancellation notice as specified in section 4766.06 of the Revised Code;
- (a) The actual name on the license application shall appear on the certificate of liability insurance;
 - (b) Each permitted vehicle with vehicle identification number (VIN) shall be listed on the certificate of liability insurance.
- (D) An application that is not completed in the manner specified on the application or does not include all required documentation shall be deemed incomplete.
- (E) An application deemed incomplete shall not be considered and may be returned with the notation to the applicant indicating the reason the application is incomplete.
- (F) Failure to provide the required documents within thirty days of the date the initial ~~"Application for Ambulette License"~~ formapplication is received by the division may result in the application being deemed incomplete.
- (G) An ambulette service shall submit a completed ~~"Renewal Application for Ambulette License"~~ formrenewal application, appropriate fees, and supporting documentation to the board using the MTLIS online system prior to the expiration of the ambulette service's license in order to be considered timely.
- (H) No applicant or licensed ambulette service shall submit false, misleading, or deceptive information in order to obtain a license or permit.
- (I) A license is only valid for the ambulette service for which it is issued and is not

transferable.

4766-3-03

Fees.

- (A) Each ambulette service shall pay an initial or renewal license fee of one hundred dollars annually.
- (B) Each ambulette service shall pay a permit fee for each ambulette of fifty dollars annually;
- (C) Each ambulette service shall pay an inspection fee of fifty dollars per ambulette annually;
- (D) Each ambulette service shall pay a fifty dollar reinspection fee for every ambulette that requires reinspection as a result of a violation notification issued by the board or its designee.
- (E) Each ambulette service shall pay a fifty dollar fee for each temporary vehicle permit to be issued.
- (F) Fees shall be submitted with the application.
- ~~(G) All fees are nonrefundable.~~
- ~~(H)~~(G) Each ambulette service ~~shall~~may pay a re-print fee of five dollars for each vehicle decal that ~~shall be~~is re-printed as a result of the decal being lost, damaged, incorrectly applied, or incorrect vehicle information provided to the division by the service.

4766-3-04

Physical facilities.

- (A) The board or its designee shall conduct initial and renewal inspections of all ambulette services pursuant to Chapter 4766. of the Revised Code and rules 4766-3-04 to 4766-3-06 of the Administrative Code to include the following:
- (1) Ambulette service headquarters;
 - (2) Ambulette service satellite base(s).
- (B) An ambulette service shall not commence operations from its headquarters or satellite bases until the ambulette service has met all requirements set forth in Chapter 4766. of the Revised Code and agency 4766 of the Administrative Code including satisfactory inspections of all physical locations.
- (C) An ambulette service shall ensure compliance with the inspection ~~requirements~~standards for physical facilities. ~~The inspection requirements for physical facilities of an ambulette service are as follows~~Inspection standards for physical facilities of an ambulette service are:
- (1) The board issued license shall be prominently displayed in a conspicuous location at every licensed facility (renewal inspection only);
 - (2) The physical facilities shall be clean and free of debris.
- (D) The board or its designee may conduct routine unannounced inspections at any location of licensed ambulette service at any time, including night or weekend inspections to determine compliance with Chapter 4766. of the Revised Code and agency 4766 of the Administrative Code to include, but not limited to, the following:
- (1) Ambulette service headquarters;
 - (2) Ambulette service satellite base(s);
 - (3) Ambulettes.

4766-3-05

Record keeping requirements.

- (A) Each licensed ambulette service shall maintain or have readily available at its headquarters accurate records concerning the transportation of each client;

All client transportation records shall be generated and completed immediately upon completion of the transport and shall include, at minimum, the following:

(1) Client name;

(2) Address of:

(a) Client pick up location; and

(b) Client destination (drop off location);

(3) Date and time of:

(a) Ambulette arrival at client pick up location; and

(b) Ambulette arrival at client destination (drop off location);

(4) Name or ID number of ambulette driver;

(5) Service vehicle number.

- (B) Each licensed ambulette service shall maintain a current and valid certificate of liability insurance issued by an insurer licensed to do business in this state that includes a thirty day notice of cancellation to the board in compliance with the terms set forth in Chapter 4766. of the Revised Code listing the board as certificate holder. Each scheduled vehicle must be listed on the certificate or attached on an additional page to the certificate to include the vehicles year, make, model and vehicle identification number, (VIN). If the certificate lists, "any auto" or "all owned autos" a list of vehicles does not have to be included or attached.

- (C) A licensed ambulette service shall make all client transportation record(s) and ambulette maintenance/repair records available to the board or its designee, upon demand, during any inspection, announced or unannounced.

- (D) A licensed ambulette service shall maintain documentation of compliance with the periodic mechanical safety inspection set forth in rule 4766-3-09 of the Administrative Code.

(E) Client transportation records shall be maintained by the licensee for a period of seven years after the date of transport.

4766-3-06

Communication requirements.

- (A) The ambulette service shall be capable of two-way communication with all the service's permitted ambulette(s):

- (B) All portable communication devices shall maintain either a one hundred ten volt or twelve volt power source backup for each communication device.

4766-3-07

Ambulette license plates.

Permitted ambulette vehicles shall bear "Ambulette" license plates issued as set forth in section 4503.49 of the Revised Code, or shall comply with:

- (A) Residency registration requirements set forth in section 4503.111 of the Revised Code.
- (B) Vehicle specific BMV license plate requirements for vehicles with a gross vehicle weight rating (GVWR) of ten thousand pounds or more.
- (C) Permitted ambulette(s) owned and operated by a federal, state, county, city, or township or a service that qualifies for gratis license plates from the bureau of motor vehicles are not required to bear ambulette license plates.

4766-3-08

Vehicle inspections and equipment requirements.

[Comment: For dates and availability of material incorporated by reference in this chapter of the Administrative Code, see rule 4766-3-18 of the Administrative Code.]

(A) The board or its designee shall inspect all ambulettes for roadworthiness and for appropriate equipment as set forth in the "Ambulette Inspection" form.

(B) A permitted ambulette that is being used as an ambulette shall comply with the requirements of roadworthiness and the requirements set forth in the "Ambulette Inspection" form, which shall include carrying the following types of equipment:

- (1) Fire extinguisher;
- (2) Blanket;
- (3) Disinfectants;
- (4) Oxygen equipment;
- (5) Isolation equipment; and
- (6) First aid equipment.

(C) The name of the ambulette service shall be permanently affixed to each ambulette with letters being a minimum height of three inches on both sides and a minimum height of one and one half inches on the back.

If an ambulette service is under contract which requires other signage or if the ambulette service is operating under another name, each vehicle shall have permanently affixed lettering with a minimum height of one and one half inches on the rear and both sides of the vehicle that states:

- (1) Owned and operated by [ambulette service's name]; or
- (2) Operated by [ambulette service's name]; or
- (3) Owned by [ambulette service's name].

(D) All violation notifications issued by the board or its designee shall be corrected. Each vehicle that receives a violation notification shall be placed out-of-service until:

- (1) It passes reinspection by the board or its designee; or
- (2) For seventy-two hour violation notifications, the violation has been corrected and the "Violation Notification" form is signed and returned to the division along with supporting documentation showing the violation has been corrected.

(E) Ambulette configuration:

- (1) For vehicles in excess of twenty-two feet in length, the overhead clearance between the top of the door opening and the raised lift platform, or highest point of a ramp, shall be a minimum of sixty-eight inches. For vehicles of twenty-two feet in length or less, the overhead clearance between the top of the door opening and the raised lift platform, or highest point of a ramp, shall be a minimum of fifty-six inches;
 - (2) Each vehicle shall be specifically designed to transport one or more patients sitting in wheelchairs and have four point permanent fasteners to secure the wheelchair to the floor or side of the vehicle to prevent wheelchair movement;
 - (3) Each vehicle shall have safety restraints in the vehicle for the purpose of restraining the patient in the wheelchair;
 - (4) Each vehicle shall be equipped with a stable access ramp or hydraulic lift;
 - (5) Each vehicle shall have provisions for secure storage of removable equipment and passenger property in order to prevent projectile injuries to passengers and driver in the event of an accident. Containers and/or straps must be secured and permanently mounted to the vehicle and in proper working order. Elastic straps, such as bungee cords, are prohibited.
- (F) Upon issuance of a vehicle permit, each licensed ambulette service shall apply the decal on the outside of the right rear window in accordance with division (B)(2) of section 4766.07 of the Revised Code on each ambulette.

