

**Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 22-1019.01 Jennifer Berman x3286

SENATE BILL 22-225

SENATE SPONSORSHIP

Zenzinger and Liston, Buckner, Fields, Ginal, Gonzales, Hansen, Lee, Moreno, Rankin,
Smallwood, Story

HOUSE SPONSORSHIP

Roberts and Baisley,

Senate Committees

Health & Human Services
Finance
Appropriations

House Committees

Finance
Appropriations

A BILL FOR AN ACT

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

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>.)

Under current law, ambulance services are regulated at the local

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

SENATE
3rd Reading Unamended
May 3, 2022

SENATE
Amended 2nd Reading
May 2, 2022

level. On and after July 1, 2024, the bill requires an ambulance service to obtain a state license from the department of public health and environment (department). In licensing ambulance services, the department is authorized to conduct inspections, investigate and hold hearings regarding alleged violations, and, for any violations found, take action against an ambulance service's license or application for an initial or renewed license, impose civil penalties, or both.

On or before January 1, 2024, the state board of health (board) is required to adopt rules regarding minimum standards for ambulance services, including equipment, staffing, medical oversight, and general and vehicle liability insurance standards and, if the board deems it necessary, rules imposing application and licensing fees.

On and after July 1, 2024, a county or city and county is authorized to grant an ambulance service authorization to operate within the county's or city and county's jurisdiction and to enter into service agreements and other contracts with ambulance services operating in the county's or city and county's jurisdiction.

The bill also creates a statewide task force to make statutory, rule, and policy recommendations for how to preserve, promote, and expand consumer access to emergency medical services in the state, including recommendations:

- Regarding the regulation of ambulance service;
- To address inequities and disparities in access to emergency medical services;
- To address workforce recruiting and retention issues;
- To promote the financial sustainability of emergency medical services; and
- Regarding the long-term sustainability of emergency medical services.

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

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

3 as follows:

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

6 (a) COLORADO'S EMERGENCY MEDICAL SERVICES SYSTEM NOT
7 ONLY PROVIDES INDIVIDUALS WHO ARE ILL OR INJURED EMERGENCY
8 MEDICAL AND TRAUMA CARE TWENTY-FOUR HOURS PER DAY AND THREE

1 HUNDRED SIXTY-FIVE DAYS PER YEAR, BUT ALSO SERVES AS A CRITICAL
2 SAFETY NET FOR MANY COLORADANS WHO MIGHT NOT HAVE IMMEDIATE
3 ACCESS TO OTHER HEALTH-CARE SERVICES;

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

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

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

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

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

25 (g) THE LACK OF STATEWIDE STANDARDIZATION AND REGULATION
26 FOR GROUND AMBULANCE SERVICES INHIBITS CONSUMER PROTECTIONS
27 AND INVESTIGATIONS AND ADJUDICATION OF CONSUMER COMPLAINTS

1 BECAUSE THE DEPARTMENT LACKS AUTHORITY TO INVESTIGATE AND
2 ADJUDICATE ANY COMPLAINTS RELATED TO GROUND AMBULANCES; AND

3 (h) TO ENSURE SUSTAINABILITY OF, AND EQUITABLE ACCESS TO,
4 EMERGENCY MEDICAL SERVICES IN COLORADO, A COMPREHENSIVE
5 ASSESSMENT OF THE EMERGENCY MEDICAL SERVICES SYSTEM, ALONG
6 WITH RECOMMENDATIONS FOR MODERNIZING AND SUSTAINING THE
7 EMERGENCY MEDICAL SERVICES SYSTEM, SHOULD BE PERFORMED.

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

10 **25-3.5-103. Definitions.** As used in this article 3.5, unless the
11 context otherwise requires:

12 (3.1) "AUTHORIZATION TO OPERATE" OR "AUTHORIZED TO
13 OPERATE" MEANS A LOCAL LICENSING AUTHORITY'S APPROVAL OF OR ACT
14 OF APPROVING AN AMBULANCE SERVICE TO OPERATE WITHIN THE
15 JURISDICTION OF THE LOCAL LICENSING AUTHORITY.

