

ORC §4765.361 Information Sheet*

Sec. 4765.361.

An emergency medical technician-basic, emergency medical technician-intermediate, or emergency medical technician-paramedic may perform medical services that the technician is authorized by law to perform in nonemergency situations if the services are performed under the direction of the technician's medical director or cooperating physician advisory board. In nonemergency situations, no medical director or cooperating physician advisory board shall delegate, instruct, or otherwise authorize a technician to perform any medical service that the technician is not authorized by law to perform.

- **Effective date:** This was signed into law by the governor on June 30, 2015, and will go into effect 90 days thereafter.

What this law does:

- Allows currently certified EMTs, advanced EMTs, and paramedics to perform all services that they are currently certified to perform when responding to an emergency, in non-emergency settings.
- It does not apply to providers certified as emergency medical responders.
- EMTs, advanced EMTs, and paramedics who practice or provide services in a non-emergency setting are still required to have the same training that is required to act in emergency settings, must still complete the required CEs, and are responsible for following all requirements to maintaining their certification, including following the ethical standards set forth in 4765-9-01 of the Ohio Administrative Code. <http://codes.ohio.gov/oac/4765-9-01>
- EMTs, advanced EMTs, and paramedics who practice or provide services in a non-emergency setting must do so only under the direction of the technician's medical director or cooperating physician advisory board.
- EMTs, advanced EMTs, and paramedics who practice or provide services in a non-emergency setting must not provide services that are outside of their scope of practice as set forth in chapter 4765. of the Revised Code, and

chapter 4765 of the Administrative Code.

http://www.publicsafety.ohio.gov/links/ems_scope_practice.pdf

- Physicians wishing to serve as a medical director for EMTs, advanced EMTs, and paramedics who practice or provide services in a non-emergency setting must meet all requirements set forth in OAC 4765-3-05

<http://codes.ohio.gov/oac/4765-3-05>

What this law does not do:

- **Immunity:** 4765.36I does not specifically extend the immunity that is afforded in section 4765.49 of the Revised Code to EMTs, advanced EMTs, and paramedics who provide services in a non-emergency setting, physicians who provide medical direction in a non-emergency situation, or public EMSOs who employ certificate holders that provide services in a non-emergency setting. *Individuals and entities who are considering offering services in a non-emergency setting should contact their legal counsel to seek advice regarding potential civil liability issues.*

Effect on Priority I EMS grants:

- Only emergency medical service organizations (EMSOs) with the main responsibility of providing continuous emergency medical services to the community pursuant to requests and/or calls from the public for emergency medical service response are eligible for priority I grants. An EMSO must meet all the requirements set forth in OAC 4765-5-02 <http://codes.ohio.gov/oac/4765-5-02>. Other entities who happen to employ EMTs, advanced EMTs, and paramedics for emergency or non-emergency services do not qualify.
- EMSOs who qualify to receive a grant cannot use grant money to purchase equipment that will be used solely in non-emergency situations.
- EMSOs who qualify to receive grant funding cannot use grant money for training personnel to perform services in a non-emergency capacity.

**this document has been prepared for informational purposes only, certificate holders and EMSOs or other entities wishing to offer services in a non-emergency setting should consult their legal counsel for advice.*