

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT
A Notice of Proposed Rulemaking Hearing accompanies this form.

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Oregon Health Authority, Public Health Division
Agency and Division

333
Administrative Rules Chapter Number

Ambulance service agency providing secure transport

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of:

Permanently adopting and amending administrative rules in chapter 333, division 250 pertaining to ambulance service agencies.

Statutory Authority:

ORS 682.017

Other Authority:

Statutes Implemented:

ORS 682.017 - 682.117, 682.991

Need for the Rule(s):

The Oregon Health Authority (Authority) is proposing to permanently amend Oregon Administrative Rules in chapter 333, division 250 requiring an ambulance service agency seeking approval to provide secure transport to have a policy and training on secure transport in accordance with OAR chapter 309, division 033.

Ambulance service agencies are often requested to provide transport to individuals suffering from a behavioral health crisis who are in custody or on diversion. At the request of the Authority's Health Systems Division, the Division that approves secure transport providers, the Public Health Division, EMS and Trauma Systems Program is amending its rules in order to align current practice with required regulations. The proposed rule revisions identify those requirements necessary in order for an ambulance service agency to provide secure transport.

These revised rules do not require an ambulance service agency to provide secure transport, rather specify what policies and education requirements are necessary should an ambulance service agency seek approval to provide secure transport in accordance with OAR chapter 309, division 033.

Additional minor housekeeping changes were made for ease of readability.

Documents Relied Upon, and where they are available:

ORS 682: Regulation of Ambulance and EMS Providers - https://www.oregonlegislature.gov/bills_laws/ors/ors682.html

ORS 430: Persons with Mental Illness - https://www.oregonlegislature.gov/bills_laws/ors/ors426.html

OAR chapter 309, division 0432: Involuntary Commitment Proceedings - http://arcweb.sos.state.or.us/pages/rules/oars_300/oar_309/309_033.html

Fiscal and Economic Impact:

There are 132 licensed ambulance service agencies that would be eligible to apply for approval to become a secure transport provider. Those licensed ambulance service agencies wishing to apply for approval would be required to have policies on secure transport and patient rights. In addition, ambulance service personnel would be required to have training on secure transportation.

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

The Authority's Health Systems Division is responsible for the review and approval of secure transport providers. It is believed that licensed ambulance service agencies that wish to seek approval for secure transport already provide personnel with the educational requirements identified in OAR 309-033-0437 and that limited time and resources are necessary to adopt a policy on secure transport to become approved. There is no anticipated cost of compliance impact to the Authority's Public Health Division.

Units of local government who have oversight over an ambulance service agency and unified county-wide protocols may be required to review

and approve relevant policies.

There is no known cost of compliance impact to the public.

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small business and types of businesses and industries with small businesses subject to the rule:

There are approximately two ambulance service agencies in Oregon that are considered a small business; however, the rules only affect those agencies that choose to apply to provide secure transport.

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:

It is assumed that limited time and resources will be necessary to develop a policy on secure transport and that ambulance service agencies already provide personnel with the educational requirements identified in OAR 309-033-0437.

c. Equipment, supplies, labor and increased administration required for compliance:

It is assumed that ambulance service agencies already have the equipment and supplies necessary for patient transport.

How were small businesses involved in the development of this rule?

Ambulance service and EMS agencies have been participating in a transportation workgroup relating to secure transport and necessary rule revisions.

Administrative Rule Advisory Committee consulted?: Yes

If not, why?:

03-11-2016 5:00 p.m.	Brittany Sande	brittany.a.sande@state.or.us
Last Day (m/d/yyyy) and Time for public comment	Printed Name	Email Address