

Second Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO

**ENGROSSED**

*This Version Includes All Amendments Adopted  
on Second Reading in the House of Introduction*

LLS NO. 26-0043.01 Jennifer Berman x3286

**HOUSE BILL 26-1238**

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**HOUSE SPONSORSHIP**

**Johnson and Lukens**, Barron, Bradfield, Bradley, Clifford, Feret, Garcia Sander, Lieder, Martinez, Mauro, McCluskie, Nguyen, Richardson, Soper, Suckla, Taggart, Velasco, Winter T.

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**House Committees**  
Health & Human Services

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING EMERGENCY MEDICAL SERVICES PROVIDED IN THE**  
102            **STATE, AND, IN CONNECTION THEREWITH, DESIGNATING**  
103            **EMERGENCY MEDICAL SERVICES, INCLUDING AMBULANCE**  
104            **SERVICES AND AIR AMBULANCE SERVICES, TO BE ESSENTIAL**  
105            **SERVICES.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill declares emergency medical services as an essential service in the state and an integral part of the state's health-care

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing law.*  
*Dashes through the words or numbers indicate deletions from existing law.*

HOUSE  
Amended 2nd Reading  
March 11, 2026

infrastructure. In relation to the declaration, the bill authorizes:

- Public and private ambulance services in the state to participate in, and receive reimbursement from, public safety-related systems coordinated by the department of personnel or the department of public safety;
- The disbursement of money from the emergency medical services account in the highway users tax fund to counties and cities and counties that authorize ambulance services within their boundaries; and
- The governor to direct the transfer of money from the disaster emergency fund to the emergency medical services account to finance emergency medical services needed in response to a declared disaster emergency.

The bill also updates certain definitions related to emergency medical services, including the addition of a definition of "out-of-hospital setting", which term is included in and may be used interchangeably with the existing defined term "prehospital setting".

The bill clarifies that an off-duty emergency medical service provider is not obligated to respond to the scene of a medical emergency or provide emergency medical services.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly  
3 finds that:

4 (a) The state of Colorado recognizes the critical and essential role  
5 that emergency medical service providers play in safeguarding the health  
6 and safety of our communities;

7 (b) These dedicated professionals serve as first responders during  
8 medical crises, delivering immediate and often lifesaving care to people  
9 in dire need; and

10 (c) Emergency medical service providers encompass a diverse  
11 range of highly trained and skilled medical personnel, including  
12 paramedics, emergency medical technicians, and other specialized  
13 medical responders.

14 (2) The general assembly therefore declares that:

1 (a) The provision of emergency medical services constitutes a  
2 vital component of the health-care system in the state; and

3 (b) Our health-care system is multifaceted, and emergency  
4 medical services play a crucial role in the system and provide an essential  
5 service in the state.

6 **SECTION 2.** In Colorado Revised Statutes, 25-3.5-102, **add** (5)  
7 **and (6)** as follows:

8 **25-3.5-102. Legislative declaration.**

9 (5) (a) THE GENERAL ASSEMBLY FURTHER FINDS THAT:

10 (I) THE PROVISION OF EMERGENCY MEDICAL SERVICES, INCLUDING  
11 AMBULANCE SERVICES AND AIR AMBULANCE SERVICES, IS ESSENTIAL TO  
12 THE PROTECTION OF THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE  
13 PEOPLE OF THE STATE OF COLORADO;

14 (II) ACCESS TO TIMELY AND APPROPRIATE MEDICAL CARE IN  
15 **OUT-OF-HOSPITAL SERVICES** IS A CRITICAL COMPONENT OF THE STATE'S  
16 HEALTH-CARE INFRASTRUCTURE, PARTICULARLY IN RURAL AND FRONTIER  
17 AREAS OF THE STATE IN WHICH HOSPITALS AND OTHER HEALTH-CARE  
18 RESOURCES MAY BE LIMITED; AND

19 (III) EMERGENCY MEDICAL SERVICES FUNCTION AS AN INTEGRAL  
20 PART OF THE CONTINUUM OF CARE BY BRIDGING PREHOSPITAL,  
21 INTERFACILITY, AND COMMUNITY-BASED HEALTH-CARE DELIVERY.

