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An Act

SENATE BILL 22-225

BY SENATOR(S) Zenzinger and Liston, Buckner, Fields, Ginal, Gonzales, Hansen, Lee, Moreno, Rankin, Smallwood, Story;
also REPRESENTATIVE(S) Roberts and Baisley, Bird, Caraveo, Exum, Lindsay, McCluskie, Titone, Valdez D., Will.

CONCERNING EMERGENCY MEDICAL SERVICES IN THE STATE, AND, IN CONNECTION THEREWITH, CREATING AN EMERGENCY MEDICAL SERVICES SYSTEM SUSTAINABILITY TASK FORCE AND REQUIRING AMBULANCE SERVICES TO OBTAIN A STATE LICENSE FROM THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AND MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, 25-3.5-102, **add** (4) as follows:

25-3.5-102. Legislative declaration. (4) THE GENERAL ASSEMBLY ALSO FINDS THAT:

(a) COLORADO'S EMERGENCY MEDICAL SERVICES SYSTEM NOT ONLY PROVIDES INDIVIDUALS WHO ARE ILL OR INJURED EMERGENCY MEDICAL AND

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

TRAUMA CARE TWENTY-FOUR HOURS PER DAY AND THREE HUNDRED SIXTY-FIVE DAYS PER YEAR, BUT ALSO SERVES AS A CRITICAL SAFETY NET FOR MANY COLORADANS WHO MIGHT NOT HAVE IMMEDIATE ACCESS TO OTHER HEALTH-CARE SERVICES;

(b) AS HIGHLIGHTED BY THE COVID-19 PANDEMIC, COLORADO'S EMERGENCY MEDICAL SERVICES SYSTEM AUGMENTS COMMUNITY HEALTH, PREVENTATIVE HEALTH, AND PUBLIC HEALTH PROGRAMS THROUGHOUT THE STATE;

(c) DESPITE THE ESSENTIAL NATURE OF THE EMERGENCY MEDICAL SERVICES SYSTEM AND THE ASSUMPTION HELD BY MEMBERS OF THE PUBLIC THAT, ONCE A 911 CALL IS PLACED, AN AMBULANCE WILL QUICKLY ARRIVE, EMERGENCY MEDICAL SERVICES ARE NOT A REQUIRED SERVICE IN COLORADO;

(d) WHILE EMERGENCY MEDICAL SERVICES ARE GENERALLY AVAILABLE THROUGHOUT THE STATE, SOME COLORADANS NO LONGER HAVE ACCESS TO A COLORADO-BASED EMERGENCY MEDICAL SERVICES SYSTEM, AND OTHER COLORADO COMMUNITIES ARE AT RISK OF LOSING THEIR EMERGENCY MEDICAL SERVICES;

(e) THE INSTABILITY AND UNSUSTAINABILITY OF EMERGENCY MEDICAL SERVICES IN SOME PARTS OF THE STATE PUTS LIVES AT RISK;

(f) GROUND AMBULANCE SERVICE IS THE ONLY COMPONENT OF COLORADO'S EMERGENCY MEDICAL SYSTEM THAT IS NOT SUBJECT TO STATEWIDE STANDARDIZATION AND REGULATION, WHICH STATEWIDE STANDARDIZATION AND REGULATION WOULD PROVIDE MEDICAL AND OPERATIONAL BENEFITS AND CONSUMER PROTECTIONS;

(g) THE LACK OF STATEWIDE STANDARDIZATION AND REGULATION FOR GROUND AMBULANCE SERVICES INHIBITS CONSUMER PROTECTIONS AND INVESTIGATIONS AND ADJUDICATION OF CONSUMER COMPLAINTS BECAUSE THE DEPARTMENT LACKS AUTHORITY TO INVESTIGATE AND ADJUDICATE ANY COMPLAINTS RELATED TO GROUND AMBULANCES; AND

(h) TO ENSURE SUSTAINABILITY OF, AND EQUITABLE ACCESS TO, EMERGENCY MEDICAL SERVICES IN COLORADO, A COMPREHENSIVE ASSESSMENT OF THE EMERGENCY MEDICAL SERVICES SYSTEM, ALONG WITH

RECOMMENDATIONS FOR MODERNIZING AND SUSTAINING THE EMERGENCY MEDICAL SERVICES SYSTEM, SHOULD BE PERFORMED.

SECTION 2. In Colorado Revised Statutes, 25-3.5-103, **amend** (10); and **add** (3.1), (8.4), and (8.7) as follows:

25-3.5-103. Definitions. As used in this article 3.5, unless the context otherwise requires:

(3.1) "AUTHORIZATION TO OPERATE" OR "AUTHORIZED TO OPERATE" MEANS A LOCAL LICENSING AUTHORITY'S APPROVAL OF OR ACT OF APPROVING AN AMBULANCE SERVICE TO OPERATE WITHIN THE JURISDICTION OF THE LOCAL LICENSING AUTHORITY.

(8.4) "EMS SYSTEM SUSTAINABILITY TASK FORCE" OR "TASK FORCE" MEANS THE EMS SYSTEM SUSTAINABILITY TASK FORCE CREATED IN SECTION 25-3.5-108 (1)(a).

(8.7) "LOCAL LICENSING AUTHORITY" MEANS THE GOVERNING BODY OF A CITY AND COUNTY OR THE BOARD OF COUNTY COMMISSIONERS IN A COUNTY IN THE STATE.

(10) "Permit" means the authorization issued by the ~~governing body of a local government~~ DEPARTMENT with respect to an ambulance used or to be used to provide ambulance service in ~~this~~ THE state.

SECTION 3. In Colorado Revised Statutes, **add** 25-3.5-108 as follows:

25-3.5-108. EMS system sustainability task force - created - powers and duties - membership - reports - repeal. (1) (a) THE EMS SYSTEM SUSTAINABILITY TASK FORCE IS CREATED IN THE DEPARTMENT.

(b) THE TASK FORCE CONSISTS OF THE FOLLOWING TWENTY VOTING MEMBERS:

(I) THE FOLLOWING TWO LEGISLATIVE MEMBERS:

(A) ONE MEMBER OF THE SENATE, APPOINTED BY THE PRESIDENT OF THE SENATE; AND

(B) ONE MEMBER OF THE HOUSE OF REPRESENTATIVES, APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES;

(II) THE FOLLOWING EIGHT MEMBERS APPOINTED BY THE DIRECTOR OF THE DEPARTMENT:

(A) FOUR INDIVIDUALS REPRESENTING EMERGENCY MEDICAL SERVICES AGENCIES AND REPRESENTING A MIX OF FIRE-DEPARTMENT-BASED AMBULANCE SERVICES, HOSPITAL-BASED AMBULANCE SERVICES, CRITICAL CARE TRANSPORT AMBULANCE SERVICES, PRIVATE AMBULANCE SERVICES, FRONTIER COUNTIES, RURAL COUNTIES, METROPOLITAN COUNTIES, VOLUNTEER SERVICES, AND AIR AMBULANCE SERVICES;

(B) ONE INDIVIDUAL WHO IS A BOARD-CERTIFIED EMERGENCY MEDICAL SERVICES PHYSICIAN;

