

RESOLUTION NO. 21, SERIES OF 2013
ADOPTING FREMONT COUNTY
AMBULANCE LICENSING REGULATIONS

WHEREAS, Fremont County is authorized pursuant to the authority contained in Title 25, Article 3.5, C.R.S. to license and regulate ambulance service providers and ambulance vehicles; and

WHEREAS, Colorado Revised Statutes, at §25-3.5-301 provides that no person shall provide ambulance service publicly or privately in this state unless that person holds a valid license to do so issued by the board of county commissioners of the county in which the ambulance service is based; and

WHEREAS, the current Ambulance Regulations for Fremont County require updating and revision to comply with Colorado state law; and

WHEREAS, Fremont County Board of Commissioners finds that the proposed amendments and revisions are appropriate and necessary; and

WHEREAS, a public hearing concerning the proposed amendments was held by the Board of County Commissioners on the 14th day of May, 2013, notice of which was published in a newspaper of general circulation in the county, at least fourteen days prior to the date of the hearing; and

WHEREAS, due consideration has been given to the comments received at said public hearing.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Fremont County that:

1. All prior versions of the Fremont County Ambulance Regulations are hereby repealed in the entirety, effective May 15, 2013.
2. The Fremont County Ambulance Regulations as set forth in Exhibit "A" attached hereto and incorporated herein by reference, for licensing of ambulance services in Fremont County and for permitting of ambulance vehicles in Fremont County are hereby adopted, effective May 15, 2013.

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Katie E. Barr, Clerk and Recorder, Fremont County, CO



Commissioner Norden moved adoption of the foregoing Resolution, with a second by Commissioner Payne and approved by roll call vote as follows:

Debbie Bell	<u>Aye</u>	Nay	Absent	Abstain
Edward H. Norden	<u>Aye</u>	Nay	Absent	Abstain
Timothy R. Payne	<u>Aye</u>	Nay	Absent	Abstain

Date: May 14, 2013

BOARD OF COUNTY COMMISSIONERS
OF FREMONT COUNTY

ATTEST:

By: Debbie Bell
Chairman

By: Katie E. Bau
Clerk to the Board

FREMONT COUNTY AMBULANCE REGULATIONS

Effective: May 15, 2013

ARTICLE I

DEFINITIONS: As used in these regulations, the following words, unless the context in which they are used indicates otherwise, shall be given the following meanings:

- A. "Ambulance" means any privately or publicly owned ground vehicle, especially constructed or modified and equipped, intended to be used, and maintained or operated by an ambulance service for the transportation, upon the streets and highways in this state and county, of individuals who are sick, injured or otherwise incapacitated or helpless.
- B. "Ambulance Service" means the furnishing, operating, conducting, maintaining, advertising or otherwise engaging in or professing to be engaged in the transportation of patients by ambulance twenty-four hours a day, seven days a week. Taken in context, it also means the person so engaged or professing to be so engaged. The person 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 standards of the Federal Mine Safety and Health Administration, or its successor agency.
- C. "Based" means an ambulance headquartered in; having a substation, office or a permanent station in the County, whose primary response area is dedicated to transporting patients originating in the County.
- D. "Board" means the Board of County Commissioners for Fremont County, Colorado.
- E. "County" means Fremont County, Colorado.
- F. "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.
- G. "Emergency Facility" means a general hospital 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.
- H. "Emergency medical service provider" means an individual, who holds a valid emergency medical service provider certificate issued by the Colorado Department of Public Health and Environment. Such certificates may be issued for categories of Emergency Medical Service

("EMS") providers, including Emergency Medical Technician (EMT)-Basic, EMT-Intermediate, EMT-Advanced, and Paramedic. Paramedic Interns serving in a practical field training program must be directly supervised by a certified Paramedic when delivering paramedic level Advanced Life Support care.

- I. "License" means the authorization and certificate issued by the Board to operate an ambulance service in the County. It also means the certificate issued by the Board as evidence that an ambulance service has met the requirement of these regulations.
- J. "Licensee" means the person or entity that has been issued a license by the Board to provide ambulance service in the County.
- K. "Medical Director" means a Colorado licensed physician who establishes protocols and standing orders for medical acts performed by EMS providers of a pre-hospital EMS service agency and who is specifically identified as being responsible to assure the competency of the performance of those acts by such EMS Providers as described in the physician's medical continuous quality improvement program. Any reference to a "physician advisor" in any previous regulation or document shall apply to a "medical director" as described herein.
- L. "Patient" means any individual who is sick, injured or otherwise incapacitated or helpless.
- M. "Permit" means the authorization and certificate issued by the Board of County Commissioners with respect to an ambulance used or to be used to provide ambulance service in the County.
- N. "CDPHE Regulations" shall mean all regulations related to Emergency Medical Services promulgated by the Colorado Department of Public Health and Environment, Division of Emergency Medical Services, specifically 6 CCR 1015-3 and other applicable regulations.

