



Alan Van Dyne

Bill Analysis
Legislative Service Commission

S.B. 291

123rd General Assembly
(As Introduced)

Sens. Hottinger, White, Kearns

BILL SUMMARY

- Establishes licensing requirements for private organizations that use ambulettes, which are vehicles designed to provide transportation services to persons who require the use of wheelchairs.
- Requires any such "medical service organization" to obtain a permit for each ambulette it owns or leases.
- Charges the existing Ohio Ambulance Licensing Board, to be renamed the Ohio Ambulance and Ambulette Licensing Board, with the duty of administering and enforcing the ambulette licensing program and modifies the Board's membership to represent the additional duty.
- Requires an applicant for employment as an ambulette driver to be trained in first aid and cardiopulmonary resuscitation and to consent to a background investigation that includes a criminal records check and drug and alcohol testing.

CONTENT AND OPERATION

Licensing of organizations that provide ambulette services

(secs. 4766.01, 4766.02(F), 4766.04, 4766.08, 4766.11, and 4766.13)

The bill describes an "ambulette" as a motor vehicle that is specifically designed, constructed, or modified and equipped and is intended to be used for transporting persons who require the use of a wheelchair. Under the bill, any private organization that provides commercial ambulette services to the public on a regular basis must obtain a license as a "medical service organization." In conjunction with the licensing requirement, the organization must obtain a permit for each ambulette it owns or leases.

The duties created by the bill are added to the duties of the existing Ohio Ambulance Licensing Board, which is to be renamed the Ohio Ambulance and Ambulette Licensing Board. The bill specifies that the Board is the sole supervisory body regarding the licensing of medical service organizations in Ohio. The procedures for issuing licenses and enforcing the bill are integrated into the Board's existing regulatory scheme.

Optional licensure of public ambulette services

(sec. 4766.12)

A medical service organization operated by a public entity is not required to be licensed under the bill. A county, township, joint ambulance district, or joint emergency medical service district, however, may choose to have the Board license its medical service organizations. If a public entity chooses this option, all provisions of the bill and the rules adopted under it apply to the public entity and its ambulettes.

Equipment and staffing requirements

(secs. 4766.03 and 4766.04)

The bill requires the Board to adopt rules establishing requirements that must be met for a medical service organization to receive a license to provide ambulette services and to receive permits for the organization's ambulettes. The rules must specify the level of care that a medical service organization is authorized to provide. For ambulettes, the rules must specify the types of equipment that must be carried, the communication systems that must be maintained, and the personnel who must staff the vehicle. The bill requires the rules to be adopted in accordance with the Administrative Procedure Act (Revised Code Chapter 119.).

Ambulette drivers

(secs. 4766.03(A)(12) and 4766.15)

The bill prohibits a licensed medical service organization from accepting an individual for permanent employment as an ambulette driver unless the applicant holds a valid driver's license from Ohio or another state. The applicant must submit proof of, or give consent to the employer to obtain, all of the following:

- (1) A certificate of completion of a course in first aide techniques offered by the American Red Cross or an equivalent organization;

(2) A certificate of completion of a course in cardiopulmonary resuscitation, or its equivalent, offered by an organization approved by the Board;

(3) A recent certified abstract of the applicant's record of convictions for violations of motor vehicle laws, provided by the Registrar of Motor Vehicles, or the equivalent of an abstract if the applicant is a resident of another state;

(4) The results of one or more chemical tests of the applicant's blood, breath, or urine, conducted at a hospital or other institution approved by the Board for the purpose of determining the specimen's drug or alcohol content;

(5) The result of a criminal records check conducted by the Bureau of Criminal Identification and Investigation.

The bill specifies that the information received by the medical service organization is to be used to determine whether an applicant is disqualified for employment. The Board is required to adopt rules establishing eligibility requirements for employment as an ambulette driver, including grounds for disqualification. The rules may require an applicant to provide a set of fingerprints to law enforcement authorities if the applicant comes under final consideration for employment.