The permit shall be unobstructed at all times.

(G) A permit is not transferable.

(H) The board or its designee may conduct routine unannounced inspections at any

location of licensed ambulette service at any time, including night or weekend inspections to determine compliance with Chapter 4766. of the Revised Code and agency 4766 of the Administrative Code to include, but not limited to, ambulettes.

- (I) A permitted ambulette shall maintain compliance with roadworthiness requirements set forth in this rule at any time it is used as an ambulette.
- (J) Each permitted ambulette shall be free from dirt, stains, impurities, and/or foreign matter in driver's compartment and ambulette client compartments.
- (K) Permitted ambulettes shall bear license plates issued as set forth in rule 4766-3-07 of the Administrative Code.

4766-3-09

Maintenance documentation.

[Comment: For dates and availability of material incorporated by reference in this chapter of the Administrative Code, see rule 4766-3-18 of the Administrative Code.]

(A) All licensed ambulette services shall maintain documentation of all periodic maintenance and repairs performed on each permitted ambulette to include:

- (1) Date of service or repair;
- (2) Description of service/repair performed;
- (3) Documentation of who performed service/repair and the business name, if applicable;
- (4) VIN number of the vehicle being repaired;
- (5) Odometer reading of ambulette at the time of repair.

(B) Licensed ambulette services shall subject all permitted ambulettes to periodic mechanical safety inspection(s), which shall be documented by the service.

- (1) A periodic mechanical safety inspection shall mean an inspection conducted:
 - (a) Prior to a vehicle's initial permit being issued for vehicles with an odometer reading of twelve thousand miles or more, and;
 - (b) Annually and completed within the six month period prior to the ambulette service's license expiration date, or;
 - (c) Every twenty-five thousand miles for a vehicle that has an odometer reading of one hundred fifty thousand miles or more.

The mechanic shall attest that the vehicle was inspected, mechanically safe, and roadworthy at the time of inspection. The mechanic shall complete and sign a "Periodic Mechanical Safety Report" for each vehicle and these reports shall be maintained by the service in the vehicle's maintenance records.

- (2) Each mechanical safety inspection shall be conducted by a mechanic with factory training and certification from an original (motor vehicle) equipment manufacturer or equivalent certification for "Emergency Vehicle Technicians" (EVT) or from the "National Institute for Automotive Service

Excellence" (ASE).

- (3) Each mechanical safety inspection shall be conducted in addition to the vehicle and equipment inspection by the board or its designee following the procedures adopted in rule 4766-3-08 of the Administrative Code.
 - (4) Vehicles with failed items found during the mechanical safety inspection shall be removed from service and not placed back into service until items are corrected. Proof of correction(s) shall be maintained by the service with the "Periodic Mechanical Safety Report" form in the vehicle's maintenance records. Licensed ambulette services shall subject all licensed ambulettes to periodic mechanical safety inspection(s), which shall be documented by the service.
- (C) All licensed ambulette services shall maintain documentation of all periodic maintenance, repairs and cleaning performed on passenger compartment of the vehicle to include:
- (1) Daily inspection and cleaning of the interior passenger compartment of each vehicle and lift/ramp to include:
 - (a) Ramp/lift clean and free of debris;
 - (b) Ramp/lift properly secured to the vehicle with no excess movement;
 - (c) Ramp/lift overall operating condition, including operating the ramp to verify that it is working properly;
 - (d) Vehicle interior is clean, floors are clean and free of debris;
 - (e) Floor or wall wheelchair locking mechanism and/or floor rails or fasteners and straps and locks for securing wheelchair are clean and in proper working order;
 - (f) Passenger restraint belts in proper working order;
 - (g) Properly functioning heat and air conditioning.
 - (h) Elastic straps, such as bungee cords, are prohibited from being used to secure equipment or supplies.

- (2) Date of inspection, service/repair and cleaning;
 - (3) Description of service/repair performed;
 - (4) Documentation of who performed service/repair and the business name, if applicable.
- (D) Out of service permitted ambulettes:
- (1) If a licensed ambulette service removes a permitted ambulette from service it shall place an "out of service" sign in the permitted ambulette to be visible through the windshield with the following information included on the sign:
 - (a) Date permitted ambulette was taken out of service;
 - (b) Odometer reading at time permitted ambulette was taken out of service;
 - (c) Reason permitted ambulette was taken out of service;
 - (d) Printed name and signature of person responsible for taking permitted ambulette out of service;
 - (e) The words "out of service" utilizing not less than three inch lettering on front of sign.
 - (2) If the permitted ambulette is off premises at a repair/maintenance shop for maintenance purposes, no "out of service" sign is required.
- (E) Ambulette maintenance/repair records shall be kept for a period of twelve months after the vehicle is removed from inventory.

4766-3-12

Temporary and disaster operations.

~~{Comment: For dates and availability of material incorporated by reference in this chapter of the Administrative Code, see rule 4766-3-18 of the Administrative Code.}~~

(A) In the event of a disaster situation when permitted ambulette(s) based in the locality of the disaster situation are incapacitated or insufficient in number to render ambulette(s) needed, a licensed ambulette service may utilize whatever means necessary to transport.

(B) An ambulette that has not been issued a permit by the board may be issued a temporary permit, for a period not to exceed sixty days, if the ambulette is used to replace a permitted ambulette that has been temporarily taken out of service for repair or maintenance or is being permanently replaced. In order to obtain a temporary permit, an ambulette service shall submit ~~a "Temporary Ambulette Application" form to the board containing~~ to the board a request for a temporary ambulette permit using the MTLIS online system containing:

(1) Vehicle identification number of the permitted ambulette; and

(2) Date permitted ambulette was placed out of service; and

(3) Vehicle identification number of the ambulette to receive a temporary permit;

~~(4) Date temporarily permitted ambulette is to be placed in service;~~

~~(5) Reason the permitted ambulette was taken out of service.~~

~~(C) The licensed ambulette service shall ensure that the fifty dollar fee prescribed in paragraph (E) of rule 4766-3-03 of the Administrative Code shall be received by the board within seven days of issuance of a temporary permit.~~

~~(D)~~ (C) A temporarily permitted ambulette shall not be operated unless it meets the requirements set forth in paragraph (B) of rule 4766-3-08 of the Administrative Code and the insurance requirement set forth in division (B) of section 4766.06 of the Revised Code.

~~(E) The ambulette service shall note the date of return to service of the permitted ambulette on the temporary permit.~~

~~(F) The licensed ambulette service shall return the temporary permit to the board within two days after the permitted ambulette is returned to service.~~

4766-3-13

Driver training and qualifications.

- (A) The ambulette service shall maintain and provide adequate documentation of the following ~~driver operator~~driver/operator requirements for each of its drivers:
- (1) A copy of a valid driver/operator license issued pursuant to Chapter 4506. or 4507. of the Revised Code or its equivalent if the applicant is a resident of another state:
 - (a) Driver/operator shall be at least eighteen years of age to operate an ambulette;
 - (b) Each ambulette driver shall have at least two years driving experience;
 - (2) A copy of a valid driver/operator's abstract obtained from the bureau of motor vehicles from the state in which the driver's license was issued at the time of the application for employment and annually thereafter;
 - (a) The date of the driving abstract submitted at the time of application shall be no more than fourteen calendar days prior to the date of application for employment;
 - (b) Driver/operators having six points or more on their driving abstract in accordance with section 4510.036 of the Revised Code cannot be an ambulette service driver;
 - (c) Ambulette service may use documentation from their commercial insurance carrier as proof the standard in this paragraph has been met. This document must include the names of all insured drivers verifying the eligibility of the driver.
 - (3) A copy of a current and valid certification in adult cardiopulmonary resuscitation (CPR) and shall include hands on training from the "American Red Cross," "American Heart Association," or "American Safety and Health Institute," (ASHI) or equivalent certifying organization approved by the board;
 - (4) A copy of a current and valid certification in basic first aid and shall include hands on training from the "American Red Cross," "American Heart Association," or "American Safety and Health Institute," (ASHI) or equivalent certifying organization approved by the board; or a current and valid certification as a/an:

- (a) Emergency medical responder;
 - (b) Emergency medical technician;
 - (c) Advanced emergency medical technician; or
 - (d) Paramedic.
- (5) At least once every three years, satisfactory completion of a passenger assistance training course to include the following elements:
- (a) Sensitivity to aging;
 - (b) Overview of diseases and functional factors commonly affecting older adults;
 - (c) Environmental considerations affecting consumers;
 - (d) Consumer assistance and transfer techniques;
 - (e) Management of a wheelchair, including the proper methods for securing a wheelchair in the vehicle and the client in the wheelchair;
 - (f) Inspection and operation of a wheelchair lift and other types of assistive equipment, and;
 - (g) Emergency procedures.
- (6) Services can use commercially designed courses approved by the board or develop their own training course as long as required elements are met. All courses shall include hands on training for loading and unloading the client in the wheelchair, securing the client in the wheelchair, and securing the wheelchair in the vehicle.
- (a) Services that use a commercially developed training course for their employees shall also show documentation of hands on training.
 - (b) Services that develop their own training course shall make available to the board, upon request, a written course outline documenting all course

elements, all course training material used, and documentation of hands on training. Training course developed by the service is subject to prior approval by the board.