(C) TWO INDIVIDUALS WHO ARE CERTIFIED OR LICENSED EMERGENCY MEDICAL SERVICE PROVIDERS, ONE OF WHOM IS A LICENSED OR CERTIFIED PARAMEDIC AND THE OTHER OF WHOM IS A LICENSED OR CERTIFIED EMERGENCY MEDICAL TECHNICIAN; AND

(D) ONE INDIVIDUAL REPRESENTING A COMMUNITY INTEGRATED HEALTH-CARE SERVICE AGENCY, AS DEFINED IN SECTION 25-3.5-1301 (1), THAT IS LICENSED PURSUANT TO PART 13 OF THIS ARTICLE 3.5;

(III) ONE MEMBER OF A STATEWIDE GROUP REPRESENTING EMERGENCY MEDICAL SERVICE PROVIDERS, AS DESIGNATED BY THE GROUP;

(IV) THE CHAIR OF THE COUNCIL CREATED IN SECTION 25-3.5-104 (1)(a) OR THE CHAIR'S DESIGNEE;

(V) ONE MEMBER OF A STATEWIDE GROUP REPRESENTING FIRE CHIEFS, AS DESIGNATED BY THE GROUP;

(VI) ONE MEMBER OF A STATEWIDE GROUP REPRESENTING PROFESSIONAL FIREFIGHTERS, AS DESIGNATED BY THE GROUP;

(VII) ONE MEMBER OF A STATEWIDE GROUP REPRESENTING EMERGENCY MEDICAL SERVICE PROVIDER EDUCATORS, AS DESIGNATED BY THE GROUP;

(VIII) ONE MEMBER OF A STATEWIDE GROUP REPRESENTING SPECIAL DISTRICTS, AS DESIGNATED BY THE GROUP;

(IX) TWO MEMBERS OF A STATEWIDE GROUP REPRESENTING COUNTIES, AS DESIGNATED BY THE GROUP;

(X) ONE MEMBER OF A STATEWIDE GROUP REPRESENTING MUNICIPALITIES, AS DESIGNATED BY THE GROUP; AND

(XI) ONE MEMBER OF A STATEWIDE GROUP REPRESENTING HOSPITALS, AS DESIGNATED BY THE GROUP.

(c) THE DIRECTOR, OR THE DIRECTOR'S DESIGNEE, SERVES AS AN EX OFFICIO, NONVOTING MEMBER OF THE TASK FORCE.

(d) EACH LEGISLATIVE MEMBER OF THE TASK FORCE APPOINTED PURSUANT TO SUBSECTION (1)(b)(I) OF THIS SECTION:

(I) IS ENTITLED TO COMPENSATION IN ACCORDANCE WITH SECTION 2-2-326;

(II) MUST HAVE A PARTY AFFILIATION OR NONAFFILIATION DISTINCT FROM THE OTHER LEGISLATIVE MEMBER APPOINTED TO THE TASK FORCE; AND

(III) SERVES UNTIL THE APPOINTMENT OF A SUCCESSOR LEGISLATIVE MEMBER, UPON TERMINATION OF THE LEGISLATIVE MEMBER'S TERM OF OFFICE IN THE GENERAL ASSEMBLY, OR UPON COMPLETION OF THE TASK FORCE'S WORK, WHICHEVER OCCURS FIRST.

(e) THE MEMBERSHIP OF THE TASK FORCE MUST REPRESENT BOTH RURAL AND METROPOLITAN AREAS OF THE STATE AS EQUALLY AS POSSIBLE.

(f) APPOINTING OR DESIGNATING AUTHORITIES MUST APPOINT OR DESIGNATE MEMBERS OF THE TASK FORCE ON OR BEFORE AUGUST 1, 2022.

(g) MEMBERS APPOINTED PURSUANT TO SUBSECTIONS (1)(b)(II) TO (1)(b)(XI) OF THIS SECTION SERVE FOR THE DURATION OF THE TASK FORCE. AN APPOINTING OR DESIGNATING AUTHORITY SHALL FILL ANY VACANCY FOR THE REMAINDER OF THE DURATION OF THE TASK FORCE. MEMBERS

APPOINTED OR DESIGNATED SERVE AT THE PLEASURE OF THE APPOINTING OR DESIGNATING AUTHORITY AND CONTINUE TO SERVE UNTIL A SUCCESSOR IS APPOINTED OR DESIGNATED. EACH NONLEGISLATIVE MEMBER OF THE TASK FORCE SERVES WITHOUT COMPENSATION BUT IS ENTITLED TO RECEIVE REIMBURSEMENT FOR ACTUAL AND NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF DUTIES AS A MEMBER OF THE TASK FORCE.

(2) (a) THE LEGISLATIVE MEMBERS OF THE TASK FORCE SHALL CONVENE THE FIRST MEETING OF THE TASK FORCE NO LATER THAN SEPTEMBER 30, 2022. AT THE FIRST MEETING OF THE TASK FORCE, THE VOTING MEMBERS OF THE TASK FORCE SHALL SELECT ONE OF THE LEGISLATIVE MEMBERS TO SERVE AS CHAIR OF THE TASK FORCE AND THE OTHER LEGISLATIVE MEMBER TO SERVE AS VICE-CHAIR OF THE TASK FORCE. THE LEGISLATIVE MEMBERS SHALL ALTERNATE BETWEEN CHAIR AND VICE-CHAIR EACH YEAR THEREAFTER FOR THE DURATION OF THE TASK FORCE.

(b) THE TASK FORCE SHALL MEET AT LEAST FOUR TIMES EACH YEAR AND AT SUCH OTHER TIMES AS A MAJORITY OF THE VOTING MEMBERS OF THE TASK FORCE DEEM NECESSARY. THE CHAIR AND VICE-CHAIR MAY DESIGNATE SUBCOMMITTEES OF THE TASK FORCE, WHICH SUBCOMMITTEES MAY INCLUDE BOTH TASK FORCE MEMBERS AND NONMEMBERS, AND ESTABLISH ORGANIZATIONAL AND PROCEDURAL RULES AS ARE NECESSARY FOR THE WORK OF THE TASK FORCE.

(c) THE TASK FORCE MAY HEAR PRESENTATIONS FROM AND SEEK THE ADVICE OF OTHER INDIVIDUALS, ASSOCIATIONS, OR OTHER ORGANIZATIONS WHEN, IN THE JUDGMENT OF THE TASK FORCE, IT WOULD BE HELPFUL TO OBTAIN OUTSIDE EXPERTISE TO HELP THE TASK FORCE MEET ITS OBLIGATIONS UNDER THIS SECTION.

