

RESOLUTION 9-2021

MONTEZUMA COUNTY, COLORADO CONCERNING AMBULANCE SERVICE LICENSES, PERMITS, AND REGULATION OF EMERGENCY MEDICAL SERVICES

WHEREAS, the Board of County Commissioners (hereinafter known as BOCC) of the County of Montezuma in the State of Colorado under the provisions of Section 25-3.5-301 et seq. CRS, as amended is authorized to License and regulate emergency medical services for the citizens of Montezuma County, Colorado and to provide for the licensing and regulation of ambulances, ambulance service and emergency medical service personnel in the county; and

WHEREAS, the BOCC of Montezuma County, pursuant to CRS-25-3.5-301(2)(a)(I) may impose by resolution additional requirements for ambulances based in the county beyond those promulgated by the Colorado Department of Health.

WHEREAS, The BOCC of the County of Montezuma deems it to be in the best interest of the citizens of said county to adopt the following resolution:

NOW, THEREFORE, BE IT RESOLVED by the BOCC of the County of Montezuma in the State of Colorado that, in order to preserve the public peace, health and safety, and in accordance with law, each section of the following requirements shall be in full force and effect upon the signing of this resolution except as otherwise provided for herein, and shall govern ambulance service and personnel associated therewith within Montezuma County Colorado, from that date forward, until amended or terminated by the Board, AND BE IT FURTHER RESOLVED that the Montezuma County Commissioners, approve the Montezuma County Emergency Medical Service Council (MCEMSC) as their designated advisory for local emergency medical services care according to 25-3.5-301, with the most current by-laws, as adopted, and approved MCEMSC By-laws, Equipment Verification List and Motor Vehicle Check List as addendums to this resolution, and that they may be changed from time to time by resolution by the BOCC to reflect current needs.

I. DEFINITIONS

1. As used in this resolution, unless the context otherwise requires:

“Ambulance Inspector” means a qualified individual who is chosen by the MCEMSC and approved by the BOCC. He/she will inspect all the county ambulances annually to see that they meet the minimum requirements as set forth by this resolution, and to perform other duties as herein stated

- a) “Advanced Life Support Ambulance” means an ambulance, in addition to meeting the basic State requirements for equipment, must have the equipment and medications as required by the MCEMSC, physician advisor's protocols, and operate with advanced life support personnel.

- b) "Advanced Life Support Personnel" means minimum of one Colorado State Certified Emergency Medical Technician-Paramedic/EMT-P, or Emergency Medical Technician- Intermediate/EMT-I, or Colorado Registered Nurse RN with Advanced Cardiac Life Support (ACLS) certification, Pediatric Advanced Life Support (PALS) certification, Pre-Hospital Trauma Life Support (PHTLS) certification and a second person with a minimum of a Colorado State certified EMT-Basic certification, or a physician with ACLS certification.
- c) "Ambulance" means any privately or publicly owned land vehicle especially constructed or modified and equipped, intended to be used, maintained and operated by a private, public or governmental ambulance service agency, for the transportation, upon the streets and highways of this state, of individuals who are sick, injured, or otherwise incapacitated or helpless.
- d) "Ambulance Driver" means any person authorized to drive an ambulance as herein defined and who shall at a minimum possess a valid Colorado Drivers License and a current First Aid or Emergency Medical Responder Card, and a CPR card.
- e) "Ambulance Service" means the furnishing, operating, conducting, maintaining, advertising, or otherwise engaging in or professing to be engaged in the transportation of patients by a transport capable vehicle. Taken in context, it also means the person so engaged or professing to be so engaged in the treatment and transport of patients. 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 standards of the Federal Mine Safety and Health Administration, or its successor agency.
- f) "Basic Life Support Ambulance Service", should meet the criteria defined in the State EMS Act for personnel (CRS 25-3.5-202) and for supplies and equipment as defined by the Board of Health 6CCR-1015-3 sec 12 and in accordance with CRS 25-3.5-301. It must also meet the requirements for equipment as established by the MCEMSC and approved by the BOCC. Staffing shall be at least one Emergency Medical Technician currently certified by the state of Colorado, or a Colorado Registered Nurse RN with Advanced Cardiac Life Support (ACLS) certification, Pediatric Advanced Life Support (PALS) certification, Pre-Hospital Trauma Life Support (PHTLS) certification as recognized by the MCEMSC and BOCC, and a driver that has a Colorado driver's license, and a current First Aid or Emergency Medical Responder Card, and a CPR card., or as established by the MCEMSC and accepted by the BOCC.
- g) "BOCC" (BOCC) means the Board of County Commissioners, the governing body of the County of Montezuma.
- h) "Council" means the Montezuma County Emergency Medical Services Council.