22 (b) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT:

23 (I) IT IS NECESSARY TO RECOGNIZE AND SUPPORT EMERGENCY  
24 MEDICAL SERVICES AS AN ESSENTIAL SERVICE IN THE STATE OF COLORADO  
25 AND TO ENSURE THAT EACH RESIDENT OF AND VISITOR TO THE STATE HAS  
26 ACCESS TO EMERGENCY MEDICAL SERVICES;

27 (II) AS ESSENTIAL HEALTH-CARE PROVIDERS AND FIRST

1 RESPONDERS, EMERGENCY MEDICAL SERVICE PROVIDERS ARE EXPECTED  
2 TO RESPOND DURING A DECLARED DISASTER, PRESCRIBED CLOSURE, CRISIS,  
3 OR EMERGENCY; AND

4 (III) IT IS THE POLICY OF THE STATE OF COLORADO THAT:

5 (A) WHEN IN ACTIVE SERVICE, EMERGENCY MEDICAL SERVICE  
6 PROVIDERS ARE AUTHORIZED TO TRAVEL UNENCUMBERED UPON THE  
7 ROADS AND HIGHWAYS WITHIN THE STATE; AND

8 (B) AT ANY TIME OR PLACE IN WHICH EMERGENCY MEDICAL  
9 SERVICE PROVIDERS ARE CALLED TO RESPOND, THEIR PERFORMANCE OF  
10 EMERGENCY MEDICAL SERVICES FALLS WITHIN THE DUTIES AND  
11 CLASSIFIED DEMANDS OF THEIR JOBS AND THE REGULAR USAGE AND WEAR  
12 OF THEIR VEHICLES AND EQUIPMENT.

13 (6) THE GENERAL ASSEMBLY RECOGNIZES AND DECLARES THAT  
14 EMERGENCY MEDICAL SERVICES ARE ESSENTIAL. WHEN ACTING ON DUTY  
15 OR RESPONDING AS A VOLUNTEER, EMERGENCY MEDICAL SERVICE  
16 PROVIDERS, INCLUDING PROVIDERS OF EMERGENCY AMBULANCE SERVICE  
17 AND NONEMERGENCY AMBULANCE SERVICE, ARE RECOGNIZED AS  
18 PROVIDING ESSENTIAL SERVICES REGARDLESS OF LOCATION.

19 **SECTION 3.** In Colorado Revised Statutes, 25-3.5-103, **amend**  
20 (1.3), (3), (9), and (10.3); and **add** (7.2), (8.9), and (9.2) as follows:

21 **25-3.5-103. Definitions.**

22 As used in this article 3.5, unless the context otherwise requires:

23 (1.3) "Air ambulance service" means ~~any~~ A public or private entity  
24 that uses an air ambulance to transport patients to a medical facility AND  
25 INCLUDES THE PROVISION OF EMERGENCY AMBULANCE SERVICE AND  
26 NONEMERGENCY AMBULANCE SERVICE.

27 (3) (a) "Ambulance service" means the furnishing, operating,

1 conducting, maintaining, advertising, or otherwise engaging in or  
2 professing to be engaged in the transportation of patients by ambulance  
3 AND INCLUDES THE PROVISION OF EMERGENCY AMBULANCE SERVICE AND  
4 NONEMERGENCY AMBULANCE SERVICE.

5 (b) Taken in context, ~~it~~ "AMBULANCE SERVICE" also means the  
6 person ~~so engaged~~ PROVIDING or professing to be ~~so engaged~~ PROVIDING  
7 AMBULANCE SERVICE.

8 (c) The person ~~so engaged~~ PROVIDING and the vehicles used for  
9 the emergency transportation of ~~persons~~ INDIVIDUALS injured at a mine  
10 are excluded from this definition when the personnel utilized in the  
11 operation of ~~said~~ THE vehicles are subject to the mandatory safety  
12 standards of the federal mine safety and health administration, or its  
13 successor agency.