- (7) A copy of a valid criminal background check:
 - (a) Conducted by the bureau of criminal identification and investigation in accordance with section 109.572 of the Revised Code; or
 - (b) Conducted by the federal bureau of investigations (FBI) for an individual who has not lived in the state of Ohio for at least five years immediately prior to application.
 - (8) A copy of a valid signed statement from a physician, nurse practitioner, or physician's assistant acting within their scope of practice or a department of transportation (DOT) physical declaring that the driver/operator does not have a medical condition, physical condition, including vision impairment (not corrected), which could interfere with safe driving, passenger assistance, the provision of emergency treatment activity, or could jeopardize the health and welfare of client and/or general public;
 - (9) A copy of valid test results from an alcohol and controlled substances test to be conducted by a laboratory certified for such testing under "CLIA" and determined to be free of alcohol, amphetamines, cannabinoids (THC), cocaine, opiates, and phencyclidines (PCP).
 - (a) The tests shall be performed and the results placed in the employee's file as provided in paragraph (C) of this rule;
 - (b) Repeat drug and alcohol testing shall be performed at a minimum whenever the driver has been involved in a motor vehicle accident for which he/she was the driver.
 - (10) The ambulette service shall provide each driver/operator with an identification card visible to the client identifying their first name and last initial or a unique identifier and ambulette service affiliation.
- (B) An ambulette service shall at all times maintain staffing of ambulette(s) by an ambulette driver who meets the requirements of division (A) of section 4766.15 of the Revised Code.

- (C) An ambulette service may employ an applicant on a temporary provisional basis pending completion of the requirements of this rule pursuant to section 4766.15 of the Revised Code.
- (1) The provisional period for completion of requirements set forth in paragraphs (A)(3) to (A)(7) of this rule shall be no more than sixty days.
 - (2) The provisional period for completion of requirements set forth in paragraphs (A)(1) and (A)(2) and paragraphs (A)(8) to (A)(10) of this rule shall be no more than fourteen days.
- (D) No ambulette service shall employ as an ambulette driver, any person who has been convicted of or plead guilty to violations as set forth in divisions (A)(1)(a), (A)(2)(a), (A)(4)(a), and/or (A)(5)(a) of section 109.572 of the Revised Code or their equivalent in any jurisdiction unless the exceptions set forth in paragraphs (A) and (B) of rule 3701-13-06 of the Administrative Code apply.
- (E) No ambulette service shall employ as an ambulette driver any person who has six points or more on their driving abstract in accordance with section 4510.036 of the Revised Code.
- (F) No ambulette service shall employ any person as an ambulette driver unless that person has a valid driver/operator license issued pursuant to Chapter 4506. or Chapter 4507. of the Revised Code or its equivalent if the person is a resident of another state.
- (G) No ambulette service shall employ any person as an ambulette driver unless the person is at least eighteen years of age and has at least two years driving experience.
- (H) No ambulette service shall employ any person as an ambulette driver unless the person holds a current and valid certification in CPR and one of the following:
- (1) Basic first aid;
 - (2) Emergency medical responder;
 - (3) Emergency medical technician;
 - (4) Advanced emergency medical technician;

(5) Paramedic.

(I) No ambulette service shall employ any person as an ambulette driver unless the person has successfully completed a program designed for transporting clients with special needs as set forth in paragraph (A)(5) of this rule.

4766-3-14

Regulations for out of state providers.

The exemption from licensure in division (B) of section 4766.09 of the Revised Code exempts out of state ambulette services receiving a client in Ohio for transport to a location not within Ohio or when transporting a client received in another state to an Ohio destination. An out of state ambulette service that receives a client in Ohio for transportation to a location in Ohio shall be licensed and is subject to Chapter 4766. of the Revised Code and rules under this chapter and to all applicable fines and sanctions for any violation thereof.

4766-3-15

Changes to be reported to the board.

~~{Comment: For dates and availability of material incorporated by reference in this chapter of the Administrative Code, see rule 4766-3-18 of the Administrative Code.}~~

(A) Ambulette service shall ~~give written notification to the board~~ notify the board using the MTLs online system prior to or not less than ten days after changes in:

(1) Executive officers or board members;

(2) Directors;

(3) Ownership of a licensed ambulette service;

(4) Purchase or acquisition of a licensed ambulette service;

(a) The purchaser shall be required to submit a new application for licensure, complete appropriate inspections, and pay all applicable fees if operating as a separate business (different tax ID number); or

(b) The purchaser shall report to the board that the acquired service and vehicles will be absorbed into his or her existing licensed service (same tax ID number).

(5) Tax ID or EIN number;

(6) The name of the primary contact person(s), business or administrative office telephone number, email address, and if applicable, office fax number.

(B) ~~Within ten days of the date~~ When a permitted ambulette is permanently withdrawn from service, the licensed ambulette service shall ~~return to the board a "Deletion of Vehicle" form and the permit~~ delete the vehicle using the MTLs online system and remove the decal from the right rear window and destroy it.

(C) Within ten days of the date a licensed ambulette service ceases to operate, it shall return to the board all vehicle permits and the certificate of licensure.

(D) Within ten days of the date a licensed ambulette service ceases to operate a satellite location, it shall return to the board the certificate of licensure.

(E) A licensed ambulette service may apply at any time for change of address of headquarters location. The ~~application~~ change shall be made ~~on the "Headquarters~~

~~Change of Address" form using the MTLIS online system and include the one hundred dollar license fee.~~ The ambulette service shall also ensure compliance with rule 4766-3-04 of the Administrative Code. A change in the headquarters address does not change the expiration date of the license.

4766-3-16

Investigations.

- (A) The division may investigate all complaints on behalf of the board and in accordance with section 4766.11 of the Revised Code.
- (B) After an investigation is completed and based on the findings of such investigation the board may initiate disciplinary proceedings in accordance with Chapter 119. of the Revised Code and this chapter.
- (C) If, based on the findings of an investigation, the board determines that no further action on a complaint is warranted, then the case shall be closed accordingly.
- (D) The division shall conduct all investigations and any related proceedings, in such a manner as to protect patient confidentiality and in accordance with section 4765.102 of the Revised Code.
- (E) Notwithstanding paragraph (D) of this rule, a patient may consent to have the board release the patient's name or other identifying information that was collected as part of the division's investigation. Such consent shall be in writing and signed by the patient in order to be considered proper.

If a patient is less than eighteen years of age, such consent shall be in writing and signed by the patient's parent, guardian, or legal custodian in order to be considered proper.
- (F) No member of the board who participates in an investigation shall participate in any further adjudication of the case.
- (G) No member of the board who participates in an investigation at the local level or is involved in a case locally, shall participate in any investigation or adjudication of the same case by the board.

4766-3-17

Disciplinary grounds.

