

**ACCEPTED**                      6/14/23  
*OFFICE OF ADMINISTRATIVE RULES*  
**OKLAHOMA SECRETARY OF STATE**  
DOCKET# 23-524 OAR/cert CN

**TITLE 310. OKLAHOMA STATE DEPARTMENT OF HEALTH  
CHAPTER 642. EMERGENCY RESPONSE SYSTEMS STABILIZATION AND  
IMPROVEMENT REVOLVING FUND**

**RULEMAKING ACTION:**

PERMANENT final adoption

**RULES:**

Subchapter 5. Scoring  
310:642-5-1 [AMENDED]

**AUTHORITY:**

Commissioner of Health, Title 63 O.S. §§ 1-104 and Title 63 O.S. § 1-2512.1

**SUBMISSION OF PROPOSED RULES TO GOVERNOR AND CABINET SECRETARY:**

December 12, 2022

**COMMENT PERIOD:**

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**PUBLIC HEARING:**

February 17, 2023

**ADOPTION:**

March 13, 2023

**SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:**

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**LEGISLATIVE APPROVAL:**

Approved May 31, 2023 by SJR 22

**FINAL ADOPTION:**

May 31, 2023

**EFFECTIVE:**

September 11, 2023

**SUPERSEDED EMERGENCY ACTIONS:**

**Superseded rules:**

- Subchapter 1. General Provisions [REVOKED]
- 310:642-1-1 [REVOKED]
- 310:642-1-2 [REVOKED]
- 310:642-1-3 [REVOKED]
- Subchapter 3. Proposals [REVOKED]
- 310:642-3-1 [REVOKED]
- 310:642-3-2 [REVOKED]
- Subchapter 5. Scoring [REVOKED]
- 310:642-5-1 [REVOKED]
- Subchapter 7. Disbursement [REVOKED]
- 310:642-7-1 [REVOKED]

310:642-7-2 [REVOKED]  
Subchapter 9. Evaluation [REVOKED]  
310:642-9-1 [REVOKED]

**Gubernatorial approval:**

February 22, 2023

**Register publication:**

40 OK Reg 643

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**INCORPORATIONS BY REFERENCE:**

n/a

**GIST/ANALYSIS:**

The Oklahoma Emergency Response Systems Stabilization and Improvement Revolving Fund (OERSSIRF) allows for the awarding of funds to stabilize and improve emergency response systems in Oklahoma. The amendments to Chapter 642 will revoke paragraphs 642-5-1(2)(H) and (I) to distribute the funds in closer alignment with the requirements of 63 O.S. § 1-2512.1, Oklahoma Emergency Response Systems Stabilization and Improvement Revolving Fund, and in a more equitable way. The revocation will eliminate funding procedures that tend to result in repeated funding advantages for certain applicants

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**PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING RULES ARE CONSIDERED FINALLY ADOPTED AS SET FORTH IN 75 O.S., SECTIONS 250.3(7) AND 308(E), WITH AN EFFECTIVE DATE OF SEPTEMBER 11, 2023:**

**SUBCHAPTER 5. SCORING**

**310:642-5-1. OERSSIRF funding priority point system**

Proposals shall be ranked based on the total number of points awarded by the Department consistent with this Chapter.

(1) The following formula shall be used to rank funding proposals:  $T = S + M + D + H + E + AR + PM + PG + PE$ , where:

(A) T = Total points

(B) S = Statutory purposes

(C) M = Multiple jurisdictions

(D) D = Population density

(E) H = Distance to the nearest level I or II trauma center

(F) E = Number of project-area EMTs

(G) AR = Amount of funding requested

(H) PM = Project matching

(I) PG = Previous funding assistance

(J) PE = Previous funding evaluation

(2) Points may be awarded as described below:

(A) **Statutory purposes (S):** Points shall be awarded for each of the relevant statutory purposes of the proposal as follows:

(i) Funding assessment activities: 50 points

(ii) Stabilization and/or reorganization of at-risk emergency medical services: 100 points