- i) "Department" means the Colorado Department of Health and Environment.
- j) "Emergency" means any actual or self-perceived event which threatens life, limb, or well-being of an individual in such a manner that a need for immediate medical care is created.
- k) "Emergency Medical Responder--EMR" means an individual who holds a valid Emergency Medical Responder certificate issued by the Colorado Department of Health and Environment, EMS Division.
- l) "Emergency Medical Technician-EMT" means an individual who holds a valid Emergency Medical Technician certificate issued by the Colorado Department of Health and Environment, EMS Division.
- m) "Advanced Emergency Medical Technician--Advanced-EMT" means an individual who holds a valid Advanced Emergency Medical Technician certificate issued by the Colorado Department of Health and Environment, EMS Division.
- n) "Emergency Medical Technician-Intermediate/EMT-I" means an individual who holds a valid Emergency Medical Technician-Intermediate/EMT-I certificate issued by the Colorado Department of Health and Environment, EMS Division.
- o) "Paramedic" means an individual who holds a valid Paramedic certificate issued by the Colorado Department of Health and Environment, EMS Division.
- p) "Critical Care Paramedic" means an individual who holds a valid Paramedic certificate with Critical Care Endorsement issued by the Colorado Department of Health and Environment, EMS Division.
- q) "License" means written authorization of the BOCC for an ambulance service to provide such services within the county in accordance with this resolution and applicable Colorado statutes and regulations.
- r) "Licensee" means the person or entity that has been issued a license by the BOCC to provide ambulance service in the County.
- s) "Patient" means any individual who is perceived to be sick, injured, or otherwise incapacitated or helpless.
- t) "Permit" means annual authorization issued by the Ambulance inspector with respect to an ambulance used or to be used to provide ambulance service in this county and state.

- u) "Physician Advisor" means a physician who establishes protocols and standing orders for medical acts performed by, EMR's, EMT's, EMT-Intermediates, ~~EMT-Paramedics~~, Critical Care Paramedics, RN, and Doctors, of a Prehospital emergency medical care service agency, and who is specifically identified as being responsible to assure the competency of the performance of the acts by such individuals. A Physician Advisor shall meet all qualifications outlined in the "RULES DEFINING THE DUTIES AND RESPONSIBILITIES OF EMERGENCY MEDICAL SERVICES PHYSICIAN ADVISORS AND THE AUTHORIZED MEDICAL ACTS OF EMERGENCY MEDICAL TECHNICIANS AND PARAMEDICS" (3-CCR-713-6) of the "ACTS ALLOWED" section 3.1 by the EMS Division of the Colorado Department of Health and Environment.
- v) "Registered **Nurse (RN)**" means an individual who possesses a State of Colorado license as defined and set forth by Division of Registrations, the State of Colorado. If they are administering primary care they must also ~~hold a First~~ possess an ACLS, PALS and PHTLS certification and follow all protocols set down by the physician Advisor.
- w) "Trainee Graduate Paramedic" means an individual who has successfully completed a Colorado Department of Health approved paramedic training course and who is employed or otherwise serving in a practical field training program under the constant supervision of another paramedic and the general supervision of that organization's physician advisor.
- x) "Trainee Graduate Intermediate" means an individual who has successfully completed a Colorado Department of Health approved intermediate training course and who is employed or otherwise serving in a practical field training program under the constant supervision of another paramedic or EMT-I and the general supervision of that organization's physician advisor.
- y) "Trainee Graduate Advanced" means an individual who has successfully completed a Colorado Department of Health approved Advanced-EMT training course and who is employed or otherwise serving in a practical field training program under the constant supervision of another paramedic or EMT-I and the general supervision of that organization's physician advisor.
- z) "Trainee Graduate EMT" means an individual who has successfully completed a Colorado Department of Health approved EMT training course and who is employed or otherwise serving in a practical field training program under the constant supervision of another Paramedic, EMT-I, Advanced-EMT or EMT and the general supervision of that organization's physician advisor

