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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

H.B. 138  
134<sup>th</sup> General Assembly

## Bill Analysis

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**Version:** As Reported by House Transportation and Public Safety

**Primary Sponsor:** Rep. Baldrige

Jason Hoskins, Attorney

### SUMMARY

- Eliminates the enumeration of specific services that may be provided by emergency medical services (EMS) personnel.
- Requires the State Board of Emergency Medical, Fire, and Transportation Services to establish the scope of practice for EMS personnel through rulemaking.
- Permits EMS personnel to comply with a do-not-resuscitate order issued by a physician assistant or advanced practice registered nurse.
- Requires the medical director or cooperating physician advisory board of each EMS organization to establish protocols for EMS personnel to follow when providing services at all times.
- Eliminates a requirement that an individual seeking to practice as a first responder be a volunteer for a nonprofit EMS organization or nonprofit fire department.

### DETAILED ANALYSIS

#### Services by EMS personnel

The bill modifies the scope of emergency medical services that may be provided by first responders, emergency medical technicians-basic, emergency medical technicians-intermediate, and paramedics (EMS personnel). Existing law enumerates the services that each type of EMS personnel may provide. The bill eliminates this enumeration and, instead, requires the State Board of Emergency Medical, Fire, and Transportation Services to establish the scope

of emergency medical services for each type of EMS personnel through the rulemaking process.<sup>1</sup>

The bill makes two additional changes related to the practice of EMS personnel. First, the bill permits EMS personnel to comply with a do-not-resuscitate (DNR) order issued by a physician assistant or advanced practice registered nurse.<sup>2</sup> Existing law permits EMS personnel to comply with a DNR order only when issued by a physician. Second, the bill requires the medical director or cooperating physician advisory board of each EMS organization to establish protocols to be followed by EMS personnel when providing all services. Current law requires that these protocols be established only for circumstances when communications fail or are prevented and a patient's life is in immediate danger.<sup>3</sup>

## Volunteer status of first responders

The bill eliminates a requirement that an individual seeking a certificate to practice as a first responder meet either of the following conditions: (1) be a volunteer for a nonprofit EMS organization or a nonprofit fire department or (2) receive a waiver of requirement to be such a volunteer.<sup>4</sup>

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## HISTORY

| Action  | Date     |
|---|----------|
| Introduced                                    | 02-18-21 |
| Reported, H. Transportation and Public Safety | 06-09-21 |

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H0138-RH-134/ts

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<sup>1</sup> R.C. 4765.11, 4765.35, 4765.37, 4765.38, and 4765.39.

<sup>2</sup> R.C. 4765.35(B)(2), 4765.37(B)(2), 4765.38(B)(2), and 4765.39(B)(2).

<sup>3</sup> R.C. 4765.41.

<sup>4</sup> R.C. 4765.30.