- (A) The board may, pursuant to an adjudicatory hearing under Chapter 119. of the Revised Code and section 4766.08 of the Revised Code, and by a vote of the majority of all members, suspend, revoke, or refuse to renew any license or permit or issue a fine not to exceed more than fifteen hundred dollars, for any of the following reasons:
- (1) Any violation of Chapter 4766. of the Revised Code or any rules adopted thereunder;
 - (2) Refusal to permit the board or its designee to inspect a vehicle, inspect the records, or inspect the physical facilities of a licensed ambulette service;
 - (3) Failure to meet vehicle standards as set forth in Chapter 4766. of the Revised Code or any rules adopted thereunder;
 - (4) Violation of an order issued by the board;
 - (5) Failure to comply with the terms of any agreement entered into with the board.
- (B) Within sixty days of receipt of a complete application for licensure, pursuant to division (F) of section 4766.04 of the Revised Code, the board shall deny an application if it determines that the applicant does not meet the requirements of Chapter 4766. of the Revised Code and rules promulgated thereunder.

4766-3-18

Incorporated by reference.

(A) "Ambulette Inspection" form or form "EMS 4019" (February, ~~2017~~ 2021) can be accessed at the division's website at <http://www.ems.ohio.gov/medical-transportation-forms.aspx>.

(B) The MTLs online system collects and manages information in categories including service details; medical director; call volumes; communication equipment; service areas; contact information; insurance details; vehicle liability; company executives; satellite locations; vehicle information; and facility and vehicle inspection information. MTOs register and create an account to access the MTLs online system and use it to apply for, renew, and manage a medical transportation license.

~~(B) "Application for Ambulette License" form or form "EMS 4002" (January, 2018) can be accessed at the division's website at <http://www.ems.ohio.gov/medical-transportation-forms.aspx>.~~

~~(C) "Deletion of Vehicle" form or form "EMS 4012" (April, 2016) can be accessed at the division's website at <http://www.ems.ohio.gov/medical-transportation-forms.aspx>.~~

~~(D) "Headquarters Change of Address" form or form "EMS 4004" (April, 2016) can be accessed via the division's website at <http://www.ems.ohio.gov/medical-transportation-forms.aspx>.~~

~~(E)~~(C) "Periodic Mechanical Safety Report" form or form "EMS 4039" (~~June, 2017~~July 2021) can be accessed via the division's website at <http://www.ems.ohio.gov/medical-transportation-forms.aspx>.

~~(F) "Renewal Application for Ambulette License" form or form "EMS 4041" (May, 2018) can be viewed at the division's website at <http://www.ems.ohio.gov/medical-transportation-forms.aspx>.~~

~~(G) "Temporary Ambulette Application" form or form "EMS 4010" (July, 2013) can be accessed via the division's website at <http://www.ems.ohio.gov/medical-transportation-forms.aspx>.~~

~~(H)~~(D) "Violation Notification" form or form "EMS 4029" (July, ~~2018~~ 2021) is issued by the board to an ambulette service/non-emergency medical services organization that is in violation of Chapter 4766. of the Revised Code and agency 4766 of the Administrative Code and a sample of the form can be viewed at <http://www.ems.ohio.gov/medical-transportation-forms.aspx>.

4766-4-01

Definitions.

[Comment: For dates and availability of material incorporated by reference in this chapter of the Administrative Code, see rule 4766-4-18 of the Administrative Code.]

~~(A) "Advanced emergency medical technician" or "AEMT" is a person holding a current and valid certificate to practice issued under Chapter 4765. of the Revised Code authorizing the holder to provide medical care as set forth in rule 4765-16-04 of the Administrative Code.~~

(A) Advanced life support" or "ALS" has the same meaning as defined in 4766.01 of the Revised Code.

(B) "Ambulance" has the same meaning as defined in 4766.01 of the Revised Code.

(C) "Basic life support" or "BLS" has the same meaning as defined in 4766.01 of the Revised Code.

~~(B)~~(D) "Board" means the state board of emergency medical, fire, and transportation services within the division of emergency medical services of the department of public safety set forth in section 4765.02 of the Revised Code.

(E) "Computed tomography" or "CT" refers to a computerized x-ray imaging procedure.

~~(E)~~(F) "Division" means the division of emergency medical services within the department of public safety.

~~(D)~~(G) "Emergency medical technician" or "EMT" is a person holding a current and valid certificate to practice issued under Chapter 4765. of the Revised Code authorizing the holder to provide medical care as set forth in rule 4765-15-04 of the Administrative Code.

~~(E)~~(H) "Headquarters" means the location which a licensee operates, designated by the licensee as the location where the records set forth in this chapter are maintained or readily available.

~~(F)~~(I) "Inspection fee" means a fee required to be paid for the inspection of a permitted vehicle.

~~(G)~~(J) "License" means a certificate of licensure issued by the board to the service, also known as the licensed mobile intensive care unit.

~~(H)~~(K) "Medical director" means an Ohio-licensed physician who meets the requirements as set forth in Chapter 4765. of the Revised Code and rule 4765-3-05 of the Administrative Code.

(L) "Medical transportation organization" or "MTO" has the same meaning as emergency medical service organization as defined in section 4766.01 of the Revised Code.

(M) "Mobile intensive care unit" or "MoICU" has the same meaning as mobile intensive care unit as defined in section 4766.01 of the Revised Code.

(N) "Mobile stroke unit" is an MoICU specifically designed to treat and transport individuals experiencing a cerebral vascular incident.

(O) "Medical transportation licensing system" or "MTLS online system" means a web based system for medical transportation agencies to obtain, renew, and maintain their licenses.

~~(K) "Neonate" means a newborn beginning at birth and lasting through the twenty-eighth day of life.~~

(P) "Operate" means to engage in conduct or activity in furtherance of the licensed activity at or from a physical location owned, leased or maintained by the licensee where employees report to work and vehicles or aircraft are stored. Operate also includes the act of receiving a person within Ohio for transportation to a location within Ohio.

(O) "Paramedic" is a person holding a current and valid certificate to practice issued under Chapter 4765. of the Revised Code authorizing the holder to provide medical care as set forth in rule 4765-17-03 of the Administrative Code.

(R) "Permit" is the authorization to operate issued by the board as set forth in section 4766.07 of the Revised Code for a specific vehicle, known as the "permitted vehicle" and requires the issuance of a decal for the permitted vehicle by the board or its designee.

(S) "Radiologic technologist" is a health care professional skilled in the theory and practice of the technical aspects of the use of x-rays and radioisotopes in the diagnosis and treatment of disease.

(T) "Readily available" means produced upon demand by the board or its designee.

(U) "Reinspection fee" means a fee required to conduct an inspection as a result of the issuance of a violation notification by the board, or its designee, to a licensed MoICU or license applicant, regarding a permitted MoICU or a MoICU for which a permit application is pending with the board.

~~(Q)~~(V) "Satellite base" means a physical location other than headquarters from which a licensee operates.

~~(R)~~ "~~Service number~~" or "~~service code~~" means the number assigned to the MoICU by the board for the purpose of identifying and validating the service or permitted MoICU.

~~(S)~~(W) "Temporary vehicle" means a MoICU issued a temporary permit used to replace a permitted MoICU in accordance with rule 4766-4-12 of the Administrative Code that is out of service until the permitted MoICU is returned to service or is replaced. A temporary vehicle may be used for a time period not to exceed sixty days.

~~(T)~~(X) "Violation notification" means a written form issued by the board or its designee during an inspection or investigation identifying deficiencies in record keeping requirements, vehicle roadworthiness requirements, or equipment requirements by a service or its vehicle(s).

4766-4-02

Application for initial or renewal licensure.

~~[Comment: For dates and availability of material incorporated by reference in this chapter of the Administrative Code, see rule 4766-4-18 of the Administrative Code.]~~

(A) ~~A~~An MTO applying for initial licensure shall ~~file with the board an "Application for Ambulance or Mobile Intensive Care License" form in the English language, and shall submit the completed application to the board~~submit to the board a completed MoICU application, in the English language, using the MTLS online system:

- (1) Accompanied by the appropriate fees as set forth in rule 4766-4-03 of the Administrative Code and;
- (2) With all required supporting documentation as set forth in this rule that must be received by the board.

(B) ~~A~~An MTO applying for renewal of a license shall ~~file with the board a "Renewal Application for Ambulance or Mobile Intensive Care License" form in the English language, and shall submit the completed application to the board~~submit to the board a completed renewal application, in the English language, using the MTLS online system:

- (1) Accompanied by the appropriate fees as set forth in rule 4766-4-03 of the Administrative Code and;
- (2) With all required supporting documentation as set forth in this rule that must be received by the board prior to the expiration date of the license.