II. AMBULANCE LICENSING and PERMITTING

1) LICENSE and PERMIT REQUIRED

No person or agency shall provide ambulance service, publicly or privately, in Montezuma County unless that person or agency obtains a valid license issued annually by the BOCC of Montezuma County and permits issued by the ambulance inspector, as hereinafter provided.

Each ambulance operated by a licensed ambulance service being issued an annual permit shall bear evidence that it's equipped and meets or exceeds the minimum requirements set forth in Board of Health 6CCR-1015-3 sec 12 and in accordance with 25-3.5-301 and the recommendation from the MCEMSC and approved by the BOCC.

All ambulances shall have the name of the ambulance service clearly visible on said vehicle.

2) EXCEPTIONS TO LICENSING AND PERMIT REQUIREMENTS

License and Permit Requirements shall not apply to the following:

- a) The exceptional emergency use of a privately or publicly owned vehicle, including search and rescue unit vehicles, or aircraft not ordinarily used in the formal act of transporting patients;
- b) A vehicle rendering services as an ambulance in case of a major catastrophe or emergency when ambulances with permits based in the localities of the catastrophe or emergency are insufficient to render the services required;
- c) Ambulances based outside this county or state which are transporting a patient to a facility within the county or to some other destination when the call originated outside the county, or under conditions of mutual aid, a major catastrophe or emergency when licensed ambulances are insufficient, not available, or inappropriate for a given transport situation.
- d) Vehicles used or designed for the scheduled or routine, non-emergency transportation of convalescent patients, individuals with disabilities or persons who would not be expected to require any skilled medical while in the vehicle.
- e) Vehicles used solely for the transportation of intoxicated person(s) incapacitated by alcohol as defined in section 25-1-302, 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.
- f) Ambulances owned and operated by the Ute Mountain Ute Indian Tribe and the Indian Health Services are not required to participate in the licensing, permitting and compliance with this resolution.

3) INSURANCE

No ambulance shall operate in the county unless it is covered at all times by motor vehicle liability insurance as required by state law (CRS 10-4-705 as amended). Each ambulance service shall maintain liability insurance coverage for each ambulance owned 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 said vehicle would be liable by law, regardless of whether the ambulance was being driven by the owner, his agent or lessee or any other person, and coverage against damage to the property of another, including personal property.

- a) Statutory Worker's Compensation Insurance:
- b) Public Liability and Property Damage Bodily Injury: (MINIMUM AMOUNT REQUIRED)

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|----------------------------------|-------------|
| Each Person | \$1,000,000 |
| Each Accident | \$1,000,000 |
| Property Damage: | |
| Each Accident | \$1,000,000 |
| Professional Liability Coverage: | |
| Each Person | \$1,000,000 |
| Each Accident | \$1,000,000 |

Proof of insurance shall be filed with the BOCC, or their authorized representative, (ambulance inspector or MCEMSC) 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 insured 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 or omission of the named insured. At any time, said insurance is required to be renewed, proof of renewal shall be provided to the BOCC, or their authorized representative, (ambulance inspector or MCEMSC). The motor vehicle insurance shall be complying policy as defined in CRS 10-4-703, as amended.

A certificate of insurance 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 of termination or revocation of said insurance policy shall be given to the BOCC, the ambulance inspector and MCPHD.

Any changes in insurance or the status of vehicle(s) listed on the certificate of insurance during the licensing cycle shall be noted on a new certificate of insurance and forwarded to the BOCC or their authorized representatives (ambulance inspector and MCPHD) within thirty (30) days of the changes. The BOCC may require additional proof of insurance at any time needed in order to promote health, safety, and welfare of residents of the County.

