Public notice of rule adoption, amendment, or rescission.

Prior to adoption, amendment, or rescission of any rule, other than an emergency rule authorized by executive order, the board shall give public notice in accordance with section 119.03 of the Revised Code, of its intention to consider adopting, amending, or rescinding such rule or rules. The content of such public notice shall conform to the requirements of section 119.03 of the Revised Code and shall be posted on the register of Ohio web site at the time of filing. In addition, the board shall post a copy of the public hearing notice as well as any proposed rule changes on the division of EMS web site, which can be accessed at www.ems.ohio.gov.
4766-2-01 Definitions.

{Comment: For dates and availability of material incorporated by reference in this chapter of the Administrative Code, see rule 4766-2-18 of the Administrative Code.}

For the purposes of this chapter of the Administrative Code, except as otherwise provided, the following definitions shall apply:

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

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

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

(E) "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.

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

(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.

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

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

(J) "License" means a certificate of licensure issued by the board to the service, also known as the licensed MTO.
"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.

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

"Medical Transportation Organization" or "MTO" has the same meaning as emergency medical service organization as defined in section 4766.01 of the Revised Code.

"Non-transport vehicle" has the same meaning as defined in section 4766.01 of the Revised Code.

"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 MTO 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.

"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.

"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.

"Readily Available" means produced upon demand by the board or its designee.

"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 MTO or license applicant, regarding a permitted ambulance/non-transport vehicle or an ambulance/non-transport vehicle for which a permit application is pending with the board.

"Satellite Base" means a physical location other than the headquarters from which an MTO, licensed as set forth in Chapter 4766. of the Revised Code, operates.
"Service" has the same meaning as "Medical Transportation Organization."

"Service number " or "service code" means the number assigned to the licensed MTO by the board for the purpose of identifying and validating the service or licensed MTO.

"Stairchair" means a collapsible wheeled apparatus used to transport patients up or down stairs.

"Stretcher," "gurney," or "cot" means a collapsible wheeled apparatus used to move patients lying down.

"Temporary vehicle" means an ambulance or non-transport vehicle issued a temporary permit used to replace a permitted ambulance or non-transport vehicle in accordance with rule 4766-2-12 of the Administrative Code that is out of service until the permitted ambulance or non-transport vehicle is returned to service or is replaced. A temporary vehicle may be used for a time period not to exceed sixty days.

"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).
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 4766-2-18 of the Administrative Code.]

(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:

1. Accompanied by the appropriate fees as set forth in rule 4766-2-03 of the Administrative Code and;

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

(B) 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:

1. Accompanied by the appropriate fees as set forth in rule 4766-2-03 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 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) Proof that the medical director is in compliance with the requirements for a medical director as set forth in rule 4765-3-05 of the Administrative Code.

(9) For each satellite base, the MTO shall provide the physical address, city, county, state, and zip code;

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

(11) Year of manufacture, make, model, vehicle identification number, odometer reading, and license plate number (renewal only) of each ambulance or non-transport vehicle to be permitted;
(12) A color photograph of the side of applicant's vehicle displaying color scheme, insignia, monogram, or other distinguishing characteristics. 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; 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.

(13) A current 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 is received by the division may result in the application being deemed incomplete.

(G) An MTO shall submit a completed "Renewal Application for Ambulance or Mobile Intensive Care License" form, appropriate fees, and supporting documentation to the board using the MTLS online system prior to the expiration of the MTO's license in order to be considered timely.
(H) The certificate of licensure issued by the board shall indicate the highest level of service the MTO is authorized to provide.

(I) The board shall issue licenses to MTOs that meet the criteria to provide the following levels of service:

1. Basic life support (BLS) (two levels of licensure):
   a. BLS emergency and non-emergency; or
   b. BLS non-emergency only;

2. Intermediate life support;

3. Advanced life support (ALS).

(J) An MTO licensed at the BLS non-emergency only level or an MTO licensed at the BLS emergency and non-emergency level, intermediate life support level, or advanced life support level operating an ambulance at the BLS non-emergency only level is subject to the following requirements:

1. May transport an individuals who requires routine transportation to or from a medical appointment or service if that person is convalescent or otherwise non-ambulatory and does not require medical monitoring en route to the destination facility, aid, care, or treatment during transport other than BLS care.