(3) THE TASK FORCE SHALL MAKE RECOMMENDATIONS FOR STATUTORY, RULE, AND POLICY CHANGES REQUIRED TO PRESERVE, PROMOTE, AND EXPAND CONSUMER ACCESS TO QUALITY LIFE-PRESERVING EMERGENCY MEDICAL CARE AND SERVICES. TO DEVELOP THE RECOMMENDATIONS, THE TASK FORCE'S WORK MUST REFLECT AT LEAST THE FOLLOWING PHASES OF TASKS:

(a) PHASE ONE, WHICH INCLUDES:

(I) PROVIDING INPUT ON THE REGULATORY STRUCTURE FOR AMBULANCE SERVICE OVERSIGHT, INCLUDING INPUT REGARDING THE MECHANISM BY WHICH THE DEPARTMENT AND LOCAL JURISDICTIONS WILL SHARE ACCOUNTABILITY FOR AMBULANCE SERVICE OVERSIGHT; AND

(II) OVERSEEING THE COMPLETION OF AN ENVIRONMENTAL SCAN THAT WILL GENERATE A REPORT ON THE STATE OF EMERGENCY MEDICAL SERVICES IN THE STATE, WHICH REPORT IS REFERRED TO IN THIS SUBSECTION (3) AS THE "STATE REPORT";

(b) PHASE TWO, WHICH INCLUDES:

(I) REVIEWING DATA FROM THE STATE REPORT; AND

(II) COLLABORATING WITH STAKEHOLDERS TO FORMULATE RECOMMENDATIONS THAT ADDRESS INEQUITY OR DISPARITY IN ACCESS TO EMERGENCY MEDICAL SERVICES IN THE STATE;

(c) PHASE THREE, WHICH, BASED ON THE TASK FORCE'S REVIEW OF THE STATE REPORT, INCLUDES COLLABORATING WITH STAKEHOLDERS TO FORMULATE RECOMMENDATIONS ADDRESSING EMERGENCY MEDICAL SERVICES WORKFORCE RECRUITING AND RETENTION NEEDS IN THE STATE;

(d) PHASE FOUR, WHICH, BASED ON THE TASK FORCE'S REVIEW OF THE STATE REPORT, INCLUDES COLLABORATING WITH STAKEHOLDERS TO FORMULATE RECOMMENDATIONS ADDRESSING THE FINANCIAL SUSTAINABILITY OF THE STATE'S EMERGENCY MEDICAL SERVICES SYSTEM; AND

(e) PHASE FIVE, WHICH INCLUDES REVIEWING THE IMPLEMENTATION STATUS OF PRIOR TASK FORCE RECOMMENDATIONS AND MAKING RECOMMENDATIONS FOR THE LONG-TERM SUSTAINABILITY OF THE EMERGENCY MEDICAL SERVICES SYSTEM.

(4) THE TASK FORCE SHALL SUBMIT FINDINGS AND RECOMMENDATIONS TO THE GENERAL ASSEMBLY AND THE DEPARTMENT BASED ON THE FOLLOWING SCHEDULE:

(a) ON OR BEFORE SEPTEMBER 1, 2023, THE TASK FORCE SHALL SUBMIT A REPORT SUMMARIZING ITS PHASE ONE FINDINGS AND

RECOMMENDATIONS REGARDING THE STATE OF EMERGENCY MEDICAL SERVICES IN THE STATE;

(b) ON OR BEFORE SEPTEMBER 1, 2024, THE TASK FORCE SHALL SUBMIT A REPORT SUMMARIZING ITS PHASE TWO FINDINGS AND RECOMMENDATIONS REGARDING EQUITABLE ACCESS TO EMERGENCY MEDICAL SERVICES;

(c) ON OR BEFORE SEPTEMBER 1, 2025, THE TASK FORCE SHALL SUBMIT A REPORT SUMMARIZING ITS PHASE THREE FINDINGS AND RECOMMENDATIONS REGARDING WORKFORCE RECRUITING AND RETENTION CONSIDERATIONS;

(d) ON OR BEFORE SEPTEMBER 1, 2026, THE TASK FORCE SHALL SUBMIT A REPORT SUMMARIZING ITS PHASE FOUR FINDINGS AND RECOMMENDATIONS REGARDING FINANCIAL SUSTAINABILITY OF THE STATE'S EMERGENCY MEDICAL SERVICES SYSTEM; AND

(e) ON OR BEFORE JANUARY 1, 2027, THE TASK FORCE SHALL SUBMIT A FINAL REPORT SUMMARIZING ITS PHASE FIVE FINDINGS AND RECOMMENDATIONS REGARDING IMPLEMENTATION OF PREVIOUS RECOMMENDATIONS AND ITS RECOMMENDATIONS REGARDING LONG-TERM SUSTAINABILITY OF THE EMERGENCY MEDICAL SERVICES SYSTEM.

(5) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2027.

SECTION 4. In Colorado Revised Statutes, **add** 25-3.5-314, 25-3.5-315, 25-3.5-316, 25-3.5-317, and 25-3.5-318 as follows:

25-3.5-314. Ambulance service - license required - exceptions - rules - local authorization to operate - penalties - liability insurance.

(1) **State license required.** ON AND AFTER JULY 1, 2024, AND EXCEPT AS PROVIDED IN SUBSECTION (2) OF THIS SECTION, A PERSON SHALL NOT OPERATE OR MAINTAIN AN AMBULANCE SERVICE WITHOUT A LICENSE ISSUED BY THE DEPARTMENT AND WITHOUT AUTHORIZATION TO OPERATE FROM THE LOCAL LICENSING AUTHORITY FOR THE COUNTY OR CITY AND COUNTY IN WHICH THE AMBULANCE SERVICE OPERATES OR SEEKS TO OPERATE.

(2) **Exceptions.** SUBSECTION (1) OF THIS SECTION DOES NOT APPLY TO THE FOLLOWING:

(a) THE EXCEPTIONAL EMERGENCY USE OF A PRIVATELY OR PUBLICLY OWNED VEHICLE, INCLUDING SEARCH AND RESCUE UNIT VEHICLES OR AIRCRAFT NOT ORDINARILY USED IN THE ACT OF TRANSPORTING PATIENTS;

(b) A VEHICLE RENDERING SERVICES AS AN AMBULANCE DURING A MAJOR CATASTROPHE OR EMERGENCY WHEN AMBULANCES WITH AUTHORIZATIONS TO OPERATE IN THE COUNTY OR CITY AND COUNTY IN WHICH THE MAJOR CATASTROPHE OR EMERGENCY OCCURRED OR IS OCCURRING ARE INSUFFICIENT TO RENDER THE AMBULANCE SERVICES REQUIRED;

(c) AN AMBULANCE BASED OUTSIDE OF THE STATE THAT IS TRANSPORTING A PATIENT INTO THE STATE;

(d) A VEHICLE USED OR DESIGNED FOR THE SCHEDULED TRANSPORTATION OF CONVALESCENT PATIENTS, INDIVIDUALS WITH DISABILITIES, OR INDIVIDUALS WHO WOULD NOT BE EXPECTED TO REQUIRE SKILLED TREATMENT OR CARE WHILE IN THE VEHICLE; AND

(e) A VEHICLE USED SOLELY FOR THE TRANSPORTATION OF AN INTOXICATED PERSON, AS DEFINED IN SECTION 27-81-102 (11), WHO IS NOT OTHERWISE DISABLED OR SERIOUSLY INJURED AND WHO WOULD NOT BE EXPECTED TO REQUIRE SKILLED TREATMENT OR CARE WHILE IN THE VEHICLE.