4) INSPECTIONS

The MCPHD shall appoint an inspector with the approval of the BOCC to inspect each ambulance which operates in the county. The ambulance inspections shall be done at least every twelve (12) months. The purpose of the inspection is to assure that each ambulance is being properly maintained, with a preventative maintenance program, to be made available immediately upon the inspectors request, and contains the proper equipment and insurance as specified in this resolution, and that it is consistent with the specified type of service which was applied for, i.e. "basic life support" or "advanced life support." The permit for each ambulance shall be displayed in a prominent and accessible location within the ambulance.

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 requirements of any other applicable Colorado laws.

The authority to perform and provide the above stated inspections, for licensing, permitting and renewals shall be assigned by the BOCC to the ambulance inspector. The ambulance inspector shall have the authority to issue permits, keep copies of the records of their actions and file all the originals with the MCPHD and shall also report their actions to the BOCC and the MCEMSC.

5) LICENSE

An application for an ambulance service license and ambulance permit shall be submitted annually in writing to the MCPHD on the forms attached as amendments A and B hereto and provided the following supporting documents.

- a) The name and address of the owner of each ambulance.
- b) The name and address of the person/agency applying for the license hereinafter referred to as the applicant.
- c) The person who will be in charge of the operation of the ambulance service.
- d) The training and experience of the applicant and of the person who will be in charge of the ambulance service.
- e) A description type of each ambulance, including the make, year of manufacture, motor and chassis numbers, Colorado State license number, the name/monogram or other distinguishing characteristics used to designate the ambulance.

- f) The location and description of the place or places from which it is intended to operate an ambulance service.
- g) The primary service area to be served by the proposed ambulance service.
- h) The name, address, and curriculum resume of the physician advisor to the ambulance service.
- i) A letter from the physician advisor indicating he/she has assumed the responsibility of being the physician advisor for the proposed ambulance service and that he/she has met all the requirements as set down by the State of Colorado and noted herein.
- j) Evidence of the insurance policies as are set forth in paragraph (3) of this resolution.
- k) A check or payment in the amount of \$100.00 for the annual ambulance service license and all annual permits, but the Board may waive payment of such license fees for ambulance services operated by municipalities or special districts. (CRS 25-3.5-301)
- l) Names of quick response teams, volunteer rescue groups, standby services and similar groups with which the ambulance service has cooperative or mutual aid agreements.
- m) Identify dispatching center and their role with the prospective service.
- n) A list of all emergency personnel from that agency who may be called upon to respond to an emergency with the ambulance service. This list shall include the following information:
 - Complete name, address, and date of birth.
 - The highest training level attained.
 - A copy of a current Colorado Department of Health EMT-B, EMT-1, or Paramedic certificate; or an Emergency Response card from the American Red Cross; or a First Responder Course completion certificate; or a CPR card issued by the American Heart Association or the American Red Cross.
 - Proof of a valid Colorado Driver's license.
 - Documentation of ability to provide adequate staffing.
 - Type of service to be provided i.e. Basic Life Support, Basic Life support with ACLS equipment, or Advanced Life support with ACLS personnel.
 - Evidence of a prevention maintenance program to insure current and future road worthiness.
 - Copies of operational policies or protocols of the ambulance service in accordance with requirements established by the Director. Such requirements shall be submitted to the Board for review and endorsement.

- Letter stating that the agency would be a member and be involved in the MCEMSC.

III. PERSONNEL REQUIREMENTS

1) PERSONNEL: QUALIFICATIONS FOR BASIC LIFE SUPPORT

No patient shall be transported in an ambulance in this state, unless there are two or more individuals, including the driver, present and authorized to operate said ambulance, except under unusual conditions when only one authorized person is available (CRS 25-3.5-301 (3))

- a) Ambulance driver - The minimum requirements shall include the possession of a valid Colorado Driver's license, current American Red Cross Emergency response card or First Responder Card, a CPR Card as recognized by the MCEMSC and the BOCC of Montezuma County.
- b) Personnel in the patient compartment - For any person responsible for providing direct emergency medical care and treatment to patients transported in an ambulance, the minimum requirement shall be the possession of a current Emergency Medical Technicians Basic certificate as issued by the Colorado Department of Health, Emergency Medical Services Division, or a RN registered nurse with a minimum of a First Responder card or its equivalent as recognized by the LPCEMSC and BOCC.