ARTICLE II

REGULATIONS:

- A. Ambulance Service License Required. No person, partnership or corporation shall provide or operate an ambulance service, publicly or privately, in the County using any ambulance based in the County, unless that person holds a valid license to do so issued by the Board.
- B. Ambulance Permit. No ambulance based in the County shall be operated within the County unless a permit has been issued and posted in the patient compartment, as hereinafter provided. All ambulances shall bear evidence that its equipment meets or exceeds, or is the equivalent to the requirements set forth in the minimum equipment list established by the CDPHE Regulations.

1. Basic Life Support (BLS) Permit. Each ambulance operated by an ambulance service shall be issued a basic life support vehicle permit, or an advance life support permit. A basic life support vehicle shall be equipped in a manner that meets or exceeds or is equivalent to the current items listed in the CDPHE Regulations and shall operate within the scope of practice of an EMT. There shall be at least one EMS provider on board at all times.
 2. Advanced Life Support (ALS) Permit. Each ambulance for which an Advance Life Support (ALS) permit is issued must, **at all times**, meet the basic requirements of a BLS vehicle and shall operate within the scope of practice of a Paramedic, EMT-Intermediate, or EMT-Advanced, depending on the certification of available personnel actually on board the ambulance. There shall be at least one EMS Paramedic, EMT-Intermediate, or EMT-Advanced, on board at all times.
- C. Advanced Life Support Ambulance Services. An ambulance with an advanced life support permit may provide basic life support care. During such times, the attending EMT-I, EMT-A, or Paramedic, may drive while an EMT attends, but the ambulance must maintain the capacity to provide advanced life support care. An advanced life support ambulance providing only basic life support care may not charge for advanced life support care and may be subject to having the ALS permit revoked for failure to comply with the permit requirements.
- D. Basic Life Support Ambulance Services. Any ambulance permitted, staffed, equipped or operating as a basic life support ambulance, shall not advertise, display, or claim to be an advanced life support ambulance. This shall not restrict an ambulance from providing advanced life support care, and charging for such care, when the appropriate staffing and equipment levels can be met.
- E. Ambulance Crew Members. No patient shall be transported in an ambulance which is based in the county unless there are two (2) or more crew members, including the driver, present and authorized to operate the ambulance in accordance with the requirements for an advanced life support ambulance or basic life support ambulance. A licensed ambulance shall be driven only by a person with a valid driver's license.
- F. Exceptions to Licensing and Permits Requirements. The provisions of the licensing and permit paragraphs as set forth above shall not apply to the following:
1. 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;

2. Ambulances from outside the County and/or another vehicle rendering services as an ambulance in case of a major catastrophe or disaster when ambulances with permits based in the localities of the catastrophe or emergency are insufficient to render the services required;
3. Vehicles used or designated for the scheduled transportation of convalescent patients, handicapped individuals, or persons who would not be expected to require skilled treatment or care while in the vehicle;
4. Ambulances based outside of Fremont County, which are transporting a patient in/through Fremont County when the transport originated outside of Fremont County;
5. An ambulance service that does not transport patients from points originating in Colorado, or transporting a patient originating outside the borders of Colorado.
6. Vehicles used solely for the transportation of intoxicated persons or persons incapacitated by alcohol as defined in Section 25-1-302, C.R.S. as amended, 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.
7. A service licensed as an ALS company will make every effort to staff every ambulance with ALS personnel, and a service licensed as a BLS company will make every effort to staff every ambulance with BLS personnel. However, in the case of an emergency in any ambulance service area where no person possessing the qualifications required by these regulations is present or available to respond to a call for the emergency treatment and transportation of patients by ambulance, any person may operate such an ambulance to transport any sick, injured, or otherwise incapacitated or helpless person in order to stabilize the medical condition of such a person pending the availability of appropriate medical care. (C.R.S. 25-3.5-202, as amended).

G. Insurance. Each ambulance service shall maintain insurance coverage for each and every ambulance owned, operated or leased by the ambulance service.

