



# OHIO EMERGENCY MEDICAL SERVICES



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## EMS Legislation Update

House Bill 138 was signed by Governor Mike DeWine on April 6, 2022 and goes into effect on July 6, 2022. This legislation contains updates on Emergency Medical Services (EMS) medical protocols, medical director qualifications, Do-Not-Resuscitate orders, non-emergency transports, COVID-19 testing, and first responder certification requirements.

- House Bill 138 clearly indicates that EMS certificate holders are permitted to follow medical direction from written protocols. The bill removes outdated references in the Ohio Revised Code that may have implied otherwise under certain circumstances.
- Medical directors are no longer required to complete a residency or fellowship program in emergency medicine, or be certified in a specialty or subspecialty of emergency medicine. However, a medical director must still be actively involved in the provision of emergency care to patients. Active involvement means working clinically in an emergency care facility that receives patients transported by ambulances and/or mobile intensive care units (ground or air) in a role where the physician is serving as the primary healthcare professional overseeing the assessment and treatment to the patient. Full-time status in this role is not required.
- Do-Not-Resuscitate orders signed by a physician assistant (PA) or advanced practice registered nurse I are specifically recognized as proper medical direction to EMS certificate holders. This resolves the prior conflict in law with respect to whether an EMS certificate holder could follow an order from a PA or advanced practice registered nurse who had not been designated to provide medical direction to EMS personnel.
- Staffing for “non-emergency transports” has been reduced to permit one Emergency Medical Technician (EMT) or above to provide patient care. The driver does not need to be an EMS certificate holder. “Non-emergency transport” is narrowly defined, however, as the transport of an individual who requires routine transportation to or from a medical appointment or service, is convalescent or otherwise non-ambulatory, and during transport to the destination facility, does not require medical monitoring, aid, care, or treatment. All other patient transports still require at least two EMTs or above to staff the ambulance, with the exception of EMS agencies substantially utilizing volunteers.
- EMTs and above are permitted to administer a test for COVID-19 and may collect and label specimens from a test for COVID-19 pursuant to medical direction if that individual has received proper training.

- Emergency medical responder applicants no longer need to seek a waiver from the State Board of Emergency Medical, Fire, and Transportation Services if the applicant is not affiliated with a nonprofit EMS agency or fire department.

This document has been prepared for informational purposes only. As always, certificate holders and EMS agencies should consult with their legal counsel for advice.

Ohio Department of Public Safety  
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