(C) In addition to the requirements set forth in section 4766.04 of the Revised Code, for each application the MTO applicant shall provide and maintain documentation of:

- (1) The name of service, organizational structure and address of applicant to include as follows:
 - (a) Name;
 - (b) Identification of organizational structure as a corporation (whether for profit or not-for-profit); limited liability company; partnership; limited liability partnership; government unit; or sole proprietor (individual human);
 - (c) Tax identification (tax ID) number or employer identification number (EIN);

- (d) All other names under which applicant plans to operate while using the same tax ID or EIN number. Business organizations with different tax ID or EIN numbers cannot operate under the same license;
 - (e) Copies of all trade name registrations and fictitious name registrations for all other names under which applicant plans to operate on file with the Ohio secretary of state;
 - (f) Address of physical location of applicant's headquarters (no post office box);
 - (g) Mailing address of applicant;
- (2) All medicare provider numbers;
 - (3) All medicaid provider numbers;
 - (4) Highest level of service to be provided;
 - (5) Service areas including county and state;
 - (6) A list of the names of all officers, directors, and/or owners of the MTO;
 - (7) The name, contact information, and state of Ohio medical license number of the service's medical director;
 - (8) For each satellite base, the MTO shall provide the physical address, city, county, state, and zip code;
 - (9) The name of the primary contact person(s), business or administrative office telephone number, e-mail address, and if applicable, office fax number;
 - (10) Year of manufacture, make, model, vehicle identification number, odometer reading, and license plate number (renewal only) of each MoICU or non-transport vehicle to be permitted;
 - (11) A color photograph of the side of applicant's vehicle displaying color scheme, insignia, monogram, or other distinguishing characteristic. If multiple color schemes, insignias, monograms, or other distinguishing characteristics are used, a color photograph of each shall accompany application.

- (a) Color photographs shall be submitted to the division:
 - (i) With all initial ~~"Application for Ambulance or Mobile Intensive Care License" forms~~ MoICU applications; and
 - (ii) Within thirty days of the date a change is made to the vehicle's color scheme, insignia, monogram, or other distinguishing characteristics.
 - (b) Digital photographs are preferred.
- (12) A current and valid certificate of liability insurance in the name of the applicant, listing the board as a certificate holder with a thirty day cancellation notice as specified in section 4766.06 of the Revised Code:
- (a) The actual name on the license application shall appear on the certificate of liability insurance;
 - (b) Each permitted vehicle with vehicle identification number (VIN) shall be listed on the certificate of liability insurance.
- (D) An application that is not completed in the manner as specified on the application or does not include all required documentation shall be deemed incomplete.
- (E) An application deemed incomplete shall not be considered and may be returned with the notation to the applicant indicating the reason the application is incomplete.
- (F) Failure to provide the required documents within thirty days of the date the initial ~~"Application for Ambulance or Mobile Intensive Care License" form~~ application is received by the division may result in the application being deemed incomplete.
- (G) ~~A~~ An MTO shall submit a completed ~~"Renewal Application for Ambulance or Mobile Intensive Care License" form~~ renewal application, appropriate fees, and supporting documentation to the board prior to the expiration of the MTO's license in order to be considered timely.
- (H) The board shall issue a certificate of licensure to the MTOs that meet the criteria to provide MoICU level of service. ~~The certificate of licensure issued by the board shall indicate the highest level of service that the MTO is authorized to provide.~~
- The certificate of licensure issued by the board shall indicate the highest level of

service that the MTO is authorized to provide.

An MTO licensed at the MoICU level is permitted to operate ambulances at the ALS and BLS levels as set forth in Chapter 4766-2 of the Administrative Code.

(I) No applicant or licensed MTO shall submit false, misleading, or deceptive information in order to obtain a license or permit.

(J) A license is not transferable.

4766-4-03

Fees.

- (A) Each MTO shall pay an initial or renewal license fee of one hundred dollars annually.
- (B) Each MTO shall pay a permit fee for each ~~MoICU(s)~~MoICU or non-transport vehicle of one hundred dollars annually;
- (C) Each MTO shall pay an inspection fee of one hundred dollars per MoICU or non-transport vehicle.
- (D) Each MTO shall pay a one hundred dollar reinspection fee for every MoICU or non-transport vehicle that requires reinspection as a result of a violation notification issued by the board or its designee.
- (E) Each MTO shall pay a temporary permit fee of one hundred dollars for each temporary permit to be obtained.
- (F) Fees shall be submitted with the application.
- ~~(G) All fees are nonrefundable.~~
- ~~(H)~~(G) Each MTO ~~shall~~may pay a re-print fee of five dollars for each vehicle decal that shall be re-printed as a result of the decal being lost, damaged, incorrectly applied, or incorrect vehicle information provided to the division by the service.

4766-4-04

Physical facilities.

[Comment: For dates and availability of material incorporated by reference in this chapter of the Administrative Code, see rule 4766-4-18 of the Administrative Code.]

(A) The board or its designee shall conduct initial and renewal inspections of all MTOs pursuant to Chapter 4766. of the Revised Code and rules 4766-4-04 to 4766-4-07 of the Administrative Code to include the following:

- (1) MTO service headquarters;
- (2) MTO service satellite location(s).

(B) ~~A~~An MTO shall not commence operations from its headquarters or satellite base(s) until the MTO has met all requirements set forth in section 4766.04 of the Revised Code and agency 4766 of the Administrative Code including satisfactory inspections of all physical locations.

(C) ~~A~~An MTO shall ensure compliance with the inspection requirements for physical facilities. The inspection requirements for physical facilities of ~~a~~an MTO are as follows:

- (1) The board issued license shall be prominently displayed in a conspicuous location at every licensed facility (renewal inspection only);
- (2) Ohio state board of pharmacy license(s) shall be displayed at each location;
- (3) A written sanitation plan as set forth in Chapter 4766-4 of the Administrative Code shall be on site for each location;
- (4) The physical facilities shall maintain all single use supplies and equipment as set forth in the "MoICU Inspection" form.
- (5) The physical facilities shall be clean and free of debris;
- (6) Crew quarters shall be clean;
- (7) All physical facilities shall be in compliance with state and local building codes;
- (8) Each facility shall be in compliance with state and local fire codes.

(D) The board or its designee may conduct routine unannounced inspections at any

location(s) of licensed MTO at any time, including night or weekend inspections to determine compliance with Chapter 4766. of the Revised Code and agency 4766 of the Administrative Code to include, but not limited to, the following:

- (1) MTO service headquarters;
- (2) MTO service satellite location(s);
- (3) MoICU(s) and non-transport vehicle(s).

4766-4-05

Record keeping requirements.

[Comment: For dates and availability of material incorporated by reference in this chapter of the Administrative Code, see rule 4766-4-18 of the Administrative Code.]

(A) Each licensed MTO shall maintain or have readily available the following at its headquarters:

(1) Current copy of the organization's operating medical protocol(s) as filed with the Ohio state board of pharmacy;

(2) Verification of the following:

(a) Completion of emergency vehicle operator course for non-EMS certified personnel as set forth in rule 4766-4-13 of the Administrative Code;

(b) Certification or license of all personnel;

(3) A current and valid certificate of liability insurance issued by an insurer licensed to do business in Ohio that includes a thirty day notice of cancellation to the board in compliance with the terms set forth in section 4766.06 of the Revised Code listing the board as a certificate holder;

Each scheduled vehicle must be listed on the certificate or attached on an additional page to the certificate to include the vehicle's year, make, model and vehicle identification number (VIN). If the certificate indicates "any auto" or "all owned autos," a list of vehicles does not have to be included or attached.