(iii) Development of regional EMS: 50 points

- (iv) Training for emergency medical directors: 50 points
- (v) Access to training front line emergency medical services personnel: 100 points
- (vi) Capital and equipment needs: 50 points
- (B) Multiple jurisdictions (M):** Points shall be awarded for projects addressing the EMS needs of multiple jurisdictions, as follows:
  - (i) Two cities or towns: 25 points
  - (ii) Three cities or towns: 50 points
  - (iii) County wide: 100 points
  - (iv) Multi-county: 150 points
  - (v) State wide: 200 points
- (C) Population density (D):** Points shall be awarded for projects encompassing areas of lowest per-mile population density as recorded by the United States Census Bureau, as follows:
  - (i) 5,000.0 to 8,968.1: 0 points
  - (ii) 1,000.0 to 4,999.9: 10 points
  - (iii) 200.0 to 999.9: 20 points
  - (iv) 79.6 to 199.9: 30 points
  - (v) 30.0 to 79.5: 40 points
  - (vi) 10.0 to 29.9: 50 points
  - (vii) Less than 10.0: 100 points
- (D) Distance to trauma center (H):** Points shall be awarded for project areas where the average distance between the furthest and closest points within the project area to a trauma center classified by the State of Oklahoma or the American College of Surgeons as level I or II, as follows:
  - (i) 0-25 miles: 0 points
  - (ii) 25-49 miles: 10 points
  - (iii) 50-74 miles: 20 points
  - (iv) 75-99 miles: 30 points
  - (v) 100-124 miles: 40 points
  - (vi) 125-149 miles: 50 points
  - (vii) 150 miles and over: 100 points
- (E) EMTs (E):** Points shall be awarded for proposals encompassing project areas with fewer resident licensed EMTs at any level of licensure as recorded by the Department as follows:
  - (i) 100 or more resident EMTs: 0 points
  - (ii) 50-99 resident EMTs: 20 points
  - (iii) 25-49 resident EMTs: 40 points
  - (iv) 0-24 resident EMTs: 60 points
- (F) Amount of funding requested (AR):** Points under this category for amount of funding requested are determined as follows:
  - (i) \$400,001 to \$500,000: -50 points
  - (ii) \$300,001 to \$400,000: -40 points
  - (iii) \$200,001 to \$300,000: -30 points
  - (iv) \$100,001 to \$200,000: -20 points
  - (v) \$80,000 to \$100,000: 10 points
  - (vi) \$60,000 to \$79,999: 20 points
  - (vii) \$40,000 to \$59,999: 30 points
  - (viii) \$20,000 to \$39,999: 50 points
  - (ix) Any AR greater than \$500,000 shall be denied
- (G) Project matching (PM).** If the proposal proposes the use of matching funds, points shall be awarded consistent with the following formula:
  - (i) 90% of the requested funds: 90 points
  - (ii) 80% of the requested funds: 80 points

- (iii) 70% of the requested funds: 70 points
- (iv) 60% of the requested funds: 60 points
- (v) 50% of the requested funds: 50 points
- (vi) 40% of the requested funds: 40 points
- (vii) 30% of the requested funds: 30 points
- (viii) 20% of the requested funds: 20 points
- (ix) 10% of the requested funds: 10 points

**(H) Previous funding assistance (PG).** ~~If a qualified entity has been approved for one (1) or more OERSSIF proposals from the Department for projects awarded in the past, points shall be deducted from the proposal according to all of the following provisions that apply unless the previous proposal was for an assessment of the need for the establishment of EMS or stabilization of an at risk EMS:~~

- ~~(i) One (1) funded project in the preceding twelve (12) month period: 80 points.~~
- ~~(ii) More than one (1) OERSSIRF project in the preceding twelve (12) month period: 100 points.~~
- ~~(iii) One (1) OERSSIRF funded project more than twelve (12) months in the past: 50 points.~~
- ~~(iv) Two (2) OERSSIRF funded projects more than twelve (12) months in the past: 80 points.~~
- ~~(v) Three (3) OERSSIRF funded projects more than twelve (12) months in the past: 100 points.~~
- ~~(vi) Four (4) OERSSIRF funded projects more than twelve (12) months in the past: 150 points.~~
- ~~(vii) Five (5) or more OERSSIRF funded projects more than twelve (12) months in the past: 175 points.~~
- ~~(viii) If the qualified entity has received a previous OERSSIRF funding for a project that remains un-evaluated or for which any refund has not been paid as of August 31st of the year following the approved completion date of the project, the proposal will be given 50 points for each such funded project.~~

**(I) Previous funding evaluation (PE).** The project score established through the Department's evaluation required by OAC 642-9-1(a) for each previously completed OERSSIRF project shall earn the following points:

- (i) Significantly Improved: 100 points
- (ii) Improved: 50 points
- (iii) Not Improved: 50 points
- (iv) Worsened: 100 points