14 (7.2) "EMERGENCY AMBULANCE SERVICE" MEANS AN IMMEDIATE  
15 AMBULANCE OR AIR AMBULANCE RESPONSE AT THE TIME AMBULANCE  
16 SERVICE OR AIR AMBULANCE SERVICE IS REQUESTED THAT RESULTS IN THE  
17 ASSESSMENT, TREATMENT, OR TRANSPORT OF A PATIENT BY AN  
18 AMBULANCE OR AIR AMBULANCE.

19 (8.9) "NONEMERGENCY AMBULANCE SERVICE" MEANS THE  
20 TRANSPORT OF A PATIENT BY AN AMBULANCE OR AIR AMBULANCE AND  
21 THAT INCLUDES THE PROVISION OF MEDICALLY NECESSARY SUPPLIES AND  
22 SERVICES AND MEETS THE MEDICAL NECESSITY REQUIREMENTS UNDER 42  
23 CFR 410.40 (e), AS THAT SECTION EXISTED ON JULY 1, 2025.

24 (9) ~~"Patient" means any individual who is sick, injured, or~~  
25 ~~otherwise incapacitated or helpless~~ "OUT-OF-HOSPITAL SERVICES" MEANS  
26 FURNISHING ANY NECESSARY GOODS AND SERVICES OUTSIDE OF A  
27 HOSPITAL SETTING FOR THE PURPOSE OF PREVENTING, ALLEVIATING,

1 CURING, OR HEALING HUMAN ILLNESS, A PHYSICAL DISABILITY, A PHYSICAL  
2 INJURY, OR A SUBSTANCE USE DISORDER WHILE RESPONDING TO AN  
3 EMERGENCY OR OTHER HEALTH-CARE CONDITION. "OUT-OF-HOSPITAL  
4 SERVICES" DOES NOT INCLUDE PREHOSPITAL SETTING TRANSPORTS.

5 (9.2) "PATIENT" MEANS AN INDIVIDUAL WHO IS SICK, INJURED, OR  
6 OTHERWISE INCAPACITATED OR HELPLESS.

7 (10.3) "Prehospital "setting" means one of the following settings  
8 in which an emergency medical service provider performs patient care,  
9 which care is subject to medical direction by a medical director:

- 10 (a) At the site of an emergency;
- 11 (b) During emergency transport; ~~or~~
- 12 (c) During interfacility transport; OR
- 13 (d) WHILE PROVIDING OUT-OF-HOSPITAL SERVICES.

14  
15 **SECTION 4.** In Colorado Revised Statutes, 25-3.5-203, **add** (6)  
16 as follows:

17 **25-3.5-203. Emergency medical service providers - licensure**  
18 **- renewal of license - duties of department - rules - record checks -**  
19 **definitions.**

20 (6) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, NOTHING  
21 IN THIS ARTICLE 3.5 IMPOSES ON AN EMERGENCY MEDICAL SERVICE  
22 PROVIDER AN OBLIGATION TO RESPOND TO THE SCENE OF A MEDICAL  
23 EMERGENCY OR TO PROVIDE EMERGENCY MEDICAL SERVICES WHEN THE  
24 EMERGENCY MEDICAL SERVICE PROVIDER IS OFF DUTY.

25  
26 **SECTION 5. Act subject to petition - effective date.** This act  
27 takes effect at 12:01 a.m. on the day following the expiration of the

1 ninety-day period after final adjournment of the general assembly (August  
2 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a  
3 referendum petition is filed pursuant to section 1 (3) of article V of the  
4 state constitution against this act or an item, section, or part of this act  
5 within such period, then the act, item, section, or part will not take effect  
6 unless approved by the people at the general election to be held in  
7 November 2026 and, in such case, will take effect on the date of the  
8 official declaration of the vote thereon by the governor.