

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)

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.