2) EXCEPTIONS

In the case of an emergency in any ambulance service area where no person possessing the qualifications required by this section present or available to a call for the emergency transportation of patients by ambulance, any person may operate such ambulance to transport any sick, injured, or otherwise incapacitated or helpless person to stabilize the medical condition of such person pending the availability of medical care.

3) PERSONNEL QUALIFICATIONS: FOR ADVANCED LIFE SUPPORT

Each primary response unit of an advanced life support (ALS) service shall be staffed with a minimum of two emergency care providers. At least one of those two persons shall be a Colorado certified paramedic, EMT Intermediate who is certified in ACLS, RN who is certified in ACLS and holds a minimum of a First Responder card or its equivalent as recognized by the MCEMSC and BOCC, or a licensed physician who is ACLS certified or its equivalent as recognized by the MCEMSC and BOCC. The other care provider must be a minimum of a Colorado certified EMT-Basic.

IV. General Information

1) Other Requirements

- a) The MCEMSC shall be authorized to promulgate and enforce such rules and regulations as it deems necessary to provide for quality emergency medical services and insure compliance with Colorado law and any resolution adopted by the BOCC, which regulate the operation and licensing of ambulance services in the County.
- b) All ambulances shall deliver patients to the closest licensed and approved emergency facility or as approved by the MCEMSC protocols and physician advisor.
- c) No licensed ambulance service shall operate from locations other than those on file with the BOCC. No licensed ambulance service shall abandon said location or service without prior and proper notification to the MCEMSC and the BOCC. This notification must include how the current service area will be provided with proper and quality ambulance coverage once the existing service changes or is dissolved.
- d) All ambulance services, agencies, and departments providing EMS care to the general public, based in the County, must have a physician advisor. The physician advisor shall be notified in writing by the MCPHD Ambulance inspector and/or the BOCC, or their authorized representative, of any violations of these regulations by the ambulance service or individual licensee.
- e) All County licensed ambulance services will utilize the State required pre-hospital care reporting systems operated by the Colorado Department of Health, EMS Division.

2) SIRENS AND EMERGENCY EQUIPMENT

Sirens and emergency equipment shall be in accordance with the provisions of the Colorado Uniform Motor Vehicle Law CRS 42-1-101 et. seq. and the following as adopted by the MCEMSC and the BOCC:

- a) The siren and other emergency warning equipment on the ambulance shall be used only if an emergency exists or is reasonably perceived to exist when responding to an incident or en route to the hospital. When such emergency warning devices are not in operation, the ambulance shall be operated in compliance with all applicable non-emergency traffic regulations.
- b) While utilizing such emergency warning devices, the ambulance driver shall apply such standards of reasonableness in evaluating overall driving conditions to operate the vehicle accordingly, with the understanding that the employment of emergency warning devices do not permit reckless disregard for the safety of persons or property.
- c) In all cases where sirens and other emergency warning devices are utilized, the responding agency shall notify appropriate law enforcement authorities in the operating locale, and shall be subject to any instructions given by such local law enforcement authority.

V. AMBULANCE SPECIFICATION

Ground vehicles obtained, licensed and placed in use as ambulances, shall meet the minimum guidelines in accordance with CRS 25-3.5-301 and the current rules promulgated by the Department of Health-EMS Division, MCEMSC and the BOCC. Variances of the above-mentioned specifications may be granted at the discretion of the MCEMSC with permission by the BOCC. All ambulances shall have the name of the ambulance service clearly visible on said vehicles.

VI. AMBULANCE EQUIPMENT LIST

Each ambulance operating within Montezuma County shall contain at the minimum the equipment attached as an addendum based on the type of personnel and service provided. Equipment shall be maintained in good working order:

- a) The minimum required equipment shall be that established by the list and contained in CRS 25- 3.5-301 and 6-CCR-1015-3 Section 12 and the MCEMSC as approved by the BOCC. The MCEMSC may add to this list with the approval of the BOCC at their direction as other needs or new methodologies become known.
- b) The MCEMSC and the BOCC requires that each licensee and all the permitted ambulances follow the most up to date and approved list for equipment and ambulance requirements. This list will be an addendum to this document and kept on file with the BOCC, MCEMSC and the current ambulance inspector.