1. The insurance shall provide:

a. 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 by law, regardless of whether the ambulance was being driven by the owner, his agent or lessee, or any other person;

b. Coverage as against damage to the property of another, including personal property, under like circumstances, in amounts as required by Colorado state law; and

c. Worker's compensation coverage consistent with the Colorado Worker's Compensation Act of CRS title 8, articles 40-47.

2. Proof of insurance showing the County as a certificate holder, shall be filed with the Board, together 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.
 3. Proof of renewal of any and all insurance policies shall be provided to the Board. The Board shall be identified to the insurance company, in order that it will receive, automatically from the insurance company, notification of any policy changes, renewals, lapses, or cancellations.
 4. 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, termination or revocation of said insurance policy shall be given to the Board.
 5. Any changes 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 within thirty (30) days of the changes.
 6. Notification of any changes in insurance shall be made in writing within thirty (30) days of such changes to the Board, 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 the County.
 7. The Board shall be provided with documentation from the applicant that information regarding the amount of professional liability insurance the ambulance service carries was provided to all volunteers and employees.
- H. Ambulance Specifications. Ground vehicles obtained, licensed and placed in use as ambulances, shall meet the requirements as adopted by the State of Colorado. Variances of the above-mentioned specifications may be granted at the discretion of the Board. Except for temporary replacement vehicles, all ambulances shall have the name of the ambulance service clearly visible on said vehicles.
- I. Ambulance Equipment. Each ambulance shall contain the following equipment which shall be maintained in good working order:

1. Emergency lighting, audible warning equipment and special markings compliant with Colorado law for emergency vehicles.
 2. Safe tires and in addition, adequate snow tires or chains when weather conditions demand.
 3. Radio communications equipment, maintained in good working order, that is capable of transmitting and receiving clear voice communications and is compatible with E-911 dispatch, and one or more emergency facilities or a physician, receiving facilities, mutual aid agencies, and ten channel medical radio communications capability.
 4. Safety belts and/or other restraining devices for each patient and all personnel.
 5. A functioning fire extinguisher with current annual inspection of the all-purpose dry chemical type, ABC, and of the size as specified on the equipment list for the County.
 6. The minimal required equipment as established by the CDPHE Regulations. The Board may add to this list at their discretion as other needs or new methodology becomes known.
 7. Required equipment may be swapped between in-service and out-of-service ambulances, but under no circumstances shall an ambulance be placed in-service or operated at the permitted level with less than the minimum required equipment.
- J. Inspections. The Board shall appoint and direct personnel to inspect each ambulance to be issued a permit under a valid license in the County once a year or more often if required by the Board. Such inspections shall determine that each such ambulance is being properly maintained and contains the equipment specified in these regulations. Inspections shall also ensure that all equipment on the ambulance is properly secured, and medications and supplies are maintained and stored according to the manufacturer's recommendations and any federal, state or local requirements. Maintenance records shall be made immediately available upon the Boards 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 requirement of any other applicable Colorado law. The permit for each ambulance shall be posted in the patient compartment of the ambulance and made available for inspection by the Board. An ambulance will not be required to be taken out of service during a permit inspection. However, if an inspection is interrupted due to a call for service, the entire inspection must be repeated.

- K. Medical Oversight. All ambulance services based in the County shall have a local Medical Director, meeting the requirements as defined in the EMS Practice and Medical Director Oversight Rules at 6 CCR 1015-3, Chapter Two to supervise the medical acts performed by all personnel on the ambulance service. A licensee shall inform the Board in writing, within 15 calendar days, of changes in medical oversight of the ambulance service and/or the medical director of record. The Medical Director shall be notified in writing by the Board of any violations of these regulations by the ambulance service or individual licensee.
- L. Quality Improvement. Each licensed ambulance service operating within the County shall have an ongoing medical continuous quality improvement program consistent with the requirements as defined in the EMS Practice and Medical Director Oversight Rules at 6 CCR 1015-3, Chapter Two.
- M. General Regulations.
1. The Board shall be authorized to enforce such rules and regulations as it deems necessary to provide for quality emergency medical services and ensure compliance with Colorado law and any resolution adopted by the Board, which regulate the operation and licensing of ambulance services in the County.
 2. The Board may appoint an individual or office to represent the board and fulfill any or all of the responsibilities listed in these regulations. This "Authorized Representative" shall be responsible to the Board.
 3. All ambulances shall deliver patients to the 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 emergent, the ambulance service shall deliver the patient to the most appropriate emergency facility when the physician at the emergency facility places a hold on the patient. In all cases where a preference is not expressed, the ambulance service should deliver the patient to the most appropriate emergency facility. For the public good, in the case of ambulances owned by public entities, previously defined boundaries of an ambulance service area and its delivery destination may override the patient's choice or may require that the patient be transferred to another ambulance service.
 4. In the event of an incident where transportation of serious trauma or multiple patients (two or more) is possible, the ambulance service(s) should notify the receiving emergency facility as soon as possible after arriving on the incident scene. The emergency facility may issue special transport instructions which may include delivery of the patient(s) to alternate and appropriate emergency facilities.
 5. No licensed ambulance service shall operate from locations other than those on file with the Board nor shall such licensed ambulance service abandon said location without prior notification to the Board.