(4) Current copy of the MTO's written policy covering the use of lights and audible warning devices;

(5) Records or other documents related to patient care or to emergency medical service personnel maintained by the licensed MTO which shall be made available for review by the board or its designee;

Such records or documents shall be made available in accordance with 45 C.F.R. 164.512;

(6) Current maintenance records for vehicles as specified in rule 4766-4-09 of the Administrative Code;

(7) Documentation of compliance with the periodic mechanical safety inspection

set forth in rule 4766-4-09 of the Administrative Code;

- (8) Current maintenance records for all equipment used for patient care as specified in rule 4766-4-09 of the Administrative Code;
 - (9) Dispatch log;
 - (10) Written plan for restocking of supplies or compliance with paragraph (C)(4) of rule 4766-4-04 of the Administrative Code;
 - (11) Ohio state board of pharmacy license and addendum;
 - (12) DEA registration certificate (as applicable);
 - (13) Clinical laboratory improvement amendments (CLIA) waiver (as applicable);
 - (14) Current written plan for the handling and disposal of bio-medical infectious materials (OSHA rule 29 C.F.R. 1910.1030).
- (B) A licensed MTO shall maintain or have readily available the following at each satellite base:
- (1) Current copy of the organization's operating medical protocol(s) as filed with the Ohio state board of pharmacy;
 - (2) Documentation that meets the requirements as set forth in rule 4766-4-07 of the Administrative Code;
 - (3) Current copy of the MTO's written policy covering the use of lights and other warning devices;
 - (4) Written plan for restocking of supplies or compliance with paragraph (C)(4) of rule 4766-4-04 of the Administrative Code;
 - (5) Ohio state board of pharmacy license(s) and addendum(s);
 - (6) Current written plan for the handling and disposal of bio-medical infectious materials (OSHA rule 29 C.F.R. 1910.1030).

(C) Upon licensure, each licensed MTO shall prominently display the original certification of licensure at its headquarters and each satellite base.

(D) Patient records shall be maintained in accordance with this rule.

(1) Each licensed MTO shall maintain accurate records concerning the transportation of each patient for a minimum of seven years;

(2) Each record shall include, at minimum, the following:

(a) Patient's name;

(b) Patient's sex;

(c) Patient's age;

(d) Patient's date of birth;

(e) Patient's address;

(f) Location address of incident or pickup;

(g) Patient's chief complaint;

(h) Patient's history including:

(i) Current medical condition;

(ii) List of current medications;

(iii) Allergies;

(iv) Vital signs and time assessed:

(a) Blood pressure;

(b) Pulse;

- (c) Respiration;
 - (i) Any responsible guardian;
 - (j) Advanced directives, if applicable;
 - (k) Final destination;
 - (l) Treatment rendered;
 - (m) The following times:
 - (i) Time call received;
 - (ii) Dispatch time;
 - (iii) Enroute time;
 - (iv) On-scene time;
 - (v) Departure from scene time;
 - (vi) Arrival at destination time;
 - (n) The names and level of certification or licensure for all EMS providers and other medical personnel;
 - (o) The names of any non-EMS certified personnel, if applicable.
- (3) A copy of the record for each patient shall be provided to the receiving facility, which includes all the information required no later than twenty-four hours from time of dispatch.

4766-4-06

Communication requirements.

- (A) All licensed MTO dispatch centers shall be equipped with a base station capable of two-way communications with associated MoICU(s) and non-transport vehicle(s). The base station shall demonstrate and maintain voice communications with the devices used in the permitted MoICU(s) and non-transport vehicle(s) within the declared service area:
- (B) All MoICU(s) and non-transport vehicle(s), permitted as set forth in Chapter 4766. of the Revised Code, shall be equipped, while in use, with a dedicated two-way communications device, which shall have the capability to communicate with the licensed MTO's dispatch center, the receiving medical facility, and with medical control in the licensed MTO's service area.
- (C) All MTOs shall maintain a detailed radio/communications log that documents, at a minimum, the following:
- (1) Location of call;
 - (2) Nature of call;
 - (3) Initial dispatch time;
 - (4) Enroute time;
 - (5) On-scene time;
 - (6) Departure from scene time;
 - (7) Arrival at destination time;
- (D) If [aan](#) MTO contractually uses another communication center for dispatch purposes, the communication center shall provide written certification of compliance with Chapter 4766. of the Revised Code and agency 4766 of the Administrative Code as applicable.

4766-4-07

Health and safety requirements.

[Comment: For dates and availability of material incorporated by reference in this chapter of the Administrative Code, see rule 4766-4-18 of the Administrative Code.]

- (A) Each licensed MTO shall comply with all occupational safety and health administration-bloodborne pathogens regulations as set forth by 29 C.F.R. 1910.1030.

- (B) A licensed MTO shall ensure that sanitation procedures are provided to all personnel in a written document that conforms with current standards as set forth in occupational safety and health administration -bloodborne pathogens protocol.

- (C) A licensed MTO shall maintain and follow a written sanitation plan that conforms with the latest bloodborne pathogen standards as written by the occupational safety and health administration. The following documentation shall be maintained for each vehicle:
 - (1) Sanitation schedule;

 - (2) Date the sanitation was completed;

 - (3) Documentation of who performed sanitation.

- (D) All licensed MTOs shall establish a written policy governing the use of lights and other warning devices pursuant to section 4511.24 of the Revised Code which shall be made available for inspection by the board or its designee.

4766-4-08

Vehicle inspections and equipment requirements.

[Comment: For dates and availability of material incorporated by reference in this chapter of the Administrative Code, see rule 4766-4-18 of the Administrative Code.]

- (A) The board or its designee shall inspect all MoICU(s) and non-transport vehicle(s) for roadworthiness and for appropriate equipment using the "MoICU Inspection" form, [the "Mobile Stroke Unit Inspection" form](#), or [the "Non-transport Vehicle Inspection" form](#).
- (B) A permitted MoICU that is being used as a MoICU shall comply with the requirements of roadworthiness and the requirements set forth in the "MoICU Inspection" form ["Mobile Stroke Unit Inspection" form](#), which shall include carrying the following types of equipment:
- (1) Isolation equipment;
 - (2) Airway equipment;
 - (3) Onboard definitive care equipment;
 - (4) Bleeding control/burn equipment;
 - (5) Suction equipment;
 - (6) Medical gas and equipment;
 - (7) Adjunct equipment;
 - (8) Intravenous equipment;
 - (9) Neonatal specific equipment; and
 - (10) Immobilization equipment for MoICUs dually certified to provide advanced life support.
- (C) A permitted non-transport vehicle that is being used as a non-transport vehicle shall comply with the requirements of roadworthiness and the requirements set forth in the "Non-Transport Vehicle Inspection" form, which shall include carrying specified definitive equipment.
- (D) All equipment and supplies shall have current expiration dates where applicable.

- (E) Disposable equipment is acceptable where applicable.
- (F) All equipment shall be securely stored in each vehicle.
- (G) ~~A~~An MTO shall demonstrate proof that each MoICU complies with all specifications set forth in division (C)(2) of section 4766.07 of the Revised Code, by one of the following:
 - (1) Placard/sticker;
 - (2) Certificate issued by the manufacturer;
 - (3) Signed affidavit by the manufacturer certifying compliance with national standards in effect at time the vehicle was manufactured.
- (H) The name of the MTO shall be permanently affixed to each MoICU and non-transport vehicle with letters being a minimum height of three inches on both sides and a minimum height of one and one half inches on the back.

MoICU vehicles operated at the mobile stroke unit level shall have permanently affixed lettering being a minimum height of three inches on both sides and rear of the vehicle indicating the vehicle is a mobile stroke unit.

If ~~a~~an MTO is under contract which requires other signage or if the MTO is operating under another name, each vehicle shall have permanently affixed lettering with a minimum height of one and one half inches on the rear and both sides of the of vehicle that states:
 - (1) Owned and operated by [MTO's name]; or
 - (2) Operated by [MTO's name]; or
 - (3) Owned by [MTO's name].
- (I) All violation notifications issued by the board or its designee shall be corrected.
- (J) Each vehicle that receives a violation notification shall be placed out-of-service until:
 - (1) It passes reinspection by the board or its designee; or

(2) For seventy-two hour violation notifications, the violation has been corrected and the "Violation Notification" form is signed and returned to the division along with supporting documentation showing the violation has been corrected.

(K) Upon issuance of a vehicle permit, each licensed MTO shall apply the decal on the outside of the right rear window in accordance with division (B)(2) of section 4766.07 of the Revised Code on each MoICU and non-transport vehicle.

The permit shall be unobstructed at all times.

(L) A permit is not transferable.

(M) The board or its designee may conduct routine unannounced inspections at any location of licensed MTO at any time, including night or weekend inspections to determine compliance with Chapter 4766. of the Revised Code and agency 4766 of the Administrative Code to include, but not limited to, MoICU(s) and non-transport vehicle(s).