VII. GUIDELINES AND HEARING PROCEDURES FOR NEW AMBULANCE SERVICE

1) REQUEST FOR NEW GROUND BASE or AIR EMS SERVICE

- a) A request for a new ambulance service shall be to the MCEMSC, MCPHD and the BOCC. A hearing on the new request shall be held no later than 90 days after the request has been filed.
- b) A request for a new ambulance service shall contain an application for license and permit as specified in Section II of this resolution.
- c) The BOCC will notify the MCPHD and MCEMSC upon receipt of the application. MCEMSC & MCPHD will review, evaluate and make recommendation based on the below criteria VII-f.
- d) A hearing will be scheduled only after MCEMSC & MCPHD has evaluated and made recommendations to BOCC. The MCEMSC & MCPHD evaluation and recommendation shall also take into consideration the results of the preliminary ambulance inspector report of the ambulances and equipment proposed to be used.

- e) Upon receiving the recommendation from MCEMSC and MCPHD a hearing will then be scheduled. The hearing will be a noticed agenda item and will be held no later than thirty (30) days of receipt of MCEMSC & MCPHD recommendation. The BOCC shall notify (by PUBLIC NOTICE) all other ambulance services in the county. That notice shall contain:
- The notice that an application has been filed.
 - Notice setting the time, place and date of hearing.
- f) The hearing shall consider the following:
- The need, justification and supporting documents for the service.
 - Type of service and staffing i.e., ACLS or BLS and structure of the applicant i.e., private, non-profit, special district etc.
 - Applicant's track record in the ambulance service.
 - Response time to the nearest appropriate medical facility. (Location from where the ambulance will be operated.)
 - Anticipated charges for service and collection policies.
 - Description of area to be served, primary service area, boundaries, square miles, and map included.
 - Agreements with other ambulance agencies, i.e., mutual aid or automatic aid.
 - Statement on how the new service will interact or conflict with existing services and fire agencies.
 - Demographics of the proposed service area.
 - Hazards specific to the area or special circumstances.
 - Dispatching arrangements.
 - Other information as requested by the license and permit applications.

VIII. LICENSE REVOCATION AND SUSPENSION

1) INVESTIGATION OF COMPLAINTS

Any complaint, i.e., patient care, billing, litigation, etc. from any source, regarding an ambulance service will be referred to the MCEMSC for investigation. Notice will also go to the ambulance service named, ambulance inspector and the BOCC. The MCEMSC will see that a timely investigation occurs and a report filed with all the parties concerned.

If after the initial investigation the MCEMSC believes that the ambulance company is in non-compliance with any of the provisions of this resolution, MCEMSC shall contact the physician advisor of the ambulance service in question and see if he/she determines there is a problem. If the physician advisor determines there is a problem, there shall be an agreement as to what shall be done to alleviate the problem with a specified time frame for correction not to exceed an immediate resolution or up to ten (10) days depending upon the severity of infraction.

If the physician advisor determines there is no problem but the MCEMSC believes there is still noncompliance, the MCEMSC will appoint a panel of three physicians within five (5) days, who are Colorado ambulance physician advisors, and are neutral on the subject. If the panel of

physicians finds that there is noncompliance, they will also recommend a course of action to the MCEMSC and the BOCC within 72 hours, if possible.

If the panel of physicians determines there is no problem or there is no cause for suspension, the Ambulance service in question and their physician advisor, MCEMSC and the BOCC will be notified in writing within 72 hours, unless the BOCC receives a request for an additional amount of time. The report will be placed in the file with the MCEMSC, BOCC and the ambulance service in question.

The BOCC will make the final determinations regarding compliance, suspension, required plan for correction, or possible license revocation.

