



OHIO LEGISLATIVE SERVICE COMMISSION

Bill Analysis

Jeff Hobday

H.B. 79

132nd General Assembly

(As Reported by H. Federalism and Interstate Relations)

Reps. Retherford and Hagan, Hambley, Seitz, Dean, Thompson, Brenner, Faber, Becker, Vitale, Brinkman, Koehler, Riedel, Goodman, Antani, Stein, Hood, Schaffer, Blessing, Roegner, Merrin

BILL SUMMARY

- Authorizes a tactical medical professional who has received firearms training and is authorized to carry firearms by the law enforcement agency to which they are attached to carry a firearm while on duty under the same terms as the agency's law enforcement officers.
- Provides for firearms training for tactical medical professionals.
- Permits a tactical medical professional who is authorized to carry a firearm while on duty to carry a concealed handgun without obtaining a concealed handgun license.

CONTENT AND OPERATION

Tactical medical professionals authorized to carry firearms while on duty

The bill permits a tactical medical professional to carry firearms while on duty in the same manner, to the same extent, and in the same areas as a law enforcement officer of the law enforcement agency that the professional is serving, if both of the following apply:¹

(1) The law enforcement agency has authorized the tactical medical professional to carry firearms while on duty.

(2) The tactical medical professional has done or received one of the following:

¹ R.C. 109.771(A).

- Been awarded a certificate by the Executive Director of the Ohio Peace Officer Training Commission that attests to the professional's satisfactory completion of an approved state, county, or municipal basic training program or a program at the Ohio Peace Officer Training Academy that qualifies the professional to carry firearms while on duty.
- Prior to or during employment as a tactical medical professional and prior to the effective date of the bill, has successfully completed a firearms training program that was approved by the Ohio Peace Officer Training Commission, other than one of the programs described in the previous dot point.

As defined by the bill, "tactical medical professional" means an EMT, EMT-basic, EMT-I, AEMT, paramedic, nurse, or physician who is trained and certified in a nationally recognized tactical medical training program that is equivalent to "tactical combat casualty care" (TCCC) and "tactical emergency medical support" (TEMS) and who functions in the tactical or austere environment while attached to a law enforcement agency of Ohio or a political subdivision of Ohio.² The medical professionals found in this definition are defined below in "**Medical professional definitions.**"

Authority to carry a concealed handgun

The bill grants a tactical medical professional who is qualified to carry firearms while on duty the same right to carry a concealed handgun as a person who was issued a concealed carry handgun license under the Concealed Handgun License Law.³

Protection from criminal and civil liability

The bill grants a tactical medical professional who is carrying one or more firearms in accordance with the bill's provisions protection from potential civil or criminal liability for conduct occurring while the professional is carrying the firearm or firearms. The liability protection covers the professional to the same extent as a law enforcement officer of the law enforcement agency that the professional is serving.⁴

Medical professional definitions

As used in the bill:

² R.C. 109.71(E).

³ R.C. 2923.126(E)(3). The Concealed Handgun License Law is R.C. 2923.124 to 2923.1213.

⁴ R.C. 109.771(B).



- "Nurse" means any of the following: (1) any person who is licensed to practice nursing as a registered nurse by the Board of Nursing, (2) any certified nurse practitioner, clinical nurse specialist, certified registered nurse anesthetist, or certified nurse-midwife who holds a certificate of authority issued by the Board of Nursing under R.C. Chapter 4723., and (3) any person who is licensed to practice nursing as a licensed practical nurse by the Board of Nursing under R.C. Chapter 4723.⁵
- "Physician" means a person who is licensed pursuant to R.C. Chapter 4731. to practice medicine and surgery or osteopathic medicine and surgery.⁶
- "EMT," "EMT-basic," "EMT-I," "AEMT," and "paramedic" have the same meanings as in R.C. 4765.01 and 4765.011 of the Division of Emergency Medical Services Law, R.C. Chapter 4765.⁷

The bill does not describe "tactical combat casualty care" and "tactical emergency medical support" programs. These programs are not defined or described elsewhere in the Revised Code or the Ohio Administrative Code.

Ohio Attorney General to adopt training rules for tactical medical professionals

The bill requires the Ohio Attorney General to adopt rules governing the training of tactical medical professionals that qualifies them to carry firearms while on duty. The rules must specify the amount of training necessary for the satisfactory completion of training programs at approved peace officer training schools, other than the Ohio Peace Officer Training Academy, and must be adopted in accordance with R.C. Chapter 119., the Administrative Procedure Law, or R.C. 109.74.⁸

The rules also must include all of the following:⁹

- A requirement that the tactical medical professional receive firearms training through a program approved by the Ohio Peace Officer Training Commission;

⁵ R.C. 109.71(G).

⁶ R.C. 109.71(H).

⁷ R.C. 109.71(F).

⁸ R.C. 109.748.

⁹ R.C. 109.748(A).

- A requirement that the tactical medical professional receive training in any additional subjects deemed necessary by the Commission;
- For a tactical medical professional seeking certification to carry a rifle or carbine, a requirement that the professional receive, in addition to the training described above, training with respect to the carrying and use of rifles and carbines through a program approved by the Commission.

The Attorney General also is required to adopt rules authorizing and governing: (1) the attendance of tactical medical professionals at approved peace officer training schools, including the Ohio Peace Officers Training Academy, to receive the necessary training to qualify them to carry firearms while on duty, and (2) the certification of tactical medical professionals upon their satisfactory completion of the training program.¹⁰

Ohio Peace Officer Training Commission to recommend training rules

The bill requires the Ohio Peace Officer Training Commission (a division in the office of the Ohio Attorney General)¹¹ to recommend rules to the Attorney General with respect to permitting a tactical medical professional to attend an approved peace officer training school, including the Ohio Peace Officer Training Academy, to receive training that qualifies the tactical medical professional to carry firearms while on duty, and to obtain a certificate of satisfactory completion of that training. The requirements for the training program provided must include at least the minimum firearms training required by the bill, as set forth under "**Ohio Attorney General to adopt training rules for tactical medical professionals,**" above.¹²

Certification as a tactical medical professional

The Executive Director of the Ohio Peace Officer Training Commission is given the duty to certify, and to issue appropriate certificates to, the tactical medical professionals who have satisfactorily completed an approved training program.¹³

The bill requires the Ohio Peace Officer Training Academy to permit tactical medical professionals to attend training courses at the Academy that are designed to qualify the professionals to carry firearms while on duty. The courses must provide

¹⁰ R.C. 109.748(B).

¹¹ R.C. 109.71.

¹² R.C. 109.73(A)(13) and (14).

¹³ R.C. 109.75(M) and 109.79(A).

training comparable to the training set forth in rules adopted by the Ohio Attorney General in accordance with the bill. The law enforcement agency served by the tactical medical professional who attends the academy is permitted to pay the tuition costs of the professional.¹⁴

Firearms requalification

The Revised Code requires specified persons who are authorized to carry firearms in the course of their official duties to successfully complete an annual firearms requalification program that is approved by the Executive Director of the Ohio Peace Officer Training Commission in accordance with rules adopted by the Attorney General. The bill adds tactical medical professionals to the list of persons who are required to complete an annual firearms requalification program.¹⁵

HISTORY

ACTION	DATE
Introduced	02-22-17
Reported, H. Federalism & Interstate Relations	09-13-17

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¹⁴ R.C. 109.79(A).

¹⁵ R.C. 109.801(A).