(N) A permitted MoICU or non-transport vehicle shall maintain compliance with roadworthiness requirements set forth in this rule at any time it is used as an MoICU or non-transport vehicle.

(O) Each permitted vehicle shall be free from dirt, stains, impurities and/or foreign matter in driver's compartment and MoICU patient care compartments.

(P) Permitted MoICUs and non-transport vehicles shall:

(1) Bear license plates issued under section 4503.49 of the Revised Code; or

(2) Comply with residency registration requirements set forth in section 4503.111 of the Revised Code.

4766-4-09

Maintenance documentation.

[Comment: For dates and availability of material incorporated by reference in this chapter of the Administrative Code, see rule 4766-4-18 of the Administrative Code.]

(A) MoICU and non-transport vehicles

(1) All licensed MTOs shall ensure performance and maintain documentation of all periodic maintenance and repairs on each permitted vehicle to include:

(a) Date of service or repair;

(b) Description of service/repair performed;

(c) Name of person who performed service/repair and the business name, if applicable.

(2) Licensed MTOs shall subject all permitted MoICU(s) and non-transport vehicle(s) to periodic mechanical safety inspection(s), which shall be documented by the service.

(a) A periodic mechanical safety inspection shall mean an inspection conducted:

(i) Prior to a vehicle's initial permit being issued for vehicles with an odometer reading of five thousand miles or more, and;

(ii) Annually and completed within the six month period prior to the MTO's license expiration date, or;

(iii) Every twenty-five thousand miles for a vehicle that has an odometer reading of one hundred fifty thousand miles or more.

(b) Each mechanical safety inspection shall be conducted by a mechanic with factory training and certification from an original (motor vehicle) equipment manufacturer or equivalent certification for "Emergency Vehicle Technicians" (EVT) or from the "National Institute for Automotive Service Excellence" (ASE).

(c) Each mechanical safety inspection shall be conducted in addition to the vehicle and equipment inspection by the board or its designee following the procedures adopted in rule 4766-4-08 of the Administrative Code.

- (d) Vehicles with failed items found during the mechanical safety inspection shall be removed from service and not placed back into service until items are corrected. Proof of correction(s) shall be maintained by the service with the "Periodic Mechanical Safety Report" form in the vehicle's maintenance records.

(3) Out of service permitted MoICU(s) or non-transport vehicle(s):

If a licensed MTO removes a permitted MoICU or non-transport vehicle from service it shall place an "out of service" sign in the permitted MoICU or non-transport vehicle to be visible through the windshield with the following information included on the front of the sign:

- (a) Date permitted MoICU or non-transport vehicle was taken out of service;
- (b) Odometer reading at time permitted MoICU or non-transport vehicle was taken out of service;
- (c) Reason permitted MoICU or non-transport vehicle was taken out of service;
- (d) Printed name and signature of person responsible for taking permitted vehicle out of service;
- (e) The words "out of service" utilizing not less than three inch lettering.

- (4) If permitted MoICU or non-transport vehicle is at a repair/maintenance shop that is not owned or operated by the licensed MTO for maintenance purposes, no "out of service" sign is required.

(B) Bio-medical equipment/patient care equipment:

- (1) A licensed MTO shall ensure performance and maintain documentation of all periodic maintenance and repairs of bio-medical equipment as required by manufacturer and/or food and drug administration including but not limited to the following:
 - (a) Date of last inspection;
 - (b) Date of service or repair;

- (c) Description of service/repair performed;
 - (d) Name of person who performed inspection, service, or repair;
 - (e) Documentation, if any, of inspection, service, or repair performed.
- (2) A licensed MTO shall maintain documentation of all periodic maintenance of patient care equipment as required by the original equipment manufacturer, including but not limited to the following:
- (a) Date of last inspection;
 - (b) Date of service or repair;
 - (c) Description of service/repair performed;
 - (d) Name of who performed inspection, service, or repair;
 - (e) Documentation of inspection, service, or repair performed.
- (C) MoICU and non-transport vehicle maintenance/repair records and bio-medical maintenance/repair records shall be kept for a period of twelve months after the vehicle/equipment is removed from inventory.

4766-4-11

Use of lights and other warning devices.

- (A) Permitted MoICU(s) and non-transport vehicle(s) are considered public safety vehicles pursuant to division (E)(1) of section 4511.01 of the Revised Code.
- (B) Permitted MoICU(s) and non-transport vehicle(s), when responding to emergency calls, may use emergency lights and audible warning devices pursuant to section 4511.24 of the Revised Code.
- (C) Permitted MoICU(s) and non-transport vehicle(s) shall:
 - (1) Bear license plates issued under section 4503.49 of the Revised Code; or
 - (2) Comply with residency registration requirements set forth in section 4503.111 of the Revised Code.
 - (3) Permitted MoICU(s) and non-transport vehicle(s) owned and operated by a federal, state, county, city, or township or a service that qualifies for gratis license plates from the bureau of motor vehicles are not required to bear ambulance license plates or non-transport vehicle license plates.

4766-4-12

Temporary and disaster operations.

~~[Comment: For dates and availability of material incorporated by reference in this chapter of the Administrative Code, see rule 4766-4-18 of the Administrative Code.]~~

(A) In the event of a disaster situation when permitted MoICU(s) based in the locality of the disaster situation are incapacitated or insufficient in number to render services needed, a licensed MTO may utilize whatever means necessary to transport and treat patients.

(B) A MoICU or non-transport vehicle that has not been issued a permit by the board may be issued a temporary permit, for a period not to exceed sixty days, if the MoICU or non-transport vehicle is used to replace a permitted MoICU or non-transport vehicle that has been temporarily taken out of service for repair or maintenance or is being permanently replaced. In order to obtain a temporary permit, [aan](#) MTO shall submit ~~a "Temporary Ambulance / MOICU / Non-transport Vehicle" form to the board containing~~ to the board a request for a temporary vehicle permit using the MTLs online system containing:

(1) Vehicle identification number of the permitted MoICU or non-transport vehicle;

(2) Vehicle identification number of the MoICU or non-transport vehicle to receive a temporary permit;

~~(2)(3) Date permitted MoICU or non-transport vehicle was placed out of service;~~

~~(3) Vehicle identification number of the non-permitted MoICU or non-transport vehicle;~~

~~(4) Date temporarily permitted MoICU or non-transport vehicle is to be placed in service;~~

~~(5) Brief description of reason the permitted MoICU or non-transport vehicle was taken out of service.~~

(C) A temporarily permitted MoICU or non-transport vehicle shall not be operated unless it meets the requirements set forth in paragraph (B) of rule 4766-4-08 of the Administrative Code and the insurance requirement set forth in division (B) of section 4766.06 of the Revised Code.

~~(C) The licensed MTO shall ensure that the one hundred dollar fee prescribed in paragraph (E) of rule 4766-4-03 of the Administrative Code shall be received by the board within seven days of issuance of a temporary permit.~~

~~(D) The MTO shall note the date of return to service of the permitted MoICU or non-transport vehicle on the temporary permit.~~

~~(E) The licensed MTO shall return the temporary permit to the board within two days after the permitted MoICU or non-transport vehicle is returned to service.~~

4766-4-13

Staffing compliance.

[Comment: For dates and availability of material incorporated by reference in this chapter of the Administrative Code, see rule 4766-4-18 of the Administrative Code.]

MoICU transport team shall consist of three personnel: a ~~driver operator~~driver/operator and two other healthcare personnel as described herein:

(A) ~~Driver operator~~Driver/operator means:

- (1) A person who has successfully completed and passed an emergency vehicle operator course that meets requirements of national highway and traffic safety administration's "1995 Emergency Vehicle Operators Course (Ambulance): National Standard Curriculum"; or
- (2) A person who is certified as an Ohio emergency medical technician.

(B) Healthcare personnel means one each of the following:

- (1) A registered nurse whose training meets or exceeds the training required for a paramedic; and
- (2) A physician or another person designated by a physician, who holds a valid license or certificate to practice in a health care profession in one of the following areas: paramedic, registered nurse, respiratory therapist, advanced practice nurse, or physician's assistant.