16 (8.4) "EMS SYSTEM SUSTAINABILITY TASK FORCE" OR "TASK
17 FORCE" MEANS THE EMS SYSTEM SUSTAINABILITY TASK FORCE CREATED
18 IN SECTION 25-3.5-108 (1)(a).

19 (8.7) "LOCAL LICENSING AUTHORITY" MEANS THE GOVERNING
20 BODY OF A CITY AND COUNTY OR THE BOARD OF COUNTY COMMISSIONERS
21 IN A COUNTY IN THE STATE.

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

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

27 **25-3.5-108. EMS system sustainability task force - created -**

1 **powers and duties - membership - reports - repeal.** (1) (a) THE EMS
2 SYSTEM SUSTAINABILITY TASK FORCE IS CREATED IN THE DEPARTMENT.

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

5 (I) THE FOLLOWING TWO LEGISLATIVE MEMBERS:

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

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

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

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

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

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

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

- 1
- 2 (III) ONE MEMBER OF A STATEWIDE GROUP REPRESENTING
- 3 EMERGENCY MEDICAL SERVICE PROVIDERS, AS DESIGNATED BY THE
- 4 GROUP;
- 5 (IV) THE CHAIR OF THE COUNCIL CREATED IN SECTION 25-3.5-104
- 6 (1)(a) OR THE CHAIR'S DESIGNEE;
- 7 (V) ONE MEMBER OF A STATEWIDE GROUP REPRESENTING FIRE
- 8 CHIEFS, AS DESIGNATED BY THE GROUP;
- 9 (VI) ONE MEMBER OF A STATEWIDE GROUP REPRESENTING
- 10 PROFESSIONAL FIREFIGHTERS, AS DESIGNATED BY THE GROUP;
- 11 (VII) ONE MEMBER OF A STATEWIDE GROUP REPRESENTING
- 12 EMERGENCY MEDICAL SERVICE PROVIDER EDUCATORS, AS DESIGNATED BY
- 13 THE GROUP;
- 14 (VIII) ONE MEMBER OF A STATEWIDE GROUP REPRESENTING
- 15 SPECIAL DISTRICTS, AS DESIGNATED BY THE GROUP;
- 16 (IX) TWO MEMBERS OF A STATEWIDE GROUP REPRESENTING
- 17 COUNTIES, AS DESIGNATED BY THE GROUP;
- 18 (X) ONE MEMBER OF A STATEWIDE GROUP REPRESENTING
- 19 MUNICIPALITIES, AS DESIGNATED BY THE GROUP; AND
- 20 (XI) ONE MEMBER OF A STATEWIDE GROUP REPRESENTING
- 21 HOSPITALS, AS DESIGNATED BY THE GROUP.
- 22 (c) THE DIRECTOR, OR THE DIRECTOR'S DESIGNEE, SERVES AS AN
- 23 EX OFFICIO, NONVOTING MEMBER OF THE TASK FORCE.
- 24 (d) EACH LEGISLATIVE MEMBER OF THE TASK FORCE APPOINTED
- 25 PURSUANT TO SUBSECTION (1)(b)(I) OF THIS SECTION:
- 26 (I) IS ENTITLED TO COMPENSATION IN ACCORDANCE WITH SECTION
- 27 2-2-326;

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

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

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

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

13 (g) MEMBERS APPOINTED PURSUANT TO SUBSECTIONS (1)(b)(II) TO
14 (1)(b)(XI) OF THIS SECTION SERVE FOR THE DURATION OF THE TASK FORCE.
15 AN APPOINTING OR DESIGNATING AUTHORITY SHALL FILL ANY VACANCY
16 FOR THE REMAINDER OF THE DURATION OF THE TASK FORCE. MEMBERS
17 APPOINTED OR DESIGNATED SERVE AT THE PLEASURE OF THE APPOINTING
18 OR DESIGNATING AUTHORITY AND CONTINUE TO SERVE UNTIL A
19 SUCCESSOR IS APPOINTED OR DESIGNATED. EACH NONLEGISLATIVE
20 MEMBER OF THE TASK FORCE SERVES WITHOUT COMPENSATION BUT IS
21 ENTITLED TO RECEIVE REIMBURSEMENT FOR ACTUAL AND NECESSARY
22 EXPENSES INCURRED IN THE PERFORMANCE OF DUTIES AS A MEMBER OF
23 THE TASK FORCE.