(3) Issuance of licenses. (a) BEGINNING JULY 1, 2024, THE DEPARTMENT SHALL ISSUE AN INITIAL LICENSE TO AN AMBULANCE SERVICE THAT, AS OF JUNE 30, 2024, HOLDS A VALID LICENSE ISSUED BY A LOCAL JURISDICTION.

(b) AN APPLICANT FOR A LICENSE SHALL SUBMIT TO THE DEPARTMENT, IN THE FORM AND MANNER DETERMINED BY THE BOARD BY RULE, EVIDENCE THAT THE AMBULANCE SERVICE THAT IS THE SUBJECT OF THE APPLICATION, ITS EMPLOYEES, AND ANY CONTRACTORS THAT THE AMBULANCE SERVICE USES AS STAFF ARE COVERED BY GENERAL LIABILITY INSURANCE. THE BOARD, BY RULE, SHALL DETERMINE THE MINIMUM AMOUNT OF GENERAL LIABILITY INSURANCE COVERAGE REQUIRED, WHICH AMOUNT MUST NOT BE LESS THAN THE AMOUNT CALCULATED IN ACCORDANCE WITH SECTION 24-10-114 (1)(a) AND (1)(b).

(4) Violations - penalties. (a) A PERSON THAT OPERATES AN

AMBULANCE SERVICE WITHOUT A LICENSE ISSUED PURSUANT TO THIS PART 3 COMMITS A PETTY OFFENSE AND SHALL BE PUNISHED AS PROVIDED IN SECTION 18-1.3-503 (1.5).

(b) (I) AN OWNER OR OPERATOR OF AN AMBULANCE SERVICE OR OTHER PERSON WHO VIOLATES THIS PART 3 OR A RULE ADOPTED PURSUANT TO THIS PART 3 OR WHO OPERATES WITHOUT A VALID LICENSE IS SUBJECT TO A CIVIL PENALTY OF:

(A) UP TO FIVE HUNDRED DOLLARS PER VIOLATION; OR

(B) FOR EACH DAY OF A CONTINUING VIOLATION, UP TO FIVE HUNDRED DOLLARS PER DAY.

(II) THE DEPARTMENT SHALL ASSESS AND COLLECT THE CIVIL PENALTIES. BEFORE COLLECTING A CIVIL PENALTY, THE DEPARTMENT SHALL PROVIDE THE PERSON ALLEGED TO HAVE COMMITTED THE VIOLATION WITH NOTICE AND AN OPPORTUNITY TO BE HEARD IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24.

(III) THE DEPARTMENT SHALL TRANSMIT ALL CIVIL PENALTIES COLLECTED TO THE STATE TREASURER, WHO SHALL CREDIT THE MONEY TO THE GENERAL FUND.

(5) County or city and county authorization to operate - rules.

(a) (I) AN AMBULANCE SERVICE SEEKING TO OPERATE ON A REGULAR BASIS, AS DEFINED BY THE BOARD BY RULE, IN A COUNTY OR CITY AND COUNTY SHALL FILE AN INTENT TO OPERATE WITH THE LOCAL LICENSING AUTHORITY FOR THE COUNTY OR CITY AND COUNTY IN WHICH THE AMBULANCE SERVICE INTENDS TO OPERATE ON FORMS PROVIDED BY THE DEPARTMENT AND CONTAINING SUCH INFORMATION AS THE DEPARTMENT MAY REQUIRE.

(II) AN AMBULANCE SERVICE SHALL NOT OPERATE IN A COUNTY OR A CITY AND COUNTY UNLESS THE AMBULANCE SERVICE HAS OBTAINED AUTHORIZATION TO OPERATE FROM THE COUNTY OR THE CITY AND COUNTY.

(III) A COUNTY OR CITY AND COUNTY MAY ENACT AN ORDINANCE OR RESOLUTION GOVERNING THE AUTHORIZATION TO OPERATE AMBULANCE SERVICES WITHIN THE COUNTY OR CITY AND COUNTY. THE ORDINANCE OR RESOLUTION MAY:

(A) LIMIT THE NUMBER OF AMBULANCE SERVICES THAT WILL BE AUTHORIZED TO OPERATE WITHIN THE COUNTY'S OR CITY AND COUNTY'S JURISDICTION;

(B) DETERMINE AND PRESCRIBE AMBULANCE SERVICE AREAS WITHIN THE COUNTY'S OR CITY AND COUNTY'S JURISDICTION;

(C) AUTHORIZE THE LOCAL LICENSING AUTHORITY TO CONTRACT WITH AMBULANCE SERVICES;

(D) AUTHORIZE THE LOCAL LICENSING AUTHORITY TO ENTER INTO MEMORANDA OF UNDERSTANDING, CONTRACTS, OR OTHER SUCH AGREEMENTS TO IMPOSE OBLIGATIONS ON AMBULANCE SERVICES THAT ARE MORE STRINGENT THAN THE OBLIGATIONS IMPOSED UNDER THIS PART 3 AND RULES ADOPTED PURSUANT TO THIS PART 3; AND

(E) ESTABLISH OTHER NECESSARY REQUIREMENTS THAT ARE CONSISTENT WITH THIS PART 3 OR RULES ADOPTED PURSUANT TO THIS PART 3.

(b) (I) ON AND AFTER JULY 1, 2024, A COUNTY OR CITY AND COUNTY THAT HAS NOT OPTED OUT OF PARTICIPATING IN THE ISSUANCE OF AUTHORIZATIONS TO OPERATE PURSUANT TO SUBSECTION (5)(b)(III) OF THIS SECTION SHALL NOT GRANT AN AMBULANCE SERVICE AUTHORIZATION TO OPERATE IN THE COUNTY OR CITY AND COUNTY WITHOUT FIRST VERIFYING THAT THE AMBULANCE SERVICE HAS A VALID LICENSE ISSUED BY THE DEPARTMENT.

(II) PURSUANT TO SECTION 25-3.5-317 (2)(a), THE DEPARTMENT HAS THE SOLE RESPONSIBILITY TO CONDUCT VEHICLE INSPECTIONS OF AMBULANCE SERVICES.

(III) BEFORE JULY 1, 2024, AND BEFORE JULY 1 OF ANY YEAR THEREAFTER, A COUNTY OR CITY AND COUNTY MAY OPT OUT OF PARTICIPATING IN THE ISSUANCE OF AUTHORIZATIONS TO OPERATE AN AMBULANCE SERVICE WITHIN THE COUNTY OR CITY AND COUNTY BY NOTIFYING THE DEPARTMENT IN A FORM AND MANNER DETERMINED BY THE DEPARTMENT. IF A COUNTY OR CITY AND COUNTY OPTS OUT OF PARTICIPATING IN THE ISSUANCE OF AUTHORIZATIONS TO OPERATE AN AMBULANCE SERVICE, AN AMBULANCE SERVICE NEED ONLY OBTAIN A STATE

LICENSE TO OPERATE IN THAT COUNTY OR CITY AND COUNTY.

(c) EXCEPT AS PROVIDED IN SUBSECTION (5)(d) OF THIS SECTION, A COUNTY OR CITY AND COUNTY SHALL NOT IMPOSE STANDARDS THAT ARE MORE OR LESS STRINGENT THAN THE MINIMUM STANDARDS THAT THE BOARD ADOPTS BY RULE PURSUANT TO SECTION 25-3.5-315.