6. Each ambulance service shall make available statistical information concerning the transportation of patients as specified by the Board. The licensee shall make available any statistical information concerning the transportation of patients upon request of the Board.

7. An ambulance service operating in the County must comply with all County zoning, and other regulations.

8. All ambulance services shall, upon request, submit to the County copies of the ambulance service's written policy and procedure manual, operational or medical protocols, or other documentation the County may deem necessary.

9. The County shall accept Ambulance Permits issued by another Colorado county as if issued by Fremont County, for ambulances operating in more than one county and not based in Fremont County. Ambulances based in Fremont County shall be required to have a valid County ambulance permit, regardless of whether the ambulance is operated in other counties.

ARTICLE III

LICENSES & PERMITS:

A. Application for Ambulance Service License. An application for an ambulance service shall be submitted in writing to the Board and shall contain the following information and necessary supporting documents:

1. The name, address, and telephone number of the ambulance service and each individual licensee.

2. The name, address, and telephone number of the owner of the ambulance service, and the status of the owner as sole proprietor, partnership, or corporation.

3. The name, address, telephone number, and position of the person applying for the license, hereinafter referred to as the applicant.

4. The name, address, and telephone number of the person responsible for the management of the operations on a daily basis.

5. The name, address, and telephone number of each director and officer of any corporation owning or applying for an ambulance service license, and the name, address, and telephone number of each partner of any partnership and each member of any other entity owning or applying for an ambulance service license.

6. The number of vehicles operated by the ambulance service, both within the County and those operated in any other county.

7. The locations within the County from which each ambulance will operate.
 8. The geographic area to be served by the ambulance service.
 9. The name, address, and telephone number of the Medical Director of the ambulance service.
 10. An attestation by the medical director of willingness to provide medical oversight and a medical continuous quality improvement program for the ambulance service
 11. A statement from the Licensee that the equipment, personnel and the ambulances are in compliance with the provisions of these regulations and applicable federal and state laws and regulations.
 12. Certificate of insurance as set forth and required in these regulations. Self-insured municipalities shall provide proof of insurance as required by the Board.
 13. A fee in the amount of one hundred dollars (\$100.00) for the ambulance service license, by check or money order made payable to the Board. A fee of ten dollars (\$10.00) for each ambulance permit, by check or money order made payable to the Board, shall be presented at or before the time of the inspection(s). The Board may waive payment of such fees for ambulance services operated by municipalities or special districts (C.R.S. 25-3.5-301, as amended). Request for waiver will be processed in the same manner as a new or renewal application.
 14. A list of all paid or unpaid personnel, together with copies of all current certifications for such personnel. All new personnel information and renewal certifications shall be sent to the Board within thirty (30) days of hire or renewal. The personnel list shall include: name, date of hire, certification numbers, and drivers license number(s).
 15. Any changes to any license information shall be sent to the Board within thirty (30) days of said change, except when a different time frame is specifically required pursuant to these regulations.
- B. Issuance of Ambulance Service License & Vehicle Permit(s). Upon receipt of an application for a license to provide ambulance service and vehicle permit(s); the Board shall review the application and the applicant's record. The Board may recommend that a resolution be passed to issue the applicant a license to operate an ambulance service and authorize the issuance of permits for each ambulance inspected. An Ambulance Service License shall be signed by the Chairman or his/her replacement to the Board and witnessed by the County Clerk. An Ambulance Permit may be signed, on behalf of the Board, by the person conducting the inspection. A license and/or permit is valid when issued, and shall be valid for a period of twelve (12) months following the date of issue providing that:

1. The ambulance service staff, vehicle, equipment, and locations remain in compliance with the requirements of these regulations.
2. The ambulance service personnel are certified or possess at the least the minimum qualifications set forth in provisions of these regulations.

A license or permit expires at 11:59 p.m., on April 30 of each year unless revoked or suspended earlier by the Board. A permit is valid only as long as the service holds a valid County Ambulance Service License.