24 (2) (a) THE LEGISLATIVE MEMBERS OF THE TASK FORCE SHALL
25 CONVENE THE FIRST MEETING OF THE TASK FORCE NO LATER THAN
26 SEPTEMBER 30, 2022. AT THE FIRST MEETING OF THE TASK FORCE, THE
27 VOTING MEMBERS OF THE TASK FORCE SHALL SELECT ONE OF THE

1 LEGISLATIVE MEMBERS TO SERVE AS CHAIR OF THE TASK FORCE AND THE
2 OTHER LEGISLATIVE MEMBER TO SERVE AS VICE-CHAIR OF THE TASK
3 FORCE. THE LEGISLATIVE MEMBERS SHALL ALTERNATE BETWEEN CHAIR
4 AND VICE-CHAIR EACH YEAR THEREAFTER FOR THE DURATION OF THE TASK
5 FORCE.

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

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

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

24 (a) PHASE ONE, WHICH INCLUDES:

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

1 SHARE ACCOUNTABILITY FOR AMBULANCE SERVICE OVERSIGHT; AND

2 (II) OVERSEEING THE COMPLETION OF AN ENVIRONMENTAL SCAN

3 THAT WILL GENERATE A REPORT ON THE STATE OF EMERGENCY MEDICAL

4 SERVICES IN THE STATE, WHICH REPORT IS REFERRED TO IN THIS

5 SUBSECTION (3) AS THE "STATE REPORT";

6 (b) PHASE TWO, WHICH INCLUDES:

7 (I) REVIEWING DATA FROM THE STATE REPORT; AND

8 (II) COLLABORATING WITH STAKEHOLDERS TO FORMULATE

9 RECOMMENDATIONS THAT ADDRESS INEQUITY OR DISPARITY IN ACCESS TO

10 EMERGENCY MEDICAL SERVICES IN THE STATE;

11 (c) PHASE THREE, WHICH, BASED ON THE TASK FORCE'S REVIEW OF

12 THE STATE REPORT, INCLUDES COLLABORATING WITH STAKEHOLDERS TO

13 FORMULATE RECOMMENDATIONS ADDRESSING EMERGENCY MEDICAL

14 SERVICES WORKFORCE RECRUITING AND RETENTION NEEDS IN THE STATE;

15 (d) PHASE FOUR, WHICH, BASED ON THE TASK FORCE'S REVIEW OF

16 THE STATE REPORT, INCLUDES COLLABORATING WITH STAKEHOLDERS TO

17 FORMULATE RECOMMENDATIONS ADDRESSING THE FINANCIAL

18 SUSTAINABILITY OF THE STATE'S EMERGENCY MEDICAL SERVICES SYSTEM;

19 AND

20 (e) PHASE FIVE, WHICH INCLUDES REVIEWING THE

21 IMPLEMENTATION STATUS OF PRIOR TASK FORCE RECOMMENDATIONS AND

22 MAKING RECOMMENDATIONS FOR THE LONG-TERM SUSTAINABILITY OF THE

23 EMERGENCY MEDICAL SERVICES SYSTEM.

24 (4) THE TASK FORCE SHALL SUBMIT FINDINGS AND

25 RECOMMENDATIONS TO THE GENERAL ASSEMBLY AND THE DEPARTMENT

26 BASED ON THE FOLLOWING SCHEDULE:

27 (a) ON OR BEFORE SEPTEMBER 1, 2023, THE TASK FORCE SHALL

1 SUBMIT A REPORT SUMMARIZING ITS PHASE ONE FINDINGS AND
2 RECOMMENDATIONS REGARDING THE STATE OF EMERGENCY MEDICAL
3 SERVICES IN THE STATE;

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

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

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

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

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

22 **SECTION 4.** In Colorado Revised Statutes, **add** 25-3.5-314,
23 25-3.5-315, 25-3.5-316, 25-3.5-317, and 25-3.5-318 as follows:

24 **25-3.5-314. Ambulance service - license required - exceptions**
25 **- rules - local authorization to operate - penalties - liability insurance.**

26 (1) **State license required.** ON AND AFTER JULY 1, 2024, AND EXCEPT AS
27 PROVIDED IN SUBSECTION (2) OF THIS SECTION, A PERSON SHALL NOT

1 OPERATE OR MAINTAIN AN AMBULANCE SERVICE WITHOUT A LICENSE
2 ISSUED BY THE DEPARTMENT AND WITHOUT AUTHORIZATION TO OPERATE
3 FROM THE LOCAL LICENSING AUTHORITY FOR THE COUNTY OR CITY AND
4 COUNTY IN WHICH THE AMBULANCE SERVICE OPERATES OR SEEKS TO
5 OPERATE.