Pending completion of all of the requirements for employment as an ambulette driver, the bill permits a medical service organization to employ an applicant on a temporary basis. The length of the provisional employment period is to be determined by the Board.

Inspections

(sec. 4766.07)

Before a permit may be issued for an ambulette, the bill requires that the vehicle be inspected. The State Highway Patrol is required to conduct a physical inspection of the ambulette to determine its roadworthiness and compliance with standard motor vehicle requirements. The Board is required to conduct a physical inspection of the equipment, communication system, and interior of the vehicle to determine the operational condition and safety of the equipment and the vehicle's interior. The Board's inspection must include a determination of whether the vehicle is in compliance with state requirements for ambulette construction. The bill authorizes the Board to determine, by rule, requirements for the equipment, communication system, interior, and construction of an ambulette.

Insurance coverage

(sec. 4766.06)

As a condition of being licensed, the bill requires a medical service organization to maintain specified types of insurance. Liability insurance coverage must be carried in an amount of not less than \$500,000 per occurrence and not less than \$500,000 in the aggregate, for any cause for which the organization would be liable. Bodily injury and property damage insurance must be carried for each ambulette, as follows: (1) not less than \$100,000 for bodily injury to or death of any one person from any one accident, (2) not less than \$300,000 for bodily injury or death of more than one person in any one accident, and (3) \$50,000 for damage from any one accident.

The organization may choose to establish a self-insurance plan rather than purchase coverage through insurers. The self-insurance plan must be approved by the Superintendent of Insurance.

Fees

(sec. 4766.05)

The bill requires the Board to adopt rules establishing a fee for receipt and renewal of a license to operate as a medical service organization, taking into account the actual costs the Board incurs in carrying out its duties. The licensing fee, however, cannot exceed \$100.

The fee for receipt of a permit for each ambulette is fixed at \$25 for the first year after the bill's effective date. Thereafter, the fee for issuance and renewal of a permit are to be established by rule of the Board, taking into account the actual costs the Board incurs in carrying out its duties.

Ambulette identification

(secs. 4503.49 and 4766.07(B)(2))

Under the bill, each entity licensed as a private medical service organization is required to apply to the Registrar of Motor Vehicles for the registration of each ambulette it owns or leases. On receipt of a complete application, which includes payment of fees, the Registrar is required to issue a set of license plates and a set of stickers to be attached to the plates as an identification of the vehicle's classification as an ambulette. When the Board issues a permit for an ambulette, the Board is required to issue a decal to be displayed in the vehicle's rear window.

Emergency medical service organizations that use ambulettes

(sec. 4766.04(G))

If an emergency medical service organization wishes to provide ambulette services to the public, the bill requires the organization to apply for a separate license as a medical service organization. The requirement applies to both public and private entities. An emergency medical service organization is any organization that uses emergency medical technicians, and includes a commercial ambulance service, a hospital, and a funeral home.

Board membership

(sec. 4766.02; Section 3)

The existing Ohio Ambulance Licensing Board consists of five voting members and one nonvoting member. Of the voting members, one must be a member of the Ohio Ambulance Association; two must be owners or operators of private emergency medical service organizations, with one being a licensed funeral director; one must be an official with a public emergency medical service organization; and one must be a consumer with no association with any public or private emergency medical service organization. The nonvoting member must be a physician who is a member of the American College of Emergency Physicians.

The bill increases the Board's membership to seven voting members, with no nonvoting members. The increased membership is brought about by giving voting privileges to the existing nonvoting physician member and adding a member who is an owner or operator of a medical service organization that provides only ambulette services. The additional member must be appointed by the Governor within 60 days after the bill's effective date. The member's initial term ends July 5, 2002; thereafter, the position is to be filled for terms of two years.

Technical changes

(secs. 307.051, 307.055, 505.37, 505.375, 505.72, 4513.263, and 4766.10)

The bill amends several sections of existing law solely for the purpose of changing references to the renamed Ohio Ambulance and Ambulette Licensing Board.

HISTORY

ACTION	DATE	JOURNAL ENTRY
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Introduced

04-25-00

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