(d) NOTHING IN THIS PART 3 PREVENTS A COUNTY OR CITY AND COUNTY FROM IMPOSING OBLIGATIONS THAT EXCEED THE MINIMUM STANDARDS THAT THE BOARD ADOPTS BY RULE PURSUANT TO SECTION 25-3.5-315 THROUGH THE USE OF MEMORANDA OF UNDERSTANDING, CONTRACTS, OR OTHER SUCH AGREEMENTS.

(e) (I) UPON A DETERMINATION BY A LOCAL LICENSING AUTHORITY THAT A PERSON HAS VIOLATED OR FAILED TO COMPLY WITH THIS PART 3, RULES ADOPTED PURSUANT TO THIS PART 3, OR AN ORDINANCE, RESOLUTION, CONTRACT, OR OTHER AGREEMENT GOVERNING THE AMBULANCE SERVICE'S AUTHORITY TO OPERATE WITHIN THE COUNTY OR CITY AND COUNTY, THE LOCAL LICENSING AUTHORITY MAY SUMMARILY SUSPEND, FOR A PERIOD NOT TO EXCEED TEN DAYS, THE AUTHORIZATION TO OPERATE ISSUED PURSUANT TO THIS SUBSECTION (5).

(II) A LOCAL LICENSING AUTHORITY SHALL PROVIDE WRITTEN NOTICE TO THE AMBULANCE SERVICE OF A TEMPORARY SUSPENSION AND SHALL HOLD A HEARING ON THE MATTER NO LATER THAN TEN DAYS AFTER ISSUANCE OF THE TEMPORARY SUSPENSION. AFTER THE HEARING, THE LOCAL LICENSING AUTHORITY MAY SUSPEND OR REVOKE THE AMBULANCE SERVICE'S AUTHORIZATION TO OPERATE. AT THE END OF ANY PERIOD OF SUSPENSION, THE PERSON WHOSE AUTHORIZATION TO OPERATE WAS SUSPENDED MAY APPLY FOR A NEW AUTHORIZATION TO OPERATE IN THE COUNTY OR CITY AND COUNTY IN THE SAME MANNER AS THE PERSON APPLIED FOR THE INITIAL AUTHORIZATION TO OPERATE.

(III) IF AN AMBULANCE SERVICE COMMITS A SECOND VIOLATION OR FAILURE TO COMPLY WITH THIS PART 3, RULES ADOPTED PURSUANT TO THIS PART 3, OR AN ORDINANCE, RESOLUTION, CONTRACT, OR OTHER AGREEMENT GOVERNING THE AMBULANCE SERVICE'S AUTHORITY TO OPERATE WITHIN THE COUNTY OR CITY AND COUNTY, THE LOCAL LICENSING AUTHORITY MAY REVOKE THE AMBULANCE SERVICE'S AUTHORIZATION TO OPERATE IN THE COUNTY OR CITY AND COUNTY.

(IV) A LOCAL LICENSING AUTHORITY THAT SUSPENDS OR REVOKES AN AMBULANCE SERVICE'S AUTHORIZATION TO OPERATE IN THE COUNTY OR CITY AND COUNTY SHALL NOTIFY THE DEPARTMENT OF THE SUSPENSION OR REVOCATION WITHIN THIRTY DAYS AFTER ISSUING THE SUSPENSION OR REVOCATION AND PROVIDE SUPPORTING DOCUMENTATION FOR THE DEPARTMENT'S REVIEW OF THE POSSIBLE EFFECT THAT THE SUSPENSION OR REVOCATION HAS ON THE AMBULANCE SERVICE'S STATE LICENSE.

25-3.5-315. Minimum standards for ambulance services - rules.

(1) ON OR BEFORE JANUARY 1, 2024, THE BOARD SHALL ADOPT RULES ESTABLISHING MINIMUM STANDARDS FOR THE OPERATION OF AN AMBULANCE SERVICE WITHIN THE STATE. THE RULES MUST ADDRESS THE FOLLOWING:

- (a) MINIMUM EQUIPMENT TO BE CARRIED ON AN AMBULANCE;
- (b) STAFFING REQUIREMENTS FOR AMBULANCES;
- (c) MEDICAL OVERSIGHT AND QUALITY ASSURANCE OF AMBULANCE SERVICES;
- (d) THE ISSUANCE OF LICENSES;
- (e) THE PROCESS USED TO INVESTIGATE COMPLAINTS AGAINST AN AMBULANCE SERVICE;
- (f) DATA COLLECTION AND REPORTING TO THE DEPARTMENT BY AN AMBULANCE SERVICE;
- (g) INSPECTION OF AMBULANCE SERVICES BY THE DEPARTMENT OR THE DEPARTMENT'S DESIGNATED REPRESENTATIVE;
- (h) MINIMUM EDUCATION, TRAINING, AND EXPERIENCE STANDARDS FOR THE ADMINISTRATOR OF AN AMBULANCE SERVICE;
- (i) THE AMOUNT OF GENERAL LIABILITY INSURANCE COVERAGE THAT AN AMBULANCE SERVICE SHALL MAINTAIN IN ACCORDANCE WITH SECTION 25-3.5-314 (3)(b) AND THE MANNER IN WHICH AN AMBULANCE SERVICE SHALL DEMONSTRATE PROOF OF INSURANCE TO THE DEPARTMENT. THE BOARD MAY ESTABLISH BY RULE THAT AN AMBULANCE SERVICE MAY OBTAIN

A SURETY BOND IN LIEU OF LIABILITY INSURANCE COVERAGE.

(j) QUALIFICATIONS, TRAINING, AND ROLES AND RESPONSIBILITIES FOR A MEDICAL DIRECTOR OF AN AMBULANCE SERVICE;

(k) COMMUNICATION EQUIPMENT, REPORTING CAPABILITIES, PATIENT SAFETY, AND SAFETY AND STAFFING OF CREW MEMBERS;

(l) MANAGEMENT OF PATIENT SAFETY WITH REGARD TO MINIMUM CLINICAL STAFFING;

(m) ADMINISTRATIVE AND OPERATIONAL STANDARDS FOR GOVERNANCE, PATIENT RECORDS AND RECORD RETENTION, PERSONNEL, AND POLICIES AND PROCEDURES;

(n) MANDATORY INCIDENT REPORTING TO THE DEPARTMENT, INCLUDING SPECIFYING THE ACTS OR EVENTS THAT TRIGGER MANDATORY REPORTING;

(o) FEES FOR AMBULANCE SERVICE APPLICATIONS AND LICENSES, IF DEEMED NECESSARY TO COVER THE DEPARTMENT'S DIRECT AND INDIRECT COSTS IN IMPLEMENTING AND ADMINISTERING THIS PART 3;

(p) REQUIREMENTS FOR MOTOR VEHICLE LIABILITY INSURANCE, AS REQUIRED BY SECTION 10-4-619;

(q) VEHICLE STANDARDS TO ENSURE MINIMUM SAFETY STANDARDS;

(r) CRITERIA FOR WAIVERS TO THE RULES; AND

(s) ANY OTHER RULES AS NECESSARY TO IMPLEMENT THIS PART 3.