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

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

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

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

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

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

1 VEHICLE.

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

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

15 (4) **Violations - penalties.** (a) A PERSON THAT OPERATES AN
16 AMBULANCE SERVICE WITHOUT A LICENSE ISSUED PURSUANT TO THIS PART
17 3 COMMITS A PETTY OFFENSE AND SHALL BE PUNISHED AS PROVIDED IN
18 SECTION 18-1.3-503 (1.5).

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

23 (A) UP TO FIVE THOUSAND DOLLARS PER VIOLATION; OR

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

26 (II) THE DEPARTMENT SHALL ASSESS AND COLLECT THE CIVIL
27 PENALTIES. BEFORE COLLECTING A CIVIL PENALTY, THE DEPARTMENT

1 SHALL PROVIDE THE PERSON ALLEGED TO HAVE COMMITTED THE
2 VIOLATION WITH NOTICE AND AN OPPORTUNITY TO BE HEARD IN
3 ACCORDANCE WITH ARTICLE 4 OF TITLE 24.

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

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

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

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

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

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

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

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

3 (D) AUTHORIZE THE LOCAL LICENSING AUTHORITY TO ENTER INTO
4 MEMORANDA OF UNDERSTANDING, CONTRACTS, OR OTHER SUCH
5 AGREEMENTS TO IMPOSE OBLIGATIONS ON AMBULANCE SERVICES THAT
6 ARE MORE STRINGENT THAN THE OBLIGATIONS IMPOSED UNDER THIS PART
7 3 AND RULES ADOPTED PURSUANT TO THIS PART 3; AND

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

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

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

21 (III) BEFORE JULY 1, 2024, AND BEFORE JULY 1 OF ANY YEAR
22 THEREAFTER, A COUNTY OR CITY AND COUNTY MAY OPT OUT OF
23 PARTICIPATING IN THE ISSUANCE OF AUTHORIZATIONS TO OPERATE AN
24 AMBULANCE SERVICE WITHIN THE COUNTY OR CITY AND COUNTY BY
25 NOTIFYING THE DEPARTMENT IN A FORM AND MANNER DETERMINED BY
26 THE DEPARTMENT. IF A COUNTY OR CITY AND COUNTY OPTS OUT OF
27 PARTICIPATING IN THE ISSUANCE OF AUTHORIZATIONS TO OPERATE AN

1 AMBULANCE SERVICE, AN AMBULANCE SERVICE NEED ONLY OBTAIN A
2 STATE LICENSE TO OPERATE IN THAT COUNTY OR CITY AND COUNTY.

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

7 (d) NOTHING IN THIS PART 3 PREVENTS A COUNTY OR CITY AND
8 COUNTY FROM IMPOSING OBLIGATIONS THAT EXCEED THE MINIMUM
9 STANDARDS THAT THE BOARD ADOPTS BY RULE PURSUANT TO SECTION
10 25-3.5-315 THROUGH THE USE OF MEMORANDA OF UNDERSTANDING,
11 CONTRACTS, OR OTHER SUCH AGREEMENTS.