2. GROUNDS FOR SUSPENSION OR REVOCATION

Excerpts from part 25-3.5-304 Suspension - revocation – hearings. Upon a determination by the BOCC that any person has violated or failed to comply with any provision of this Resolution or applicable State Law or regulation, the BOCC may temporarily suspend, for a period not to exceed thirty (30) days, any license or permit issued pursuant to this Resolution. 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. After such hearing, the BOCC may suspend any license or permit, issued pursuant to this Resolution, for any portion of or for the remainder of its life. At the end of such period, the person whose license or permit was suspended may apply for a new license or permit[s] as in the case of an original application.

- a) The following practices shall be unlawful and may be grounds for a suspension or revocation of license:
 - Willful and deliberate failure to respond to any call in the absence of good cause shown.
 - Willful and deliberate failure to transport a patient when required by nature of the injury.
 - Administering unnecessary treatment or supplies to a patient for the purpose of increasing the patient's bill.
 - Administration of any substance 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.
 - 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.
 - Conduct which constitutes a significant threat to the health or safety of the individuals receiving emergency care from a licensed ambulance service or services. Such conduct may include but not 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 been sufficiently rehabilitated to accept the responsibilities incumbent on a holder of such license.

- Upon a second violation or failure to comply any provision of this Resolution by any licensee, the BOCC may permanently revoke such license or permit.

2) HEARING PROCEDURES

All hearings before the BOCC shall be public. The BOCC may require an ambulance service company, which is the subject of a hearing, to make available such books and records as are desired and requested by the BOCC. All testimony at the hearings shall be under oath and shall be recorded or reported. BOCC shall make such other rules and regulations for the conduct of the hearing as are deemed necessary.

3) OATHS AND SUBPOENAS

The BOCC may administer oaths to witnesses, and also may require the licensee to produce all documentation in its care, custody, or control, which it deems relevant to the proceedings.

4) NOTICE OF SUSPENSION OR REVOCATION

Notice of suspension or revocation shall be given by certified mailing to the licensee at the address contained in such license.

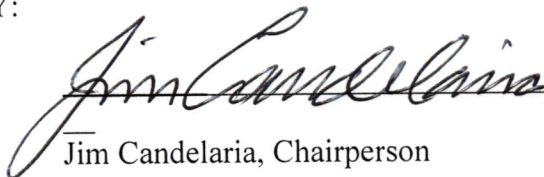
IV. QUALIFICATIONS AND RESPONSIBILITIES OF PHYSICIAN ADVISOR

EFFECTIVE DATE

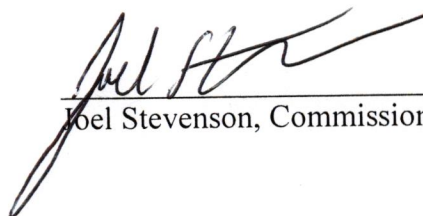
Immediately upon signature of BOCC; except that for existing licensed services previously licensed, compliance shall become mandatory immediately upon expiration of their current license.

Adopted this 3rd day of August, 2021
BOCC
MONTEZUMA COUNTY COLORADO

BY:


Jim Candelaria, Chairperson


Kent Lindsay, Vice Chairperson


Joel Stevenson, Commissioner

X. LEGAL CLOSING

1. SEVERABILITY

If any of the provisions of this resolution are determined to be invalid, such determination shall not affect the remaining provisions of the resolutions.

2. LIMITATION OF LIABILITY

Nothing in the resolution or any activities, errors or omission which may occur in the enforcement or implementation of this resolution by the BOCC, Montezuma County, or any employees or agents shall be construed as to create any legal cause of action or liability in damages against the Montezuma County BOCC, Montezuma County, and any officers, employees, or agents of the County, for any actions, errors, or omissions of said Board, County, officers, employees, or agents, by virtue of any actions, errors, or omissions, which may occur in the enforcement and implementation of this resolution, and any duties and responsibilities created hereby. In adopting this resolution, it is the intent of the BOCC to create a duty solely for the benefit to the general public and not to create any remedy, benefit, or legal cause of action for any particular individuals or classes thereof.

3. REPEAL OF PRIOR RESOLUTION