25-3.5-316. Ambulance service cash fund - created. (1) THERE IS HEREBY CREATED THE AMBULANCE SERVICES CASH FUND, REFERRED TO IN THIS SECTION AS THE "FUND". THE DEPARTMENT SHALL TRANSMIT ANY FEES COLLECTED PURSUANT TO THIS PART 3 TO THE STATE TREASURER, WHO SHALL CREDIT THE FEES TO THE FUND. THE FUND CONSISTS OF THE CREDITED FEES AND ANY MONEY THAT THE GENERAL ASSEMBLY MAY TRANSFER OR APPROPRIATE TO THE FUND.

(2) THE MONEY IN THE FUND IS SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY TO THE DEPARTMENT FOR THE DEPARTMENT'S DIRECT AND INDIRECT COSTS IN IMPLEMENTING AND ADMINISTERING THIS PART 3.

(3) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND. ANY UNENCUMBERED OR UNEXPENDED MONEY IN THE FUND AT THE END OF A STATE FISCAL YEAR REMAINS IN THE FUND AND IS NOT TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND.

25-3.5-317. License - application - inspection - criminal history record check - issuance - investigation. (1) AN AMBULANCE SERVICE LICENSE EXPIRES AFTER TWO YEARS. THE DEPARTMENT SHALL DETERMINE THE FORM AND MANNER OF INITIAL AND RENEWAL LICENSE APPLICATIONS.

(2) (a) TO ENSURE THE HEALTH, SAFETY, AND WELFARE OF AMBULANCE SERVICE PATIENTS, THE DEPARTMENT SHALL INSPECT AN AMBULANCE SERVICE, INCLUDING ALL VEHICLES USED IN PROVIDING THE AMBULANCE SERVICE, IN ACCORDANCE WITH THIS PART 3 AND BOARD RULES ADOPTED BY THE BOARD PURSUANT TO THIS PART 3 AND AS THE DEPARTMENT DEEMS NECESSARY. IF THE DEPARTMENT FINDS ONE OR MORE VIOLATIONS AS A RESULT OF AN INSPECTION, THE AMBULANCE SERVICE SHALL SUBMIT TO THE DEPARTMENT IN WRITING, IN THE FORM AND MANNER DETERMINED BY THE DEPARTMENT, A PLAN DETAILING THE MEASURES THAT THE AMBULANCE SERVICE WILL TAKE TO CORRECT THE VIOLATIONS FOUND.

(b) THE DEPARTMENT SHALL KEEP CONFIDENTIAL ALL MEDICAL RECORDS AND PERSONALLY IDENTIFYING INFORMATION OBTAINED DURING AN INSPECTION OF AN AMBULANCE SERVICE.

(3) (a) (I) WHEN SUBMITTING AN APPLICATION FOR A LICENSE PURSUANT TO THIS SECTION, OR WITHIN TEN DAYS AFTER A CHANGE IN OWNER OR OPERATOR OF AN AMBULANCE SERVICE, EACH OWNER OR OPERATOR OF AN AMBULANCE SERVICE SHALL SUBMIT A COMPLETE SET OF THE OWNER'S OR OPERATOR'S FINGERPRINTS TO THE COLORADO BUREAU OF INVESTIGATION FOR THE PURPOSE OF CONDUCTING A STATE AND NATIONAL FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK. THE COLORADO BUREAU OF INVESTIGATION SHALL FORWARD THE FINGERPRINTS TO THE FEDERAL BUREAU OF INVESTIGATION FOR THE PURPOSE OF CONDUCTING

FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECKS.

(II) EACH OWNER OR OPERATOR OF AN AMBULANCE SERVICE IS RESPONSIBLE FOR PAYING THE FEE ESTABLISHED BY THE COLORADO BUREAU OF INVESTIGATION FOR CONDUCTING THE FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK TO THE BUREAU.

(b) THE DEPARTMENT MAY DENY A LICENSE OR RENEWAL OF A LICENSE IF THE RESULTS OF A CRIMINAL HISTORY RECORD CHECK OF AN OWNER OR OPERATOR DEMONSTRATE THAT THE OWNER OR OPERATOR HAS BEEN CONVICTED OF A FELONY OR A MISDEMEANOR INVOLVING CONDUCT THAT THE DEPARTMENT DETERMINES COULD POSE A RISK TO THE HEALTH, SAFETY, OR WELFARE OF AMBULANCE SERVICE PATIENTS.

(c)(I) IF AN AMBULANCE SERVICE APPLYING FOR AN INITIAL LICENSE IS TEMPORARILY UNABLE TO SATISFY ALL OF THE REQUIREMENTS FOR LICENSURE, THE DEPARTMENT MAY ISSUE A PROVISIONAL LICENSE TO THE AMBULANCE SERVICE; EXCEPT THAT THE DEPARTMENT SHALL NOT ISSUE A PROVISIONAL LICENSE TO AN AMBULANCE SERVICE IF OPERATION OF THE AMBULANCE SERVICE WILL ADVERSELY AFFECT THE HEALTH, SAFETY, OR WELFARE OF THE AMBULANCE SERVICE'S PATIENTS.

(II) THE DEPARTMENT MAY REQUIRE AN AMBULANCE SERVICE APPLYING FOR A PROVISIONAL LICENSE TO DEMONSTRATE TO THE DEPARTMENT'S SATISFACTION THAT THE AMBULANCE SERVICE IS TAKING SUFFICIENT STEPS TO SATISFY ALL OF THE REQUIREMENTS FOR FULL LICENSURE. A PROVISIONAL LICENSE IS VALID FOR NINETY DAYS AND MAY BE RENEWED ONE TIME AT THE DEPARTMENT'S DISCRETION.

(4) (a) IN INVESTIGATING ALLEGED VIOLATIONS OF THIS PART 3 OR RULES ADOPTED PURSUANT TO THIS PART 3, THE DEPARTMENT MAY ADMINISTER OATHS TO, OR TAKE AFFIRMATIONS OF, WITNESSES, AND ISSUE SUBPOENAS TO COMPEL THE ATTENDANCE OF WITNESSES AND THE PRODUCTION OF ALL RELEVANT RECORDS AND DOCUMENTS.

(b) UPON THE FAILURE OF A WITNESS TO COMPLY WITH A SUBPOENA, THE DEPARTMENT MAY APPLY TO A DISTRICT COURT FOR AN ORDER REQUIRING THE PERSON TO APPEAR BEFORE THE DEPARTMENT OR AN ADMINISTRATIVE LAW JUDGE, TO PRODUCE THE RELEVANT RECORDS OR DOCUMENTS, OR TO GIVE TESTIMONY OR EVIDENCE RELATED TO THE MATTER

UNDER INVESTIGATION. WHEN APPLYING FOR A DISTRICT COURT ORDER, THE DEPARTMENT SHALL APPLY TO THE DISTRICT COURT OF THE COUNTY IN WHICH THE SUBPOENAED PERSON RESIDES OR CONDUCTS BUSINESS. THE COURT MAY PUNISH A FAILURE TO COMPLY WITH A SUBPOENA ISSUED BY THE DEPARTMENT AS A CONTEMPT OF COURT.