(C) When operating as a mobile stroke unit, staffing shall consist of a minimum of three providers whose licenses, registrations, and/or certifications include a registered radiologic technologist to operate the computed tomography (CT) machine; a registered nurse; and at a minimum, one certified EMT and one certified paramedic. One of the providers may hold dual certifications.

4766-4-14

Regulations for out of state providers.

The exemption from licensure in division (B) of section 4766.09 of the Revised Code exempts out of state providers receiving a patient in Ohio for transport to a location not within Ohio or when transporting a patient received in another state. An out of state provider that receives a patient in Ohio for transportation to a location in Ohio shall be licensed and is subject to Chapter 4766. of the Revised Code and rules under this chapter and to all applicable fines and sanctions for any violation thereof.

4766-4-15

Changes to be reported to the board.

~~{Comment: For dates and availability of material incorporated by reference in this chapter of the Administrative Code, see rule 4766-4-18 of the Administrative Code.}~~

- (A) Each licensed MTO shall ~~give written notification to the board within ten business days~~ notify the board using the MTLS online system of any additions, deletions or changes in:
- (1) Executive officers or board members;
 - (2) Medical director, including:
 - (a) Contact information; and
 - (b) Medical license number;
 - (3) Ownership of a licensed MTO;
 - (4) Tax ID or EIN number;
 - (5) The name of the primary contact person(s), business or administrative office telephone number, email address, and if applicable, office fax number.
- (B) ~~Within ten days of the date~~ When a permitted MoICU or non-transport vehicle is permanently withdrawn from service, the licensed MTO shall ~~return to the board a "Deletion of Vehicle" form and~~ delete the vehicle using the MTLS online system and remove the decal from the right rear window and destroy it.
- (C) Within ten business days of the date a licensed MTO ceases to operate, it shall return to the board all vehicle decals and the certificate of licensure.
- (D) Within ten business days of the date a licensed MTO ceases to operate a satellite base, it shall return to the board the certificate of licensure.
- (E) ~~A~~ An MTO licensed at the MoICU level may apply at any time to be licensed at a lower level. The application change shall be made ~~on a "Change in Level of Service Medical Transportation Organization" form~~ using the MTLS online system which includes a ~~and include the~~ one hundred dollar license fee. The MTO shall also ensure compliance with rules 4766-4-04 and 4766-4-08 of the Administrative Code. A change in level of service does not change the expiration date of the license.

- (F) A licensed MTO may apply at any time for change of address of headquarters location. The ~~application change~~ shall be made ~~on the "Headquarters Change of Address" form~~ using the MTLS online system ~~which includes a~~ and include the one hundred dollar license fee. The MTO shall also ensure compliance with rules 4766-4-04 of the Administrative Code. A change in headquarters address does not change the expiration date of the license.

4766-4-16

Investigations.

- (A) The division shall investigate all complaints on behalf of the board and in accordance with section 4766.11 of the Revised Code.
- (B) After an investigation is completed and based on the findings of such investigation, the board may initiate disciplinary proceedings in accordance with Chapter 119. of the Revised Code and this chapter.
- (C) If, based on the findings of an investigation, the board determines that no further action on a complaint is warranted, then the case shall be closed accordingly.
- (D) The division shall conduct all investigations and any related proceedings, in such a manner as to protect patient confidentiality and in accordance with section 4765.102 of the Revised Code.
- (E) Notwithstanding paragraph (D) of this rule, a patient may consent to have the board release the patient's name or other identifying information that was collected as part of the division's investigation. Such consent shall be in writing and signed by the patient in order to be considered proper.

If a patient is less than eighteen years of age, such consent shall be in writing and signed by the patient's parent, guardian, or legal custodian in order to be considered proper.
- (F) No member of the board who participates in an investigation shall participate in any further adjudication of the case.
- (G) No member of the board who participates in an investigation at the local level or is involved in a case locally, shall participate in any investigation or adjudication of the same case by the board.

4766-4-17

Disciplinary grounds.

- (A) The board may, pursuant to an adjudicatory hearing under Chapter 119. of the Revised Code and section 4766.08 of the Revised Code, and by a vote of the majority of all members, suspend, revoke, or refuse to renew any license or permit or issue a fine not to exceed more than fifteen hundred dollars, for any of the following reasons:
- (1) Any violation of Chapter 4766. of the Revised Code or any rules adopted thereunder;
 - (2) Refusal to permit the board or its designee to inspect a vehicle, inspect the records, or inspect the physical facilities of a licensed MTO;
 - (3) Failure to meet vehicle standards as set forth in Chapter 4766. of the Revised Code or any rules adopted thereunder;
 - (4) Violation of an order issued by the board;
 - (5) Failure to comply with the terms of any agreement entered into with the board.
- (B) Within sixty days of receipt of a complete application for licensure, pursuant to division (F) of section 4766.04 of the Revised Code, the board shall deny an application if it determines that the applicant does not meet the requirements of Chapter 4766. of the Revised Code and rules promulgated thereunder.

4766-4-18

Incorporated by reference.

- (A) "1995 Emergency Vehicle Operators Course (Ambulance): National Standard Curriculum" can be found at <http://www.nhtsa.gov/people/injury/ems/web%20site%20intro.htm>.
- (B) "29 C.F.R. 1910.1030" (April 3, 2012) covers exposure to blood or other potentially infectious materials.
- (C) "45 C.F.R. 164.512" (January 6, 2016) specifies what information can be shared under the HIPAA laws.
- ~~(D) "Application for Ambulance or Mobile Intensive Care License" form or form "EMS 4001" (January, 2018) can be accessed at the division's website at <http://www.ems.ohio.gov/medical-transportation-forms.aspx>.~~
- ~~(E) "Change in Level of Service Medical Transportation Organization" form or form "EMS 4011" (July, 2013) can be accessed at the division's website at <http://www.ems.ohio.gov/medical-transportation-forms.aspx>.~~
- ~~(F) "Deletion of Vehicle" form or form "EMS 4012" (April, 2016) can be accessed at the division's website at <http://www.ems.ohio.gov/medical-transportation-forms.aspx>.~~
- ~~(G) "Headquarters Change of Address" form or form "EMS 4004" (April, 2016) can be accessed at the division's website at <http://www.ems.ohio.gov/medical-transportation-forms.aspx>.~~
- (D) "Mobile Stroke Unit Inspection" form or form EMS XXXX (DATE) can be accessed at the division's website at <http://www.ems.ohio.gov/medical-transportation-forms.aspx>.
- ~~(H)~~(E) "MoICU Inspection" form, or "Mobile Intensive Care Unit Inspection" form, or form "EMS 4022" (February, 2017) can be accessed at the division's website at <http://www.ems.ohio.gov/medical-transportation-forms.aspx>.
- (F) The MTLs online system collects and manages information in categories including service details; medical director; call volumes; communication equipment; service areas; contact information; insurance details; vehicle liability; company executives; satellite locations; vehicle information; and facility and vehicle inspection information. MTOs register and create an account to access the MTLs online system and use it to apply for, renew, and manage a medical transportation license.
- ~~(G)~~(G) "Non-transport Vehicle Inspection" form or form "EMS 4026" (~~January, 2017~~July 2021) can be accessed at the division's website at <http://www.ems.ohio.gov/medical-transportation-forms.aspx>.

*** DRAFT - NOT YET FILED ***

4766-4-18

2

(H) "Periodic Mechanical Safety Report" form or form "EMS 4039" (~~June, 2017~~[July 2021](#)) can be accessed at the division's website at <http://www.ems.ohio.gov/medical-transportation-forms.aspx>.

~~(K) "Renewal Application for Ambulance or Mobile Intensive Care License" form or form "EMS 4040" (May, 2018) can be viewed at the division's website at <http://www.ems.ohio.gov/medical-transportation-forms.aspx>.~~

~~(L) "Temporary Ambulance / MOICU / Non-transport Vehicle" form or form "EMS 4009" (April, 2016) can be accessed at the division's website at <http://www.ems.ohio.gov/medical-transportation-forms.aspx>.~~

(I) "Violation Notification" form or form "EMS 4029" (~~July, 2018~~[July 2021](#)) is issued by the board to a MTO that is in violation of Chapter 4766. of the Revised Code and agency 4766 of the Administrative Code and [a sample of the form](#) can be viewed at the division's website at <http://www.ems.ohio.gov/medical-transportation-forms.aspx>.