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

20 (II) A LOCAL LICENSING AUTHORITY SHALL PROVIDE WRITTEN
21 NOTICE TO THE AMBULANCE SERVICE OF A TEMPORARY SUSPENSION AND
22 SHALL HOLD A HEARING ON THE MATTER NO LATER THAN TEN DAYS AFTER
23 ISSUANCE OF THE TEMPORARY SUSPENSION. AFTER THE HEARING, THE
24 LOCAL LICENSING AUTHORITY MAY SUSPEND OR REVOKE THE AMBULANCE
25 SERVICE'S AUTHORIZATION TO OPERATE. AT THE END OF ANY PERIOD OF
26 SUSPENSION, THE PERSON WHOSE AUTHORIZATION TO OPERATE WAS
27 SUSPENDED MAY APPLY FOR A NEW AUTHORIZATION TO OPERATE IN THE

1 COUNTY OR CITY AND COUNTY IN THE SAME MANNER AS THE PERSON
2 APPLIED FOR THE INITIAL AUTHORIZATION TO OPERATE.

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

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

18 **25-3.5-315. Minimum standards for ambulance services -**
19 **rules.** (1) ON OR BEFORE JANUARY 1, 2024, THE BOARD SHALL ADOPT
20 RULES ESTABLISHING MINIMUM STANDARDS FOR THE OPERATION OF AN
21 AMBULANCE SERVICE WITHIN THE STATE. THE RULES MUST ADDRESS THE
22 FOLLOWING:

- 23 (a) MINIMUM EQUIPMENT TO BE CARRIED ON AN AMBULANCE;
- 24 (b) STAFFING REQUIREMENTS FOR AMBULANCES;
- 25 (c) MEDICAL OVERSIGHT AND QUALITY ASSURANCE OF
26 AMBULANCE SERVICES;
- 27 (d) THE ISSUANCE OF LICENSES;

1 (e) THE PROCESS USED TO INVESTIGATE COMPLAINTS AGAINST AN
2 AMBULANCE SERVICE;

3 (f) DATA COLLECTION AND REPORTING TO THE DEPARTMENT BY AN
4 AMBULANCE SERVICE;

5 (g) INSPECTION OF AMBULANCE SERVICES BY THE DEPARTMENT OR
6 THE DEPARTMENT'S DESIGNATED REPRESENTATIVE;

7 (h) MINIMUM EDUCATION, TRAINING, AND EXPERIENCE
8 STANDARDS FOR THE ADMINISTRATOR OF AN AMBULANCE SERVICE;

9 (i) THE AMOUNT OF GENERAL LIABILITY INSURANCE COVERAGE
10 THAT AN AMBULANCE SERVICE SHALL MAINTAIN IN ACCORDANCE WITH
11 SECTION 25-3.5-314 (3)(c) AND THE MANNER IN WHICH AN AMBULANCE
12 SERVICE SHALL DEMONSTRATE PROOF OF INSURANCE TO THE
13 DEPARTMENT. THE BOARD MAY ESTABLISH BY RULE THAT AN AMBULANCE
14 SERVICE MAY OBTAIN A SURETY BOND IN LIEU OF LIABILITY INSURANCE
15 COVERAGE.

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

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

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

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

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

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

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

6 (q) VEHICLE STANDARDS TO ENSURE MINIMUM SAFETY
7 STANDARDS;

8 (r) CRITERIA FOR WAIVERS TO THE RULES; AND

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

10 **25-3.5-316. Ambulance service cash fund - created.** (1) THERE
11 IS HEREBY CREATED THE AMBULANCE SERVICES CASH FUND, REFERRED TO
12 IN THIS SECTION AS THE "FUND". THE DEPARTMENT SHALL TRANSMIT ANY
13 FEES COLLECTED PURSUANT TO THIS PART 3 TO THE STATE TREASURER,
14 WHO SHALL CREDIT THE FEES TO THE FUND. THE FUND CONSISTS OF THE
15 CREDITED FEES AND ANY MONEY THAT THE GENERAL ASSEMBLY MAY
16 TRANSFER OR APPROPRIATE TO THE FUND.

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

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

26 **25-3.5-317. License - application - inspection - criminal history**
27 **record check - issuance - investigation.** (1) AN AMBULANCE SERVICE

1 LICENSE EXPIRES AFTER TWO YEARS. THE DEPARTMENT SHALL DETERMINE
2 THE FORM AND MANNER OF INITIAL AND RENEWAL LICENSE APPLICATIONS.

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

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

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

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

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

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

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

24 (4) (a) IN INVESTIGATING ALLEGED VIOLATIONS OF THIS PART 3 OR
25 RULES ADOPTED PURSUANT TO THIS PART 3, THE DEPARTMENT MAY
26 ADMINISTER OATHS TO, OR TAKE AFFIRMATIONS OF, WITNESSES, AND ISSUE
27 SUBPOENAS TO COMPEL THE ATTENDANCE OF WITNESSES AND THE

1 PRODUCTION OF ALL RELEVANT RECORDS AND DOCUMENTS.

2 (b) UPON THE FAILURE OF A WITNESS TO COMPLY WITH A
3 SUBPOENA, THE DEPARTMENT MAY APPLY TO A DISTRICT COURT FOR AN
4 ORDER REQUIRING THE PERSON TO APPEAR BEFORE THE DEPARTMENT OR
5 AN ADMINISTRATIVE LAW JUDGE, TO PRODUCE THE RELEVANT RECORDS OR
6 DOCUMENTS, OR TO GIVE TESTIMONY OR EVIDENCE RELATED TO THE
7 MATTER UNDER INVESTIGATION. WHEN APPLYING FOR A DISTRICT COURT
8 ORDER, THE DEPARTMENT SHALL APPLY TO THE DISTRICT COURT OF THE
9 COUNTY IN WHICH THE SUBPOENAED PERSON RESIDES OR CONDUCTS
10 BUSINESS. THE COURT MAY PUNISH A FAILURE TO COMPLY WITH A
11 SUBPOENA ISSUED BY THE DEPARTMENT AS A CONTEMPT OF COURT.

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

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

27 **25-3.5-318. License denial, suspension, revocation, or refusal**

1 **to renew.** (1) IN DENYING A LICENSE APPLICATION, THE DEPARTMENT
2 SHALL ISSUE ITS DENIAL IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24.

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

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

12 (3) AFTER CONDUCTING A HEARING PURSUANT TO SUBSECTION
13 (2)(a) OF THIS SECTION AND IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24,
14 THE DEPARTMENT MAY REVOKE OR REFUSE TO RENEW AN AMBULANCE
15 SERVICE LICENSE IF AN OWNER OR OPERATOR OF THE AMBULANCE SERVICE
16 HAS BEEN CONVICTED OF A FELONY OR MISDEMEANOR INVOLVING
17 CONDUCT THAT THE DEPARTMENT DETERMINES COULD POSE A RISK TO THE
18 HEALTH, SAFETY, OR WELFARE OF THE AMBULANCE SERVICE'S PATIENTS.

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

- 22 (I) RETAIN A CONSULTANT TO ADDRESS CORRECTIVE MEASURES;
- 23 (II) BE MONITORED BY THE DEPARTMENT FOR A SPECIFIC PERIOD;
- 24 (III) PROVIDE ADDITIONAL TRAINING TO ITS EMPLOYEES,
25 CONTRACTORS, OWNERS, OR OPERATORS;
- 26 (IV) COMPLY WITH A DIRECTED WRITTEN PLAN TO CORRECT THE
27 VIOLATION IN ACCORDANCE WITH PROCEDURES ESTABLISHED PURSUANT

1 TO SECTION 25-27.5-108 (2)(b); OR

2 (V) PAY A CIVIL PENALTY OF UP TO FIVE THOUSAND DOLLARS PER
3 VIOLATION.

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

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

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

18 **25-3.5-106. Local standards - uninterrupted service.**

19 ~~(1) Nothing in this article shall be construed to prevent a municipality or~~
20 ~~special district from adopting standards more stringent than those~~
21 ~~provided in this article.~~

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

27 **SECTION 6.** In Colorado Revised Statutes, **amend** 25-3.5-202

1 as follows:

2 **25-3.5-202. Personnel - basic requirements.** Emergency medical
3 service providers employed or utilized in connection with an ambulance
4 service shall meet the qualifications established ~~by resolution,~~ by the
5 board of county commissioners of the county in which the ambulance is
6 ~~based~~ BY RULE in order to be certified or licensed. For ambulance drivers,
7 the minimum requirements include the possession of a valid driver's
8 license and other requirements established by the board by rule under
9 ~~section 25-3.5-308~~ SECTION 25-3.5-315. For any person responsible for
10 providing direct emergency medical care and treatment to patients
11 transported in an ambulance, the minimum requirement is possession of
12 an emergency medical service provider certificate or license issued by the
13 department. In the case of an emergency in an ambulance service area
14 where no person possessing the qualifications required by this section is
15 present or available to respond to a call for the emergency transportation
16 of patients by ambulance, any person may operate the ambulance to
17 transport any sick, injured, or otherwise incapacitated or helpless person
18 in order to stabilize the medical condition of the person pending the
19 availability of medical care.

20 **SECTION 7.** In Colorado Revised Statutes, 25-3.5-301, **repeal**
21 (1), (2), and (5) as follows:

22 **25-3.5-301. Number of individuals needed for ambulance**
23 **operation - exception.** (1) ~~After January 1, 1978, no person shall~~
24 ~~provide ambulance service publicly or privately in this state unless that~~
25 ~~person holds a valid license to do so issued by the board of county~~
26 ~~commissioners of the county in which the ambulance service is based,~~
27 ~~except as provided in subsection (5) of this section. Licenses, permits, and~~

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

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

13 (H) Repealed.

14 (a.1) Repealed.

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

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

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

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

27 (c) Ambulances based outside this state which are transporting a

1 patient in Colorado;

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

5 (e) Vehicles used solely for the transportation of intoxicated
6 persons or persons incapacitated by alcohol as defined in section
7 27-81-102, C.R.S., but who are not otherwise disabled or seriously
8 injured and who would not be expected to require skilled treatment or
9 care while in the vehicle.

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

12 **25-3.5-302. Issuance of licenses and permits - term -**
13 **requirements.** (1) (a) ~~After receipt of an original application for a~~
14 ~~license to provide ambulance service, the board of county commissioners~~
15 ~~shall review the application and the applicant's record and provide for the~~
16 ~~inspection of equipment to determine compliance with the provisions of~~
17 ~~this part 3.~~

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

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

1 the license or permit expires.

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

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

6 **25-3.5-303. Vehicular liability insurance required.** ~~No~~
7 ~~ambulance shall operate in this state unless it is covered by a complying~~
8 ~~policy as defined in section 10-4-601 (2), C.R.S.~~

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

11 **25-3.5-304. Suspension - revocation - hearings.** ~~(1) Upon a~~
12 ~~determination by the board of county commissioners that any person has~~
13 ~~violated or failed to comply with any provisions of this part 3, the board~~
14 ~~may temporarily suspend, for a period not to exceed thirty days, any~~
15 ~~license or permit issued pursuant to this part 3. The licensee shall receive~~
16 ~~written notice of such temporary suspension, and a hearing shall be held~~
17 ~~no later than ten days after such temporary suspension. After such~~
18 ~~hearing, the board may suspend any license or permit, issued pursuant to~~
19 ~~this part 3, for any portion of or for the remainder of its life. At the end~~
20 ~~of such period, the person whose license or permit was suspended may~~
21 ~~apply for a new license or permit as in the case of an original application.~~

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

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

27 **25-3.5-305. Alleged negligence.** (2) In the event a judgment is

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

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

13 **25-3.5-308. Rules.** (1) ~~The board shall adopt rules establishing~~
14 ~~the minimum requirements for ground ambulance service licensing,~~
15 ~~including but not limited to:~~

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

18 (b) ~~Staffing requirements for ambulances as required in section~~
19 ~~25-3.5-104;~~

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

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

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

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

1 **25-3.5-502. Forms and reports.** The department shall provide the
2 necessary forms and copies of quarterly statistical report forms for local
3 and state evaluation of ambulance service unless specifically exempted
4 by the board of county commissioners of a particular county for that
5 county.

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

8 **25-3.5-605. Improvement of county emergency medical and**
9 **trauma services - eligibility for county funding - manner of**
10 **distributing funds.** (2) In order to qualify for money under this section,
11 a county must:

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

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

22 (2) For the 2022-23 state fiscal year, \$1,882 is appropriated to the
23 legislative department. This appropriation is from the general fund. To
24 implement this act, the department may use this appropriation for use by
25 the legislative council.

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

1 **SECTION 17. Safety clause.** The general assembly hereby finds,
2 determines, and declares that this act is necessary for the immediate
3 preservation of the public peace, health, or safety.