(5) A PERSON ACTING AS A WITNESS OR CONSULTANT TO THE DEPARTMENT, A WITNESS TESTIFYING, OR A PERSON, INCLUDING AN EMPLOYER, THAT REPORTS MISCONDUCT TO THE DEPARTMENT UNDER THIS SECTION IS IMMUNE FROM LIABILITY IN ANY CIVIL ACTION BROUGHT FOR ACTS OCCURRING WHILE TESTIFYING, PRODUCING EVIDENCE, OR REPORTING MISCONDUCT UNDER THIS SECTION IF THE PERSON WAS ACTING IN GOOD FAITH AND WITH A REASONABLE BELIEF OF THE FACTS TESTIFIED TO, PRODUCED AS PART OF EVIDENCE, OR REPORTED.

(6) ALL RECORDS, DOCUMENTS, TESTIMONY, OR EVIDENCE OBTAINED PURSUANT TO THIS SECTION REMAINS CONFIDENTIAL EXCEPT TO THE EXTENT NECESSARY TO SUPPORT THE ADMINISTRATIVE ACTION TAKEN BY THE DEPARTMENT, TO REFER THE MATTER TO ANOTHER LOCAL GOVERNMENT, STATE, OR FEDERAL AGENCY WITH REGULATORY AUTHORITY, OR TO REFER THE MATTER TO A LAW ENFORCEMENT AGENCY FOR CRIMINAL PROSECUTION.

25-3.5-318. License denial, suspension, revocation, or refusal to renew. (1) IN DENYING A LICENSE APPLICATION, THE DEPARTMENT SHALL ISSUE ITS DENIAL IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24.

(2) (a) THE DEPARTMENT MAY SUSPEND, REVOKE, OR REFUSE TO RENEW THE LICENSE OF AN AMBULANCE SERVICE THAT IS OUT OF COMPLIANCE WITH THE REQUIREMENTS OF THIS PART 3 OR RULES ADOPTED PURSUANT TO THIS PART 3. EXCEPT AS PROVIDED IN SUBSECTION (2)(b) OF THIS SECTION, BEFORE TAKING FINAL ACTION TO SUSPEND OR REVOKE A LICENSE, THE DEPARTMENT SHALL CONDUCT A HEARING ON THE MATTER IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24.

(b) THE DEPARTMENT MAY SUMMARILY SUSPEND A LICENSE BEFORE A HEARING IN ACCORDANCE WITH SECTION 24-4-104 (4)(a).

(3) AFTER CONDUCTING A HEARING PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION AND IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24, THE DEPARTMENT MAY REVOKE OR REFUSE TO RENEW AN AMBULANCE SERVICE

LICENSE IF AN OWNER OR OPERATOR OF THE AMBULANCE SERVICE HAS BEEN CONVICTED OF A FELONY OR MISDEMEANOR INVOLVING CONDUCT THAT THE DEPARTMENT DETERMINES COULD POSE A RISK TO THE HEALTH, SAFETY, OR WELFARE OF THE AMBULANCE SERVICE'S PATIENTS.

(4)(a) THE DEPARTMENT MAY IMPOSE INTERMEDIATE RESTRICTIONS OR CONDITIONS ON AN AMBULANCE SERVICE, WHICH RESTRICTIONS OR CONDITIONS MAY REQUIRE THE AMBULANCE SERVICE TO:

(I) RETAIN A CONSULTANT TO ADDRESS CORRECTIVE MEASURES;

(II) BE MONITORED BY THE DEPARTMENT FOR A SPECIFIC PERIOD;

(III) PROVIDE ADDITIONAL TRAINING TO ITS EMPLOYEES, CONTRACTORS, OWNERS, OR OPERATORS;

(IV) COMPLY WITH A DIRECTED WRITTEN PLAN TO CORRECT THE VIOLATION IN ACCORDANCE WITH PROCEDURES ESTABLISHED PURSUANT TO SECTION 25-27.5-108 (2)(b); OR

(V) PAY A CIVIL PENALTY OF UP TO FIVE HUNDRED DOLLARS PER VIOLATION.

(b) (I) WITH RESPECT TO ANY CIVIL PENALTIES THAT THE DEPARTMENT ASSESSES AGAINST AN AMBULANCE SERVICE PURSUANT TO SUBSECTION (4)(a)(V) OF THIS SECTION, THE DEPARTMENT, AFTER PROVIDING THE AMBULANCE SERVICE WITH NOTICE AND AN OPPORTUNITY FOR A HEARING PURSUANT TO SECTION 24-4-105, SHALL TRANSMIT ANY PENALTIES COLLECTED FROM THE AMBULANCE SERVICE TO THE STATE TREASURER, WHO SHALL CREDIT THE MONEY TO THE GENERAL FUND.

(II) UPON REQUEST OF THE AMBULANCE SERVICE ASSESSED CIVIL PENALTIES PURSUANT TO THIS SUBSECTION (4), THE DEPARTMENT SHALL GRANT A STAY OF PAYMENT OF THE CIVIL PENALTIES UNTIL FINAL DISPOSITION OF THE INTERMEDIATE RESTRICTIONS OR CONDITIONS IMPOSED ON THE AMBULANCE SERVICE PURSUANT TO THIS SUBSECTION (4).

SECTION 5. In Colorado Revised Statutes, **repeal** 25-3.5-106 as follows:

25-3.5-106. Local standards - uninterrupted service. ~~(1) Nothing in this article shall be construed to prevent a municipality or special district from adopting standards more stringent than those provided in this article.~~

~~(2) In no event shall the providing of service to sick or injured persons be interrupted, between point of origin and point of destination, when an ambulance run traverses one or more jurisdictions whose adopted standards are more stringent than those adopted in the jurisdiction where such ambulance run originates.~~

SECTION 6. In Colorado Revised Statutes, **amend** 25-3.5-202 as follows:

25-3.5-202. Personnel - basic requirements. Emergency medical service providers employed or utilized in connection with an ambulance service shall meet the qualifications established ~~by resolution~~, by the board of county commissioners of the county in which the ambulance is based BY RULE in order to be certified or licensed. For ambulance drivers, the minimum requirements include the possession of a valid driver's license and other requirements established by the board by rule under ~~section 25-3.5-308~~ SECTION 25-3.5-315. For any person responsible for providing direct emergency medical care and treatment to patients transported in an ambulance, the minimum requirement is possession of an emergency medical service provider certificate or license issued by the department. In the case of an emergency in an ambulance service area where no person possessing the qualifications required by this section is present or available to respond to a call for the emergency transportation of patients by ambulance, any person may operate the ambulance to transport any sick, injured, or otherwise incapacitated or helpless person in order to stabilize the medical condition of the person pending the availability of medical care.