In the event an Ambulance Service License expires, all Ambulance Permits held by the service shall be temporarily invalid. Upon restoration of a license, any permits rendered temporarily invalid shall become valid and their original expiration dates restored. If the licensee does not intend to renew said license, all permits must be returned to the Board within 48 hours.

- C. Ambulance Service License Renewal. Any such license, unless revoked by the Board, may be renewed by filing an application for renewal. Applications for renewal shall be filed annually, BUT NOT LESS THAN THIRTY (30) DAYS BEFORE THE DATE THE LICENSE EXPIRES. Failure to receive notice of renewal from the County shall not release the individual agency from its responsibility for renewal of said license. If the renewal application is not received at least thirty (30) days prior to expiration, and the applicant's license expires, the applicant shall cease operation until the license is reissued. A renewed license becomes effective on the day the old license expires or as of the time of reissue, whichever is later. The renewed license shall be mailed to the applicant and shall be valid for a period of twelve (12) months, or until April 30.
- D. Ambulance Permit Renewal. Any such permit, unless revoked or suspended by the Board, may be renewed by a licensed ambulance service by requesting and scheduling an inspection. Requests for renewal inspections must be made annually, BUT NOT LESS THAN FIFTEEN (15) DAYS BEFORE THE DATE THE PERMIT EXPIRES. Requests should be made to the Board and may be made in writing or by telephone. The County will not provide renewal notices. If a request is not received at least fifteen (15) days prior to expiration, and the applicant's permit expires, the ambulance shall be taken out-of-service until the permit is reissued. The renewed permit will be issued at the time of the inspection and shall be valid for a period of twelve (12) months following the date of issue.
- E. Transfer of License or Permits. No license or permit issued by the Board shall be sold, assigned, or otherwise transferred.
- F. Change of Ownership. Prior to beginning operations and upon change of ownership of an ambulance service, the new owner or operator must file for and obtain a new ambulance service license and ambulance permit. Any sale or exchange of stock in excess of twenty-five

percent (25%) of the total outstanding stock of a privately held corporation to anyone other than an existing stockholder at the time of the original issuance of the license shall be deemed a change of ownership for the purpose of these regulations.

G. Reporting.

1. Licensed ambulance services shall complete a patient care report for each patient that is assessed. The patient care report shall include the minimum pre-hospital care data as set forth in the Rules Pertaining to Emergency Medical Services Data and Information Collection and Record Keeping at 6 CCR 1015-3, Chapter Three.

2. Ambulance services shall provide patient care information to the CDPHE pursuant to the Rules Pertaining to Emergency Medical Services Data and Information Collection and Record Keeping at 6 CCR 1015-3, Chapter Three.

3. Each licensed ambulance service shall complete and submit to the CDPHE an agency profile as defined by the State Emergency Medical and Trauma Services Advisory Council and approved by CDPHE to provide information on resources available for planning and coordination of statewide emergency medical and trauma services on an annual basis.

4. It is recommended that all licensed ambulance services utilize the statewide emergency medical services uniform pre-hospital care reporting system operated by the Department of Public Health & Environment, EMS Division. Those ambulance services that do not utilize the statewide reporting system, shall be required to complete an annual report with information consistent with the information derived from the uniform system and submit said report to the CDPHE-EMS Division and to the Board.

ARTICLE IV

COMPLAINT AND INVESTIGATION PROCEDURE:

A. The County has adopted a complaint and investigation policy and procedure which is intended to address:

1. Complaints against any ambulance service licensed in the County;

2. Allegations of unlicensed ambulance services or vehicles without a valid permit operating within the County.

B. The policy includes, but is not limited to, the procedures associated with complaint intake; complaint validation; criteria for initiating an investigation; a method for notification to the complainant about the resolution of the investigation; and a method for the notification of other local entities with jurisdiction over ambulance services, the department and/or the Colorado Medical Board for complaints regarding EMS Providers or other medical personnel

associated with the service or the medical director.

- C. The County shall notify the primary medical director of the ambulance service, in writing, of any violation of the ambulance licensing regulations by the ambulance service or alleged complaints or violations by individual medical providers operating on an ambulance service.

ARTICLE V

REVOCAATION/SUSPENSION PROCEDURES AND HEARINGS:

- A. The Board may on its own motion or on complaint, after an investigation and/or public hearing at which the licensee shall be afforded an opportunity to be heard; suspend or revoke any license or permit issued by the Board pursuant to these regulations. The Board may temporarily suspend, for a period not to exceed thirty days, any license or permit issued pursuant to these regulations, pending any prosecution, investigation, or public hearing. 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 Board may suspend any license or permit, 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 or permit was suspended may apply for a new license or permit as in the case of an original application. Upon a second violation or failure to comply with any provision of these regulations by any licensee, the Board may permanently revoke such license or permit.
- B. When appropriate, the Board should make every effort to consult with and include the Fremont County EMS Council in any revocation/suspension proceedings.
- C. All hearings before the Board shall be public and every vote and official act of the Board shall be public. The Board 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.
- D. 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 or permit holder at the address contained in such license application.
- E. If any license is suspended or revoked, no part of the fees paid therefore shall be returned to the licensee.
- F. Notice of temporary suspension of a permit for the operation of any individual ambulance shall be made in writing at any time following inspection by the Board. The Notice of Temporary Suspension shall include specific information regarding steps necessary for correction of the deficiency. The Board shall have a hearing on the temporary suspension of such permit, and such hearing shall be conducted within ten (10) days following temporary

suspension. The permit may be reinstated by the Board prior to such hearing, following a reinspection that determines the ambulance fully complies with the provisions of these regulations. Upon issuance of a reinstatement permit, any scheduled hearing shall be vacated. In all cases, whether or not a hearing is held, an inspection must be conducted prior to resuming operation.

- G. Upon revocation or suspension of an ambulance service license, all vehicle permits issued to said ambulance service will be automatically suspended or revoked, and the license and all permits must be returned to the Board within 48 hours.
- H. The Board shall notify local law enforcement authorities, fire department, hospitals and medical director(s) of any such revocation or suspension.
- I. The following practices shall be unlawful and may be grounds for a suspension or revocation of a license:
 - 1. Violation of any provision of these regulations;
 - 2. Violation of any state or federal law, rule or regulation, or applicable ordinance or regulation of any municipality of the County.
 - 3. Willful and deliberate failure to respond to any call in the absence of good cause shown. Private companies may choose not to accept a call, but must respond once and if a call is accepted.
 - 4. Willful and deliberate failure to transport a patient when required by nature of the injury, unless an informed patient refusal is signed by the patient or guardian.
 - 5. Administration of unnecessary treatment or supplies to a patient for the purpose of increasing the patient's bill.
 - 6. Advertisement, claims of, or charging as an Advanced Life Support ambulance when permitted, staffed or equipped as a Basic Life Support ambulance.
 - 7. 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 or standing order.
 - 8. Responding to a call for ambulance service by an ambulance service company that has not been requested, with the knowledge that another ambulance service company has been notified to respond to the call or is actually responding to the call ("call jumping").
 - 9. Conduct which constitutes a threat to the health or safety of the individuals receiving emergency care from a licensed ambulance service or services.

ARTICLE VI

MISCELLANEOUS:

- A. 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.
- B. Alleged Negligence.
1. In any legal action filed against a licensee in which it is alleged that 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.
 2. If a judgment is entered against such licensee, he shall, within thirty (30) days, file a copy of the findings of fact and conclusions of law, and order of the court, with the Board and with the Clerk and Recorder of the County. The Board shall take note of such judgment for purposes of investigation and appropriate action if a violation of these regulations is present.
 3. The licensee shall notify the Board of any lawsuit pending against the licensee in reference to the above Section, A and B.
- C. Violation - Penalty. Any person who violates any provision of these regulations, which is required pursuant to §25-3.5-301, et seq., C.R.S., commits a class 3 misdemeanor, and shall be punished as provided by law.
- D. Remedies. These regulations create 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.
- E. 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.
- F. Responsibilities of the Board. The Board of County Commissioners will:
1. Comply with all provisions of 25-3.5-301, C.R.S., as amended, regarding the inspection and licensing of ambulances.
 2. Develop and maintain an emergency medical services plan as part of the Health & Medical Annex (Annex H) to the Local Emergency Operations Plan which:
 - a. Outlines the emergency medical services which are and are not available in particular areas of the County.

- b. Identifies ways in which emergency medical services providers can coordinate responses so that such responses are cooperative rather than duplicative.
 - c. Promotes mechanisms for the efficient sharing of resources in disasters or multiple casualty incidents, such as mutual aid agreements between counties and adjacent emergency medical service entities;
3. Each year, submit to the local EMS Council on Emergency Medical Services, an annual report which details the County's emergency medical services plan and any revisions to such plan and which details the expenditure of moneys received.