2. May not transport an individual who:
   a. Is experiencing an acute condition or a sudden injury or illness;
   b. Has sustained an injury and has not yet been evaluated by a physician;
   c. Needs to be transported from one hospital to another hospital if the destination hospital is the same level or a higher level as the hospital of origin;
   d. Is being evaluated in an emergency room and for any reason must be transported to another hospital for diagnostic tests that are not available at the first hospital;
   e. Is being medically monitored at the sending facility and will continue to be medically monitored at the destination facility;
(f) Is being administered intravenous fluids.

(3) Nothing in this chapter prohibits a BLS non-emergency only ambulance from transporting an individual to a non-medical event or social gathering as long as the individual being transported meets the guidelines in paragraphs (J)(1) and (J)(2) of this rule.

(4) The medical protocol for the EMT in a BLS non-emergency only ambulance shall address the care, treatment, and transport of a patient whose medical condition worsens during transport.

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

(7)(L) A license is only valid for the MTO for which it is issued and is not transferable.
4766-2-03  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 ambulance or non-transport vehicle of one hundred dollars annually.

(C) Fees shall be submitted with the application.

(D) All fees are nonrefundable.

(E) Each MTO that shows satisfactory evidence of compliance with section 4766.10 of the Revised Code shall be eligible for the fifty percent fee reduction only for the ambulance(s) or non transport vehicle(s) operating within the municipality. The fifty percent reduction applies to license fees, permit fees, and renewal fees but does not apply to the inspection and reinspection fees.

(1) To be eligible for reduction, the MTO shall show evidence of municipal license that meets or exceeds section 4766.10 of the Revised Code;

(2) Each MTO shall declare the number of ambulance(s) and non-transport vehicle(s) at each licensed location.

(F) Each MTO shall pay an inspection fee of one hundred dollars per ambulance or non-transport vehicle.

(G) Each MTO shall pay a one hundred dollar reinspection fee for every ambulance or non-transport vehicle that requires reinspection as a result of a violation notification issued by the board or its designee.

(H) Each MTO shall pay a temporary permit fee of one hundred dollars fee for each temporary permit to be obtained.

(I) Each MTO may pay a re-print fee of five dollars for each vehicle decal that 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.
Physical facilities.

[Comment: For dates and availability of material incorporated by reference in this chapter of the Administrative Code, see rule 4766-2-18 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 4766-2-04 to 4766-2-06 of the Administrative Code, to include the following:

1. MTO service headquarters;
2. MTO service satellite base(s).

(B) An MTO shall not commence operations from its headquarters or satellite base(s) until the location is licensed as set forth in section 4766.04 of the Revised Code.

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

1. The board issued license shall be prominently displayed in conspicuous location at every licensed facility (renewal inspection only);
2. State of Ohio board of pharmacy license(s) shall be displayed at each location;
3. A written sanitation plan as set forth in Chapter 4766-2 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 "Ambulance Inspection" form for the level of service operated.
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 of a 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 base(s);

(3) Ambulance(s) and non-transport vehicles(s).
4766-2-05  **Record keeping requirements.**

[Comment: For dates and availability of material incorporated by reference in this chapter of the Administrative Code, see rule 4766-2-18 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:
   - Completion of emergency vehicle operator course for non-EMS certified personnel as set forth in rule 4766-2-13 of the Administrative Code;
   - Ohio EMS certification of all personnel;

3. A current 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 other 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 4766-2-09 of the Administrative Code;

7. Documentation of compliance with the periodic mechanical safety inspection
(8) Current maintenance records for all equipment used for patient care as specified in rule 4766-2-09 of the Administrative Code;

(9) Dispatch log;

(10) Written plan for restocking of supplies or compliance with paragraph (C)(4) of rule 4766-2-04 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);


(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 4766-2-07 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 4766-2-04 of the Administrative Code;

(5) Ohio state board of pharmacy license(s) and addendum(s);

(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 a 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 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.
Communication requirements.

(A) All licensed MTO dispatch centers shall be equipped with a base station capable of two-way communications with associated ambulance(s) and non-transport vehicle(s). The base station shall demonstrate and maintain voice communications with the device used in the permitted ambulance(s) and non-transport vehicle(s) within the declared service area.

(B) All ambulance(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 an 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.
4766-2-07  Health and safety requirements.

[Comment: For dates and availability of material incorporated by reference in this chapter of the Administrative Code, see rule 4766-2-18 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.
Vehicle inspections and equipment requirements.

[Comment: For dates and availability of material incorporated by reference in this chapter of the Administrative Code, see rule 4766-2-18 of the Administrative Code.]

(A) The board or its designee shall inspect all ambulance(s) and non-transport vehicle(s) for roadworthiness and for appropriate equipment using the "Ambulance Inspection" form or "Non-transport Vehicle Inspection" form. The Ambulance inspection form for the level of service the ambulance will be operated at or the "Non-transport Vehicle Inspection" form.

(B) A permitted ambulance that is being used as an ambulance shall comply with the requirements of roadworthiness and the requirements set forth in the "Ambulance Inspection Advanced Life Support (ALS)" form, the "Ambulance Inspection Basic Life Support (BLS) Emergency and Non-Emergency" form, or the "Ambulance Inspection BLS Non-Emergency Only" form, which shall include carrying the following types of equipment:

1. Oxygen equipment;
2. Suction equipment;
3. Airway equipment;
4. Bleeding control/burn equipment;
5. Isolation equipment;
6. Immobilization equipment;
7. Adjunct equipment;
8. Basic life support (BLS) onboard definitive care equipment;
9. Intermediate onboard definitive care equipment;
10. Advanced life support (ALS) onboard definitive care equipment; and
11. Intravenous equipment.

(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 specifying 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) An MTO shall demonstrate proof that each ambulance 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 ambulance and non-transport vehicle with letters being a minimum height of three inches on both sides and a minimum of one and one half inches on the back.

An MTO licensed at the BLS non-emergency only level shall also have permanently affixed lettering with a minimum height of three inches on the rear and both sides of the vehicle that states, "Non-emergency transports only."

An MTO licensed at the BLS emergency and non-emergency level, intermediate life support level, or advanced life support level may operate an ambulance at the BLS non-emergency only level. When doing so, the ambulance shall have magnetic signs on both front doors that state, "Non-emergency transports only" with lettering a minimum height of three inches.

If 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 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) If a seventy-two hour violation notification is issued by the board or its designee, until the violation is corrected and the "Violation Notification" form is signed and returned to the division along with supporting documentation showing the violation is corrected.

(K) Vehicles not titled as ambulances are not eligible for permits as ambulances, but may be issued permits as "non-transport vehicles" pursuant to section 4766.07 of the Revised Code, provided they fall within the definition of non-transport vehicles in section 4766.01 of the Revised Code.

(L) 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 ambulance and non-transport vehicle.

The permit shall be unobstructed at all times.

(M) A permit is not transferable.

(N) 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, ambulance(s) and non-transport vehicle(s).

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

(P) Each permitted vehicle shall be free from dirt, stains, impurities and/or foreign matter in driver's compartment and ambulance patient care compartments.
(Q) Permitted ambulances 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.
4766-2-09 Maintenance documentation.

[Comment: For dates and availability of material incorporated by reference in this chapter of the Administrative Code, see rule 4766-2-18 of the Administrative Code.]

(A) Ambulances 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 ambulance(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 twelve 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.

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.

(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 4766-2-08 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 ambulance(s) or non-transport vehicle(s):

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

(a) Date permitted ambulance or non-transport vehicle was taken out of service;

(b) Odometer reading at time permitted ambulance or non-transport vehicle was taken out of service;

(c) Reason permitted ambulance 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 a permitted ambulance 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 who performed inspection, service, or repair;

(e) Documentation 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) Ambulance and non-transport vehicle maintenance/repair records shall be kept for a period of twelve months after the vehicle is removed from inventory.
4766-2-11 \hspace{1cm} \textbf{Use of lights and other warning devices.}

(A) Permitted ambulance(s) and non-transport vehicles(s) bearing license plates issued under section 4503.49 of the Revised Code are considered public safety vehicles pursuant to division (E)(1) of section 4511.01 of the Revised Code.

(B) Permitted ambulance(s) and non-transport vehicle(s), when responding to emergency calls, may use emergency lights and audible warning devices pursuant to section 4511.041 of the Revised Code.

(C) Permitted ambulances and non-transport vehicles shall:

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


3. Permitted ambulance(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.

4. No permitted ambulance being operated at the BLS non-emergency only level may respond to emergency calls or use emergency lights and audible warning devices.
4766-2-12 Temporary and disaster operations.

[Comment: For dates and availability of material incorporated by reference in this chapter of the Administrative Code, see rule 4766-2-18 of the Administrative Code.]

(A) In the event of a disaster situation when permitted ambulance(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) An ambulance 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 ambulance or non-transport vehicle is used to replace a permitted ambulance 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, an MTO shall submit a "Temporary Ambulance / MOICU / Non-transport Vehicle" form to the board a request for a temporary vehicle permit using the MTLS online system containing:

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

(2) Date permitted ambulance or non-transport vehicle was placed out of service; and

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

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

(5) Reason the permitted ambulance or non-transport vehicle was taken out of service.

(C) A temporarily permitted ambulance shall not be operated unless it meets the requirements set forth in paragraph (B) of rule 4766-2-08 of the Administrative Code and the insurance requirement set forth in division (B) of section 4766.06 of the Revised Code.

(D) The licensed MTO shall ensure that the one hundred dollar fee prescribed in paragraph (F) of rule 4766-2-03 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 ambulance 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 ambulance or non-transport vehicle is returned to service.
Staffing compliance.

[Comment: For dates and availability of material incorporated by reference in this chapter of the Administrative Code, see rule 4766-2-18 of the Administrative Code.]

(A) Staffing compliance for an MTO licensed as basic life support, intermediate life support, or advanced life support service shall be as follows:

(1) A licensed MTO that responds to a call for medical assistance or patient transport shall ensure that in responding to the call, a minimum of one permitted ambulance and at least two certified emergency medical technicians, advanced emergency medical technicians, or paramedics, or combination thereof, are dispatched and respond to the call.

(2) A licensed MTO that responds to a call for medical assistance or patient transport shall ensure that any patient transport is done by a permitted ambulance staffed with at least two certified emergency medical technicians, advanced emergency medical technicians, or paramedics, or combination thereof, on board.

(3) When an ambulance is so staffed as contained herein, the ambulance may be operated by a person who is not certified as an emergency medical technician, advanced emergency medical technician, or paramedic, but said operator shall receive certification in an emergency vehicle operator course that meets requirements of the national highway traffic safety administration's "1995 Emergency Vehicle Operators Course (Ambulance): National Standard Curriculum" prior to operating an ambulance.

(4) An MTO licensed at the basic life support non-emergency only level or a service licensed at the basic life support emergency and non-emergency level, intermediate life support level, or advanced life support level that utilizes ambulances that are permitted at the basic life support non-emergency only level shall be staffed with at least one certified emergency medical technician, advanced emergency medical technician, or paramedic, and a qualified driver.

(B) Any non-EMS certified personnel who drive the ambulance or non-transport vehicle shall have completed an emergency vehicle operator course that meets requirements of the national highway traffic safety administration's "1995 Emergency Vehicle Operators Course (Ambulance): National Standard Curriculum."

(C) Each MTO must supply, on request by the board or its designee, documentation that the MTO has provided all non-EMS certified personnel who drive the ambulance permitted at the basic life support non-emergency only level with training. The training to be provided includes, at minimum:
(1) Driving the ambulance;

(2) Transferring patients to and from an ambulance stretcher;

(3) Loading and unloading the stretcher to and from the ambulance with a patient;

(4) Familiarity with the equipment and supplies in the back of the ambulance;

(5) Training on use of a stairchair or other devise to transport patients up and down stairs; and

Division (B) of section 4766.09 of the Revised Code exempts out of state MTOs 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 MTO 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.
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 4766-2-18 of the Administrative Code.]

(A) Each licensed MTO shall give written notification to the board within ten business days of using the MTLS online system when making 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 ambulance 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 licensed MTO may apply at any time to be licensed at a higher level. The application change shall be made on a "Change in Level of Service Medical Transportation Organization" form and include the one hundred dollar license fee using the MTLS online system, which includes submitting a one hundred dollar license fee. The MTO shall also ensure compliance with rules 4766-2-04 and 4766-2-08 of the Administrative Code. A change in level of service does not change the expiration date of the license.
(F) An MTO licensed at the intermediate or advanced life support 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 and include the one hundred dollar license fee using the MTLS online system. The MTO shall also ensure compliance with rules 4766-2-04 and 4766-2-08 of the Administrative Code. A change in level of service does not change the expiration date of the license.

(G) 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 and include the one hundred dollar license fee using the MTLS online system. The MTO shall also ensure compliance with rules 4766-2-04 and 4766-2-08 of the Administrative Code. A change in the headquarters address does not change the expiration date of the license.
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.
4766-2-17 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.

(B) "29 C.F.R. Part 1910.1030" (April 3, 2012) covers exposure to blood or other potentially infectious materials.

(C) "45 C.F.R. Part 164.512" (January 6, 2016) specifies what information can be shared under the HIPAA laws.

(D) "Ambulance Inspection Advanced Life Support (ALS)" form or form "EMS 4016" (March 2022) can be accessed at the division's website at http://www.ems.ohio.gov/forms.aspx.

(E) "Ambulance Inspection Basic Life Support (BLS) Emergency and Non-Emergency" form or form "EMS 4036" (March 2022) can be accessed at the division's website at http://www.ems.ohio.gov/forms.aspx.

(F) "Ambulance Inspection BLS Non-Emergency Only" form or form "EMS 4027" (March 2022) can be accessed at the division's website at http://www.ems.ohio.gov/forms.aspx.

(G) 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.

(H) "Non-transport Vehicle Inspection" form or form "EMS 4026" (July 2021) can be accessed at the division's website at http://www.ems.ohio.gov/forms.aspx.

(I) "Periodic Mechanical Safety Report" form or form "EMS 4039" (July 2021) can be accessed via the division's website at http://www.ems.ohio.gov/forms.aspx.

(J) "Violation Notification" form or form "EMS 4029" (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 http://www.ems.ohio.gov/forms.aspx.
TO BE RESCINDED

4766-2-18  Incorporated by reference.


(B) "29 C.F.R. Part 1910.1030" (April 3, 2012) covers exposure to blood or other potentially infectious materials.

(C) "45 C.F.R. Part 164.512" (January 6, 2016) specifies what information can be shared under the HIPAA laws.

(D) "Ambulance Inspection" form or form "EMS 4016" (December, 2016) can be accessed at the division's website at http://www.ems.ohio.gov/forms.aspx.

(E) "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/forms.aspx.

(F) "Change in Level of Service Medical Transportation Organization" form or form "EMS 4011" (July, 2013) can be accessed via the division's website at http://www.ems.ohio.gov/forms.aspx.

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

(H) "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/forms.aspx.

(I) "Non-transport Vehicle Inspection" form or form "EMS 4026" (January, 2017) can be accessed at the division's website at http://www.ems.ohio.gov/forms.aspx.

(J) "Periodic Mechanical Safety Report" form or form "EMS 4039" (June, 2017) can be accessed via the division's website at http://www.ems.ohio.gov/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/forms.aspx.
(L) "Temporary Ambulance / MOICU / Non-transport Vehicle" form or form "EMS 4009" (April, 2016) can be accessed via the division's website at http://www.ems.ohio.gov/forms.aspx

(M) "Violation Notification" form or form "EMS 4029" (July, 2018), 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 can be viewed at http://www.ems.ohio.gov/forms.aspx.
Effective:

Five Year Review (FYR) Dates:

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