SECTION 7. In Colorado Revised Statutes, 25-3.5-301, **repeal** (1), (2), and (5) as follows:

25-3.5-301. Number of individuals needed for ambulance operation - exception. (1) ~~After January 1, 1978, no person shall provide ambulance service publicly or privately in this state unless that person holds a valid license to do so issued by the board of county commissioners of the county in which the ambulance service is based, except as provided in subsection (5) of this section. Licenses, permits, and renewals thereof,~~

~~issued under this part 3, shall require the payment of fees in amounts to be determined by the board to reflect the direct and indirect costs incurred by the department in implementing such licensure, but the board may waive payment of such fees for ambulance services operated by municipalities or special districts.~~

~~(2) (a) (I) Each ambulance operated by an ambulance service shall be issued a permit and, in order to be approved, shall bear evidence that its equipment meets or is equivalent to the minimum requirements set forth in the minimum equipment list established by the council and approved by the state board of health. The board of county commissioners of any county may impose by resolution additional requirements for ambulances based in such county.~~

~~(H) Repealed.~~

~~(a.1) Repealed.~~

~~(b) The council shall make available to the board of county commissioners guidelines for ambulance design criteria for use in developing standards for vehicle replacement.~~

~~(5) The provisions of subsections (1) to (3) of this section shall not apply to the following:~~

~~(a) The exceptional emergency use of a privately or publicly owned vehicle, including search and rescue unit vehicles, or aircraft not ordinarily used in the formal act of transporting patients;~~

~~(b) A vehicle rendering services as an ambulance in case of a major catastrophe or emergency when ambulances with permits based in the localities of the catastrophe or emergency are insufficient to render the services required;~~

~~(c) Ambulances based outside this state which are transporting a patient in Colorado;~~

~~(d) Vehicles used or designed for the scheduled transportation of convalescent patients, individuals with disabilities, or persons who would not be expected to require skilled treatment or care while in the vehicle;~~

~~(e) Vehicles used solely for the transportation of intoxicated persons or persons incapacitated by alcohol as defined in section 27-81-102, C.R.S., but who are not otherwise disabled or seriously injured and who would not be expected to require skilled treatment or care while in the vehicle.~~

SECTION 8. In Colorado Revised Statutes, **repeal** 25-3.5-302 as follows:

25-3.5-302. Issuance of licenses and permits - term - requirements. ~~(1)(a) After receipt of an original application for a license to provide ambulance service, the board of county commissioners shall review the application and the applicant's record and provide for the inspection of equipment to determine compliance with the provisions of this part 3.~~

~~(b) The board of county commissioners shall issue a license to the applicant to provide ambulance service and a permit for each ambulance used, both of which shall be valid for twelve months following the date of issue, upon a finding that the applicant's staff, vehicle, and equipment comply with the provisions of this part 3 and any other requirement established by said board.~~

~~(2) Any such license or permit, unless revoked by the board of county commissioners, may be renewed by filing an application as in the case of an original application for such license or permit. Applications for renewal shall be filed annually but not less than thirty days before the date the license or permit expires.~~

~~(3) No license or permit issued pursuant to this section shall be sold, assigned, or otherwise transferred.~~

SECTION 9. In Colorado Revised Statutes, **repeal** 25-3.5-303 as follows:

25-3.5-303. Vehicular liability insurance required. ~~No ambulance shall operate in this state unless it is covered by a complying policy as defined in section 10-4-601 (2), C.R.S.~~

SECTION 10. In Colorado Revised Statutes, **repeal** 25-3.5-304 as follows:

25-3.5-304. Suspension - revocation - hearings. ~~(1) Upon a determination by the board of county commissioners that any person has violated or failed to comply with any provisions of this part 3, the board may temporarily suspend, for a period not to exceed thirty days, any license or permit issued pursuant to this part 3. The licensee shall receive written notice of such temporary suspension, and a hearing shall be held no later than ten days after such temporary suspension. After such hearing, the board may suspend any license or permit, issued pursuant to this part 3, for any portion of or for the remainder of its life. At the end of such period, the person whose license or permit was suspended may apply for a new license or permit as in the case of an original application.~~

~~(2) Upon a second violation or failure to comply with any provision of this part 3 by any licensee, the board of county commissioners may permanently revoke such license or permit.~~

SECTION 11. In Colorado Revised Statutes, 25-3.5-305, **amend** (2) as follows:

25-3.5-305. Alleged negligence. (2) In the event a judgment is entered against ~~any such licensee, he~~ A PERSON ISSUED A LICENSE PURSUANT TO THIS PART 3, THE PERSON shall, within thirty days ~~thereof~~ AFTER THE JUDGMENT IS ENTERED, file a copy of the findings of fact, conclusions of law, and order in ~~such~~ THE case with the ~~clerk and recorder of the county issuing the license.~~ Said ~~board~~ DEPARTMENT, AND THE DEPARTMENT shall take note of ~~such~~ THE judgment for purposes of investigation and appropriate action TO DETERMINE if THE PERSON COMMITTED a violation of this part 3. ~~is present.~~ Any and all complaints received directly by ~~said board shall be~~ THE DEPARTMENT ARE subject to review.

SECTION 12. In Colorado Revised Statutes, **repeal** 25-3.5-308 as follows:

25-3.5-308. Rules. (1) ~~The board shall adopt rules establishing the minimum requirements for ground ambulance service licensing, including but not limited to:~~

~~(a) Minimum equipment to be carried on an ambulance pursuant to section 25-3.5-104;~~

~~(b) Staffing requirements for ambulances as required in section 25-3.5-104;~~

~~(c) Medical oversight and quality improvement of ambulance services pursuant to section 25-3.5-704 (2)(h);~~

~~(d) The process used to investigate complaints against an ambulance service; and~~

~~(e) Data collection and reporting to the department by an ambulance service.~~

SECTION 13. In Colorado Revised Statutes, **repeal** 25-3.5-502 as follows:

25-3.5-502. Forms and reports. ~~The department shall provide the necessary forms and copies of quarterly statistical report forms for local and state evaluation of ambulance service unless specifically exempted by the board of county commissioners of a particular county for that county.~~

SECTION 14. In Colorado Revised Statutes, 25-3.5-605, **amend** (2)(a) as follows:

25-3.5-605. Improvement of county emergency medical and trauma services - eligibility for county funding - manner of distributing funds. (2) In order to qualify for money under this section, a county must:

(a) Comply with all provisions of part 3 of this ~~article~~ ARTICLE 3.5 regarding the ~~inspection and licensing of ambulances that are based~~ AUTHORIZATION TO OPERATE AMBULANCE SERVICES in the county;

SECTION 15. Appropriation. (1) For the 2022-23 state fiscal year, \$254,622 is appropriated to the department of public health and environment for use by the health facilities and emergency management services division. This appropriation is from the general fund and is based on an assumption that the division will require an additional 1.0 FTE. To implement this act, the division may use this appropriation for administration and operations.

(2) For the 2022-23 state fiscal year, \$1,882 is appropriated to the

legislative department. This appropriation is from the general fund. To implement this act, the department may use this appropriation for use by the legislative council.

SECTION 16. Effective date. This act takes effect upon passage; except that sections 5 through 14 of this act take effect on July 1, 2024.

SECTION 17. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Steve Fenberg
PRESIDENT OF
THE SENATE

Alec Garnett
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO