AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Resolution; Amending the Adopted Gunnison County A

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement: The Board of County Commissioners for Gunnison County

Term Begins: **Term Ends:** **Grant Contract #:**

Summary:

A Resolution amending the Gunnison County Ambulance Regulations

Fiscal Impact:

Submitted by: Joseph Otsuka **Submitter's Email Address:** jotsuka@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ◉ Required ○ Not Required

Comments:

Makes some changes to the Regulations at the request of EMS providers including, dropping the requirement for a CDOT mechanic to a regular mechanic, allow for drop off of patients at licensed medical facilities as determined by the medical director of ambulance service, clarified definition of license medical facility, and changed the price structure which was inadvertantly left at a previous higher amount.

Reveiwed by: GUNCOUNTY1\gstuhr Discharge Date: 11/10/2016 Certificate of Insurance Required

Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\khaase Discharge Date: 11/10/2016

◉ Consent Agenda ○ Regular Agenda ○ Worksession Time Allotted: 0

Agenda Date: 11/15/2016

Revised April 2015

Gunnison County Ambulance Regulations

Purpose: To set standards for the regulation of Ambulance Services.

A. Definitions

1. Ambulance: Any public or privately owned land vehicle especially constructed or modified and equipped, intended to be used, and maintained or operated by, ambulance services for the transportation upon the roads, streets and highways of this state, of individuals who are sick, injured, or otherwise incapacitated or helpless.

2. Ambulance Service: The furnishing, operating, conducting, maintaining, advertising, or otherwise engaging in or professing to be engaged in the transportation of patients by ambulance. Taken in context, the person so engaged or professing to be so engaged and the vehicles used for the emergency transportation of persons injured at a mine are excluded from this definition when the personnel utilized in the operation of said vehicles are subject to the mandatory safety standard of the Federal Mine Safety and Health Administration, or its successor agency.

3. Ambulance Transport Agency: Any public agency, volunteer organization or commercial enterprise licensed as an ambulance service by the Board of County Commissioners of any Colorado county, sometimes referred to herein as a "licensed ambulance service."

4. Ambulance-advanced life support: A vehicle equipped in accordance with the rules pertaining to Emergency Medical Services, 6CCR1015-3, as they may be amended, and operated by an ambulance service authorizing the vehicle to be used to provide ambulance service limited to the scope of practice of the Emergency Medical Technician-Intermediate or Emergency Medical Technician-Paramedic as defined in the Colorado Board of Medical Examiners rules.

5. Ambulance-basic life support: A vehicle equipped in accordance with the rules pertaining to Emergency Medical

Services, 6CCR1015-3, as they may be amended, and operated by an ambulance service authorizing the vehicle to be used to provide ambulance service limited to the scope of practice of the Emergency Medical Technician-Basic as defined in the Colorado Board of Medical Examiners rules, as they may be amended.

6. Ambulance-basic life support with advanced life support capabilities: A vehicle equipped in accordance with Section 9 of the rules pertaining to Emergency Medical Services, 6CCR1015-3, as they may be amended, and operated by an ambulance service authorizing the vehicle to be used to provide ambulance service limited to the scope of practice of the Emergency Medical Technician-Basic as defined in the Colorado Board of Medical Examiner Rules, as they may be amended. The vehicle may operate as an advanced life support transport when it contains both the additional required equipment and supplies and is properly staffed with an Emergency Medical Technician-Intermediate or Emergency Medical Technician-Paramedic.

7. Ambulance Validation Sticker: A sticker displayed on the upper left side of the windshield of an ambulance unit indicating that it has been inspected and issued a permit to operate in Gunnison County. The sticker shall indicate the month and year of validation.

8. Authorized Representative: The Gunnison County Emergency Manager or her/his designee and/or deputy. This individual is responsible for coordinating the licensure of ambulances and the administration of these regulations.

9. Based: An ambulance service headquartered, having a substation, office ambulance post or other permanent location in a county.

10. Board: Means the Board of County Commissioners for Gunnison County, Colorado.

11. Board of Medical Examiners Rules: Rules adopted by the Board of Medical Examiners which establish responsibilities of Medical Directors and all authorized acts of Emergency Medical Technicians.

12. Council: State Emergency Medical and Trauma Services Advisory Council

13. Department: Colorado Department of Public Health & Environment

14. Director: The Gunnison County Emergency Manager

15. Disaster Aid: In the event of an all hazards event, including but not limited to air transport crash, terrorist attack, natural disaster earthquake, ambulances may be called upon by another jurisdiction or county in which they are not licensed to serve, to provide emergency support. No formal contracts or mutual aid agreements for assistance or additional licenses are needed for this type of disaster response during a catastrophic event.

16. Emergency: Actual or self-perceived event which threatens life, limb or well-being of an individual in such a manner that immediate medical care is needed.

17. Emergency Call: A real or self-perceived event where the EMS system is accessed by the 9-1-1 emergency access number or its local equivalent, or an interfacility transfer where the patient's health or well-being could be compromised if the patient is held at the originating facility indefinitely.

18. Licensed Medical Facility: A business entity or agency that is granted a license or certificate to operate as a health care entity, within the State of Colorado, and that bears legal responsibility for compliance with all applicable federal and state statutes and regulations, pursuant to and in accordance with the Colorado Department of Public Health and Environment Rules and Regulations, as they may be amended.

19. Emergency Medical Technician: An individual who holds a valid Emergency Medical Technician's certificate issued by the Colorado Department of Public Health and Environment. The three classes of emergency medical technicians as follows:

    a. Emergency Medical Technician-Basic (EMT-B): An individual who holds a current and valid Emergency Medical Technician-Basic certificate issued by the Department.

    b. Emergency Medical Technician-Intermediate (EMT-I): An individual who holds a current and valid Emergency Medical Technician-Intermediate certificate issued by the Department.

c. Emergency Medical Technician-Paramedic (EMT-P): An individual who holds a current and valid Emergency Medical Technician-Paramedic certificate issued by the Department.

20. Graduate EMT-Intermediate: An individual who has successfully completed a Department recognized Emergency Medical Technician-Intermediate training course but has not yet successfully completed the certification requirements set forth by the Department.

21. Graduate EMT-Paramedic: An individual who has successfully completed a Department recognized Emergency Medical Technician-Paramedic training course but has not yet successfully completed the certification requirements set forth by the Department.

22. License: The authorization issued by the appropriate authority to operate an ambulance service in Gunnison County. The license may not be assigned, sold or otherwise transferred.

23. Licensee: The legal entity that has been issued a license by the appropriate authority to provide ambulance service in Gunnison County.

24. Medical Director: A physician who holds an active Colorado Medical License, who establishes protocols and standing orders for medical acts performed by Department- certified EMTs of a prehospital EMS service agency who is specifically identified as being responsible to assure the competency of the performance of those acts by such department-certified EMTs as described in the physicians medical continuous quality improvement program. Any reference to a "physician advisor" in the state EMS rules or in the Board of Medical Examiners previously adopted rules shall apply to a "Medical Director" as defined in these rules.

25. Medical quality improvement program: A process consistent with the Colorado Board of Medical Examiners rules, 3 CCR 713-6, as they may be amended, used to objectively, systemically and continuously monitor, assess and improve the quality and appropriateness of care provided by the medical care providers operating on an ambulance service.

26. Mutual Aid: A written, contractual agreement between two licensees to supplement services in each other's response districts. A mutual aid agreement does not exempt an Ambulance from the licensing requirements of the local government within which mutual aid is provided.

27. Patient: Means any individual, who is sick, injured, has experienced a traumatic injury, or is in need of immediate professional medical attention and who has been treated.

28. Patient Care Report: A medical record of an encounter between any patient and a provider of medical care.

29. Permit: The authorization issued by the governing body of a local government with respect to an ambulance used or to be used to provide ambulance service in this state. The permit may not be assigned, sold or otherwise transferred.

30. Quick Response Teams: Provides initial care to a patient prior to the arrival of an ambulance.

31. Rescue Unit: Any organized group chartered by this state as a corporation not for profit or otherwise existing as a nonprofit organization whose purpose is the search for and the rescue of lost or injured persons and includes, but is not limited to, such groups as search and rescue, mountain rescue, ski patrols, (either volunteer or professional), law enforcement posses, civil defense units, or other organizations of governmental designation responsible for search and rescue.

32. To Operate in Gunnison County: The providing of Ambulance service or transport of patients within the boundaries of Gunnison County, Colorado.

B. Regulations

1. Ambulance Service License Required: No person or agency, private or public shall transport a patient from any point within Gunnison County in an Ambulance to any point within or outside Gunnison County unless the person or agency holds a valid license and permit issued by Gunnison County where the service is based.

2. Advanced Life Support Ambulance: No Ambulance Service shall operate, charge for service advertise, display, or claim to be an advanced life support ambulance service unless it is licensed, equipped, and staffed to meet the definition of an Ambulance – Advanced Life Support.

3. Basic Life Support Ambulance: No Ambulance Service shall operate, charge for service, advertise, display or claim to be a basic life support ambulance service unless it is licensed, equipped and staffed to meet the definition of Ambulance – Basic Life Support.

4. Ambulance Crew Members: No patient shall be transported in an Ambulance that is providing service originating within Gunnison County unless the ambulance is staffed by a crew consisting of at least one Emergency Medical Technician (EMT) and one Emergency Vehicle Operator. The EMT will be responsible for direct patient care and shall be certified as an EMT-Basic or higher. The minimum requirement for the Emergency Vehicle Operator, or driver, shall be a valid driver's license.

5. Exceptions to License and Vehicle Permit Requirements Exceptions: The provisions of the licensing and permit paragraphs set forth in this policy shall not apply to the following:

   a. Vehicles used for the transportation of persons injured at a mine when the personnel used on the vehicles are subject to the mandatory safety standards of the Federal Mine Safety and Health Administration, or its successor agency.

   b. Vehicles used by other agencies including quick response teams and rescue units that do not routinely transport patients or vehicles used to transport patients for extrication from areas inaccessible to a permitted ambulance. Vehicles used in this capacity may only transport patients to the closest practical point for access to a permitted ambulance or hospital.

   c. Vehicles, including ambulances from another state, used during major catastrophe or mass casualty incident rendering services when permitted ambulances are insufficient.

   d. An ambulance service that does not transport patients from points originating in Colorado, or transporting a patient originating outside the borders of Colorado.

   e. 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.

f. Vehicles used solely for the transportation of intoxicated persons or persons incapacitated by alcohol or drugs 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.

g. Ambulances operated by a department or an agency of the federal government, originating from a federal reservation for the purpose of responding to, or transporting patients under federal responsibility.

C. Insurance

1. No ambulance shall operate in Gunnison County unless it is covered by insurance as set forth in this paragraph. Each ambulance service shall maintain insurance coverage for each and every ambulance owned, operated or leased by the ambulance service, providing coverage for injury to or death of persons in accidents resulting from any cause for which the owner of the said vehicle would be liable on account of any liability imposed on him or her by law, regardless of whether the ambulance was being driven by the owner, his or her agent or lessee, or any other person and coverage as against damage to the property of another, including personal property, under like circumstances, in the following amounts:

Type of Insurance	Amount of Coverage
Worker's Compensation Insur	Statutory Requirements
Public Liability and Property Damage	Bodily Injury Each person $1,000,000 Each accident $2,000,000 Property damage Each accident $1,000,000
Professional Liability Coverage	Each person $1,000,000 Each accident $2,000,000

2. Proof of insurance shall be filed with the Board, or their authorized representative, along with the application for an ambulance service license as required in these regulations. Every insurance policy required shall contain a provision for continuing liability thereunder to the full amount thereof, notwithstanding any recovery thereon, that the liability of the insurer shall not be affected by the insolvency or bankruptcy of the insured, and that until a policy is revoked, the insurance company will not

be relieved from liability on account of nonpayment of premiums, failure to renew license at the end of the year, or any act of omission of the named insured. At any time said insurance is required to be renewed or cancelled, proof of renewal or proof cancellation shall be provided to the Board, or their authorized representative. The motor vehicle insurance shall be a complying policy as defined in Colorado Revised Statutes Title X, part 6, as they may be amended.

3. A Certificate of Insurance with the Board named on the certificate holders copy shall indicate the vehicles covered by the policy, type of insurance (vehicle and professional liability, etc.) policy number(s), policy effective date, policy expiration date, amount of coverage, and contain a provision that thirty (30) days prior written notice of any cancellation or termination or revocation of said insurance policy shall be given to the Board and their authorized representative. A copy of the policy shall be mailed within five (5) working days of the license application to the Gunnison County Emergency Manager.

4. Any change in the status of vehicles listed on the Certificate of Insurance during the licensing cycle, shall be noted on a new Certificate of Insurance and forwarded to the Board or their authorized representative within thirty (30) days of the changes.

5. Notification of any changes in insurance shall be made in writing within thirty (30) days of such changes to the Board, or their authorized representative by the Licensee, to be followed with a Certificate of Insurance as outlined in previous paragraphs. The Board may require additional proof of insurance at any time as needed in order to promote health, safety and welfare of residents of Gunnison County.

6. Ambulance service must attest to and provide if requested documentation regarding the process used to inform ambulance staff of the amount of professional liability insurance carried by the service.

D. Standards

1. Ambulance Specifications: Ground vehicles obtained, licensed and placed in use as ambulances shall, at a minimum, meet the guidelines as established by the Department. All ambulances shall have the name of the ambulance service clearly visible on each of its ambulances in operation.

2. Ambulance Equipment: Each ambulance shall contain minimal required equipment listed in the Department's rules pertaining to Emergency Medical Services, 6CCR1015-3, as they may be amended. Gunnison County may require additional equipment which exceeds the State approved minimum required equipment.

3. Inspections:

   a. The Authorized Representative shall inspect, or have inspected by a licensed mechanic, each ambulance to be issued a license in Gunnison County once a year or more often if required by the Board. Such inspection shall determine whether each ambulance is being properly maintained and contains the equipment specified in these regulations. Maintenance records shall be made available immediately upon request. Such inspections shall be in addition to other safety or motor vehicle inspections required to be made under Colorado law and shall not excuse compliance with any other requirements of Colorado law.

   b. Any inspection necessary for application or renewal must be completed prior to the acceptance of an application or renewal application.

   c. It is the responsibility of the ambulance service operator to have each vehicle inspected prior to licensing. An appointment must be made in advance prior to the performance of an inspection.

4. General Regulations:

   a. All ambulances shall deliver Patients to the most appropriate licensed medical facility, as determined by the Medical Director or his designee, dependent on the Patient's medical needs and in accordance with Colorado Department of Public Health and Environment Rules and Regulations. When medically appropriate, the Patient's preference should be considered.

   b. No licensed ambulance service shall operate from a location other than those on file with Gunnison County, nor shall such licensed ambulance service abandon said location without prior notification to Gunnison County.

   c. Each licensed ambulance service shall provide to Gunnison County, upon request, copies of its written policy and procedure manual,

operational or medical protocols, or other documentation Gunnison County may deem necessary.

d. Each licensed ambulance service shall ensure that a patient care report is completed for each patient that is assessed. The patient care report shall include the minimum pre-hospital care data and be provided to the Department as set forth in the Emergency Medical Services Rules 6 CCR 1015-3, as they may be amended.

e. Each licensed ambulance service operating within Gunnison County shall have a Medical Director ("Licensee Medical Director") meeting the requirements established by the Colorado Board of Medical Examiners. The Licensee Medical Director shall supervise the medical acts performed by all personnel on the ambulance service. The service must inform Gunnison County within fifteen (15) calendar days, in writing, of changes in medical oversight of the ambulance service and/or the Licensee Medical Director of record.

f. An ambulance service operating in Gunnison County shall comply with all Gunnison County and municipal zoning and other land use regulations.

g. Each licensed ambulance service shall ensure that an agency profile is completed and submitted to the Department as defined by the State Emergency Medical and Trauma Services Advisory Council.

h. Each ambulance service shall ensure submission of resource information to support the Colorado State Emergency Resource Mobilization Plan. The resource information will be used to populate the Resource Ordering and Status System (ROSS) database.

i. Each licensed ambulance service shall ensure compliance with current National Incident Management System (NIMS) training requirements.

j. Each licensed ambulance service licensure application shall include an attestation by the Licensee Medical Director of willingness to provide medical oversight and a medical continuous quality improvement program for the ambulance service.

k. Each licensed ambulance service operating in Gunnison County shall have an ongoing medical continuous quality improvement program

consistent with the requirements as defined in the Colorado Board of Medical Examiners rules, 3 CCR 713-6, as they may be amended.

E. Licenses

1. Application for Ambulance Service License: An application for an ambulance service shall be submitted in writing, payment of the required fees, and shall contain the following information and necessary supporting documents:

   a. An initial or renewal application(s); Number of units operated by company, and application date

   b. Owner/parent company name, address, and telephone number of the ambulance service, and the status of the owner as sole proprietor, partnership or corporation

   c. Ambulance Service name, address, telephone number

   d. Name, address, and telephone number of the person responsible for the management of the operations on a daily basis

   e. Dispatch Center name, address, and telephone number

   f. Insurance Company name and address

   g. Insurance Agent name, address, and telephone number

   h. Attachments to application:

      (1) If the owner of the ambulance service or the applicant is a corporation: the name, address, and telephone number of each stockholder owning ten percent (10%) or more of the outstanding stock of such corporation and the name, address, and telephone number of each of the directors of the corporation

      (2) Certificate of insurance as set forth and required in this resolution

      (3) Drug list approved by the Licensee Medical Director for use in the field (signed and dated by the Licensee Medical Director)

(4) The geographic area to be served by the ambulance service

(5) Motor Vehicle Condition forms for each vehicle

(6) List of locations (central and sub-stations), where ambulances will be located.

Attach zoning authorization if appropriate.

(7) It is the responsibility of the ambulance service to supply a personnel list at the time of licensing or renewal. The personnel list shall include: name, date of hire, levels of state certified EMTs and respective expiration dates, certification number, NIMS compliance data, and driver's license number. Terminations shall be reported to the authorized representative within thirty (30) days for any reason

(8) List of current ambulances (include the year, make, type, and patient capacity for each vehicle)

(9) Proof of submission of data to Colorado State Emergency Resource Mobilization Plan

(10) A check to cover required fees

i. Applicant name, address, telephone number, and position in the company, hereinafter referred to as applicant

j. Licensee Medical Director's name, address, telephone number, medical license number and facility affiliation

k. Licensee Medical Director's licensing requirements and responsibilities include:

(1) Meet the requirements established by Colorado Board of Medical Examiners (CBME) 3CCR713-6, as they may be amended

(2) Provision of Medical Oversight for the ambulance service and personnel

(3) Provision of a medical continuous quality improvement program (must be available to Gunnison County upon request)

(4) Ensure that the ambulance service complete a patient care report for each patient that is assessed

(5) Ensure that the ambulance service completes and submits an agency profile

(6) Investigate and provide written documentation of the investigation and resolution process of each complaint received from Gunnison County. (Non-compliance with any of these requirements may result in suspension or revocation of ambulance service license.)

2. Issuance of Ambulance Service License: Upon receipt of an application for a license to provide ambulance service, Gunnison County shall review the application and the applicant's record. Gunnison County may issue the applicant a license to operate an ambulance service which shall be valid for a period of twelve (12) months following the date of issue providing that:

   a. The ambulance service staff, vehicle, equipment, and location comply with the requirements of these regulations.

   b. The ambulance service personnel are certified or possess not less than the minimum qualifications set forth in provisions of these regulations.

   c. The ambulance service pays the required fees of Seventy-Five Dollars ($75.00) for each new license and each renewal thereafter, respective to that particular ambulance, to Gunnison County.

3. Upon approval of license all participants in the Gunnison County Ambulance Program will be notified within five (5) business days.

4. Ambulance Service License Renewal:

   a. Any such license, unless revoked by the Board, may be renewed by filing an application for renewal. Application for renewal shall be filed annually, but not less than thirty (30) days before the date the license or permit expires. Renewal applications shall be made available by Gunnison County to all agencies that currently hold a license, sixty (60) days prior to expiration. However, failure to receive such application shall not release the individual agency from its responsibility for renewal of said license. If re-application is not received at least thirty

(30) days prior to license expiration; Gunnison County shall issue a temporary suspension notice and the applicant shall cease operation until license is re-issued. If temporary suspension notice is issued due to lapse of license, Gunnison County may charge an additional fee prior to approval of license renewal. Applicant shall cease operation until license is re-issued.

b. The procedure for approval and disapproval of applications for renewal of license shall be the same as for new applications.

c. If temporary suspension notice is issued, Gunnison County shall notify all participants in the Gunnison County Ambulance Program within five (5) business days.

5. Transfer of License: No license issued by the Board shall be sold, assigned, or otherwise transferred.

6. Change of Ownership: Change of ownership shall require a new application and license, with payment of the same license fee as is required for the original application. Any sale or exchange of stock in excess of twenty-five percent (25%) of the total outstanding stock of a corporation to anyone other than an existing stockholder at the time of the original issuance of license shall be deemed a change of ownership for the purpose of these regulations. Any change of ownership or any transfer of stock ownership of ten percent (10%) or more shall be reported in writing within thirty (30) days of such change or transfer.

F. Complaints and Investigation:

1. Gunnison County does not handle any billing complainants or billing related issues.

2. Complaints against any ambulance service based in Gunnison County or allegations of unlicensed ambulance services or vehicles without a valid permit operating within Gunnison County may be submitted in writing to the Authorized Representative. The Authorized Representative shall make contact with the complainant if additional information is necessary.

3. If the complaint is related to or involving billing questions, the Authorized Representative will communicate to the complainant that Gunnison County does not handle and shall not handle billing complaints related to

any licensed ambulance service in Gunnison County.

4. If the complaint is related to or involving medical treatments, procedures, and/or any other related issue that would require medical training, the Authorized Representative shall forward the complaint to the Gunnison County Medical Director. Upon the receipt of the medically related complaint, the Gunnison County Medical Director shall forward the complaint to the Licensee Medical Director for further investigation along with any questions the Gunnison County Medical Director deems important. The Licensee Medical Director shall investigate the complaint and create a report on the investigation. The report of the investigation shall include details, including, but not limited to:

    a. Who was working on and/or treating the patient;

    b. What, if any, treatment was being administered;

    c. Who authorized the treatment;

    d. Where the patient was brought from and where that patient was taken;

    e. Date, time, and place the complaint was alleged to have occurred;

    f. Condition of the patient from when the ambulance service arrived until the patient was transferred, released, and/or perished; and

    g. Any other pertinent details the Licensee Medical Director deems necessary to add to the report.

5. The Licensee Medical Director must respond in writing, to Gunnison County with results of the investigation and resolution, within 30 days of the Gunnison County Medical Director's initial contact with the Licensee Medical Director.

6. If the Licensee Medical Director fails or is unwilling to answer specific questions the Gunnison County Medical Director deems important. Gunnison County will automatically suspend the ambulance service's license effective immediately until the question is answered.

7. Upon the completion of the report of the investigation by the Licensee Medical Director, the Gunnison County Medical Director shall read and make a recommendation to the Authorized Representative, who then will make recommendations to the Board, as to the any temporary suspensions, suspensions, or revocation proceedings that may be necessary. The Board shall then make a decision as to temporarily suspend, suspend, or revoke the ambulance license, or not. The Authorized Representative shall notify other local ambulance services within the jurisdiction, in writing, of this complete process.

8. If the complaint is not medically related, the Authorized Representative shall make a good faith effort to evaluate the factual basis of the complaint and resolution and shall issue written notice of factual findings to the complainant and the Licensee Medical Director. It shall be at the recommendation of the Authorized Representative to the Board, as to whether temporary suspension, suspension, or revocation proceedings shall be commenced. The Authorized Representative shall notify other local entities with jurisdiction, in writing, of this complete process.

9. Within thirty (30) days of the date of written notice of findings and conclusions the complainant may appeal, in writing, to Gunnison County receiving the complaint for a public hearing.

10. The Authorized Representative may notify the Department, the Board of Medical Examiners, and/or other local entities with jurisdiction over the ambulance service of complaints against its medical technicians, or other medical personnel associated with the service or the Licensee Medical Director. Investigation and resolution of these complaints is the responsibility of the Department.

11. In any legal action against a Licensee in which it is alleged that the plaintiff's injury, illness or incapacity was aggravated by, or was otherwise injured by the negligence of the licensee, no negligence shall be presumed because of such allegations.

12. If a judgment is entered against such licensee, they shall within thirty (30) days, file a copy of such findings and Order of the Court, with the Authorized Representative. The Authorized Representative shall take note of such judgment for purposes of investigation and take appropriate action if there appears to be any violation of these regulations or any Colorado law or ordinance or regulations of any municipality in Gunnison County.

13. The Licensee shall notify the Authorized Representative of any judgment pending against the Licensee.

G. Revocation/Suspension Procedures and Hearings:

1. Gunnison County may on its own motion or on complaint, after investigation and/or public hearing at which the Licensee shall be afforded an opportunity to be heard, suspend or revoke any license issued by the Board pursuant to these regulations. The Licensee shall receive written notice of such temporary suspension, and a hearing shall be held no later than ten (10) business days after such temporary suspension. After such hearing, the Board may suspend or revoke any license issued pursuant to these regulations for any portion of or for the remainder of its life. At the end of such period, the person whose license was suspended or revoked may apply for a new license or permit as in the case of an original application. Suspension or revocation may result from violations of:

   a. Any provision of this policy, or
   b. Any law of the State of Colorado and any evidence of such violation may be considered by the Board, or
   c. Any rules and regulations promulgated pursuant to this policy.

2. All hearings before Gunnison County shall be in public and every vote and official act of the Board shall be public. Gunnison County has the power to administer oaths and issue subpoenas to require the presence of persons and the production of papers, books and records necessary to the determination of any issue at any hearing which the Board is authorized to conduct.

3. Written notice of temporary suspension, suspension, or revocation as well as any required notice of such hearing, shall be given by certified mail to the Licensee at the address contained in such license application.

4. Any license may be temporarily suspended by the issuing license authority pending any prosecution, investigation, or public hearing. Nothing in this section shall prevent the summary suspension of such license for a period of not more than thirty (30) days after such temporary suspension. The Licensee shall receive written notice of such temporary suspension, and a

hearing shall be held no later than ten (10) days after such temporary suspension. If any license is suspended or revoked, no part of the fee therefor shall be returned to the Licensee.

5. Gunnison County shall notify all participants in the Gunnison County Ambulance Program within five (5) business days, of revocation or suspension.

6. It shall be the duty of Gunnison County to notify local law enforcement authorities, fire departments, hospitals and the Licensee Medical Director(s) of revocation or suspension.

7. The following practices shall be unlawful and may be grounds for suspension or revocation of licenses:

   a. Willful and deliberate failure to respond to any call in the absence of good cause shown.

   b. Willful and deliberate failure to transport a patient when required by the nature of the injury in the absence of a competent patient denial or emergency care.

   c. Administration of any substances considered a drug or intravenous fluid unless under direct order of a physician, either present or by radio or telephone, except as permitted by protocol.

   d. Administering unnecessary treatment or supplies to a patient for the purpose of increasing the patient's bill.

   e. Charging for treatment or supplies not actually provided.

   f. Call jumping (which is defined as a response to a call for ambulance service by an ambulance service company with the knowledge that another ambulance service company has been notified to respond to the call or is actually responding to the call.)

   g. Non-compliance with any rule or regulation promulgated by the Colorado State Board of Medical Examiners.

   h. Conduct which constitutes a significant threat to the health or safety of the individuals receiving emergency care from a licensed ambulance

service. Such conduct may include but not be limited to: persons who have been convicted of felonies or crimes involving moral turpitude and individuals engaged in substance abuse. Such persons shall be subject to investigation to determine whether the applicant has sufficiently rehabilitated to accept the responsibilities incumbent on a holder of such license.

i. Failure to deliver a patient to the appropriate emergency facility, medical facility or medical services provider as set forth is these regulations.

j. Operation of an ambulance/emergency medical vehicle while under the influence of alcohol or drugs.

k. Requiring any employee of an ambulance service company to be on duty for any one period in excess of forty-eight (48) hours. Volunteer ambulance services are exempt.

l. Making a false or fraudulent statement on any application for a license or permit issued pursuant to these regulations.

m. Non-compliance and/or cooperation with the Authorized Representative and the Gunnison County Medical Director during the complaint process.

H. Miscellaneous

1. Use of Sirens and Emergency Equipment: All emergency equipment and warning devices shall be used in accordance with all Colorado traffic statutes, rules and regulations (42-4-213, C.R.S).

2. Alleged Negligence:

a. In any legal action against a Licensee in which it is alleged that the plaintiff's injury, illness, or incapacity was aggravated by, or was otherwise injured by the negligence of the Licensee. No negligence shall be presumed because of such allegations.

b. If a judgment is entered against such Licensee, he or she, shall, within thirty (30) days, file a copy of such findings and Order of the Court, with Gunnison County. Gunnison County shall take note of such judgment for purposes of investigation and take appropriate action if

there appears to be any violation of these regulations, or of any Colorado law or ordinance or regulation of any municipality in Gunnison County.

c. The Licensee shall notify Gunnison County of any judgment pending against the Licensee in reference to the above Sections H.2.a and H.2.b.

3. Severability: If any of the provisions of these regulations are determined to be invalid, such determination shall not affect the remaining provisions of these regulations.

4. Remedies: These regulations create no third-party beneficiaries and no private remedy for the breach of any provision of these regulations. The penalties set forth herein are the sole and exclusive penalties and remedies for the breach of any provisions of these regulations.

5. Section 25-3.5-306 Violation-Penalty: Any person who violates any provision of Part 3 of Article 3.5 of Title 25, C.R.S., commits a class 3 misdemeanor, shall be punished as provided in Section 18-1-106, C.R.S.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

RESOLUTION NO: 2016-____

A RESOLUTION AMENDING THE ADOPTED GUNNISON COUNTY AMBULANCE LICENSING REGULATIONS

WHEREAS, on the 5th day of July, 2016, the Board of County Commissioners of the County of Gunnison, Colorado ("Board"), adopted Resolution No. 2016-29, a *Resolution Adopting Gunnison County Ambulance Licensing Regulations and Repealing Previous Regulations*, recorded, in records, at the Office of the Gunnison County Clerk and Recorder at the reception number 640356 ("Gunnison County Ambulance Licensing Regulations"); and

WHEREAS, it has been brought to the Board's attention that it would be beneficial to the general public of Gunnison County to amend the currently adopted Gunnison County Ambulance Licensing Regulations by not limiting the destination of all ambulance patients in Gunnison County to only emergency facilities, as they are defined in the Gunnison County Ambulance Licensing Regulations; and

WHEREAS, the deletions and amendments to the Gunnison County Ambulance License Regulations are the following:

Deletions

a. To strike and forever delete the clause located at Section A "Definitions", number eighteen (18). The clause to be stricken and forever deleted is as follows:

   "18. Emergency Facility: A general hospital, trauma center, or free-standing emergency facility with an emergency department staffed twenty-four (24) hours a day, seven (7) days per week, with a licensed physician; or an emergency medical outpatient facility staffed twenty-four (24) hours a day, seven (7) days per week with a licensed physician or registered nurse with direct medical supervision by a licensed physician; or an emergency facility with a licensed physician who responds on an on-call basis."

b. To strike and forever delete the following clause located in section D "Standards", subsection three (3), letter "a":

   "a. The Authorized Representative shall inspect, or have inspected by a mechanic licensed by the Colorado Department of Transportation, each ambulance to be issued a license in Gunnison County once a year or more often if required by the Board. Such inspection shall determine whether each ambulance is being properly maintained and contains the equipment specified

in these regulations. Maintenance records shall be made available immediately upon request. Such inspections shall be in addition to other safety or motor vehicle inspections required to be made under Colorado law and shall not excuse compliance with any other requirements of Colorado law."

c. To strike and forever delete the clause located at section D "Standards", subsection four (4), letter "a". The clause to be stricken and forever deleted is as follows:

   "a. All ambulances shall deliver patients to a licensed emergency facility of the patient's choosing, or as directed by the patient's physician or member of the patient's immediate family; provided; however, when the patient's condition is determined to be an emergency, the ambulance service shall deliver the patient to the closest, licensed emergency facility, or the facility designated by the physician advisor consistent with all guidelines imposed by the Regional Emergency Medical and Trauma Advisory Council. In all cases where a preference is not expressed, the ambulance service shall deliver the patient to the nearest appropriately licensed emergency facility."

d. To strike and forever delete the clause located at section E "Licenses", subsection two (2), letter "c". The clause to be stricken and forever deleted is as follows:
   "c. The ambulance service pays the required fees of One-Hundred and Fifty Dollars ($150.00) for each new license or One-Hundred Dollars for each renewal thereafter to Gunnison County."

Amendments

a. To add the following clause as section A "Definitions", number eighteen (18):

   "18. Licensed Medical Facility: A person, business entity or agency that is granted a license or certificate to operate a health care entity, within the State of Colorado, and that bears legal responsibility for compliance with all applicable federal and state statutes and regulations, pursuant to and in accordance with the Colorado Department of Public Health and Environment Rules and Regulations, as they may be amended."

b. To add the following clause in section D "Standards", subsection three (3):

   "a. The Authorized Representative shall inspect, or have inspected by a licensed mechanic, each ambulance to be issued a license in Gunnison County once a year or more often if required by the Board. Such inspection shall determine whether each ambulance is being properly maintained and contains the equipment specified in these regulations. Maintenance records shall be made available immediately upon request. Such inspections shall be

in addition to other safety or motor vehicle inspections required to be made under Colorado law and shall not excuse compliance with any other requirements of Colorado law."

c. To add the following clause as section D "Standards", subsection four (4):

   "a. All ambulances shall deliver Patients to the most appropriate licensed medical facility, as determined by the Medical Director or his designee, dependent on the Patient's medical needs and in accordance with Colorado Department of Public Health and Environment Rules and Regulations. When medically appropriate, the Patient's preference should be considered."

d. To add the following clause as section E "Licenses", subsection (2), letter "c":

   "c. The ambulance service pays the required fees of Seventy-Five Dollars ($75.00) for each new license and renewal thereafter, respective to that particular ambulance, to Gunnison County."

WHEREAS, the Gunnison County Ambulance Licensing Regulations with the above-referenced deletions and amendments are attached hereto and hereby incorporated by this reference as Exhibit "A":

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of the County of Gunnison, Colorado ("Board") shall and hereby does amend, reaffirm, and ratify, the Gunnison County Ambulance Licensing Regulations as follows:

Deletions

a. To strike and forever delete the clause located at section A "Definitions", number eighteen (18). The clause to be stricken and forever deleted is as follows:

   "18. Emergency Facility: A general hospital, trauma center, or free-standing emergency facility with an emergency department staffed twenty-four (24) hours a day, seven (7) days per week, with a licensed physician; or an emergency medical outpatient facility staffed twenty-four (24) hours a day, seven (7) days per week with a licensed physician or registered nurse with direct medical supervision by a licensed physician; or an emergency facility with a licensed physician who responds on an on-call basis."

b. To strike and forever delete the following clause located in section D "Standards", subsection three (3), letter "a":

   "a. The Authorized Representative shall inspect, or have inspected by a

mechanic licensed by the Colorado Department of Transportation, each ambulance to be issued a license in Gunnison County once a year or more often if required by the Board. Such inspection shall determine whether each ambulance is being properly maintained and contains the equipment specified in these regulations. Maintenance records shall be made available immediately upon request. Such inspections shall be in addition to other safety or motor vehicle inspections required to be made under Colorado law and shall not excuse compliance with any other requirements of Colorado law."

c. To strike and forever delete the clause located at section D "Standards", subsection four (4), letter "a". The clause to be stricken and forever deleted is as follows:

   "a. All ambulances shall deliver patients to a licensed emergency facility of the patient's choosing, or as directed by the patient's physician or member of the patient's immediate family; provided; however, when the patient's condition is determined to be an emergency, the ambulance service shall deliver the patient to the closest, licensed emergency facility, or the facility designated by the physician advisor consistent with all guidelines imposed by the Regional Emergency Medical and Trauma Advisory Council. In all cases where a preference is not expressed, the ambulance service shall deliver the patient to the nearest appropriately licensed emergency facility."

d. To strike and forever delete the clause located at section E "Licenses", subsection two (2), letter "c". The clause to be stricken and forever deleted is as follows:

   "c. The ambulance service pays the required fees of One-Hundred and Fifty Dollars ($150.00) for each new license or One-Hundred Dollars for each renewal thereafter to Gunnison County."

Amendments

a. To add the following clause as section A "Definitions", number eighteen (18):

   "18. Licensed Medical Facility: A business entity or agency that is granted a license or certificate to operate as a health care entity, within the State of Colorado, and that bears legal responsibility for compliance with all applicable federal and state statutes and regulations, pursuant to and in accordance with the Colorado Department of Public Health and Environment Rules and Regulations, as they may be amended."

b. To add the following clause in section D "Standards", subsection three (3):

   "a. The Authorized Representative shall inspect, or have inspected by a

licensed mechanic, each ambulance to be issued a license in Gunnison County once a year or more often if required by the Board. Such inspection shall determine whether each ambulance is being properly maintained and contains the equipment specified in these regulations. Maintenance records shall be made available immediately upon request. Such inspections shall be in addition to other safety or motor vehicle inspections required to be made under Colorado law and shall not excuse compliance with any other requirements of Colorado law."

c. To add the following clause as section D "Standards", subsection four (4):

"a. All ambulances shall deliver Patients to the most appropriate licensed medical facility, as determined by the Medical Director or his designee, dependent on the Patient's medical needs and in accordance with Colorado Department of Public Health and Environment Rules and Regulations. When medically appropriate, the Patient's preference should be considered."

d. To add the following clause as section E "Licenses", subsection (2), letter "c":

"c. The ambulance service pays the required fees of seventy-five and NO/100 U.S. Dollars ($75.00) for each new license and each renewal thereafter, respective to that particular ambulance, to Gunnison County."

Now, herewith the instant resolution, be it incorporated that above-referenced deletions and amendments are hereby ratified into the Gunnison County Ambulance License Regulations, attached hereto and incorporated herein by this reference as Exhibit "A".

INTRODUCED by Commissioner _____, seconded by Commissioner _____, and adopted this 15th day of November, 2016.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

By _____
Paula Swenson, Chairperson

By _____
Jonathan Houck, Commissioner

By _____
Phil Chamberland, Commissioner

ATTEST:

_____

Deputy County Clerk