

RESOLUTION NO. 24-32

**THE BOARD OF COUNTY COMMISSIONERS
OF HUERFANO COUNTY, COLORADO**

**A RESOLUTION AMEND RESOLUTION 17-53 AND ESTABLISH
PROCEDURES FOR LOCAL AUTHORIZATION TO OPERATE
AMBULANCE SERVICES WITHIN HUERFANO COUNTY**

WHEREAS, SB22-225 and §25-3.5-314, C.R.S. transferred regulatory authority to the State of Colorado and require ambulance service providers to obtain a license from the Colorado Department of Public Health and Environment to operate on and after July 1, 2024; and,

WHEREAS, SB22-225 and §25-3.5-314, C.R.S. require ambulance service providers licensed by the State of Colorado to receive local authorization to operate within the County’s jurisdiction but eliminate the County’s authority to enforce the efficient and effective regulations previously enacted by the County; and

WHEREAS, §25-3.5-314, C.R.S. authorizes the County to adopt a resolution “governing the authorization to operate ambulance services within the county”; and

WHEREAS, on May 9th, 2017, the County adopted Resolution 17-53 regarding the County’s authority to regulate ambulance services; and

WHEREAS, on June 11th, 2024 the County adopted Resolution 24-26 regarding certain ambulance services regulated by the County; and

WHEREAS, on the Board desires to act as the local authorizing authority for ground ambulance services and establish a procedure to establish local authorization to operate ambulance services within Huerfano County.

NOW, THEREFORE, BE IT RESOLVED, by the Huerfano County Board of County Commissioners that the Huerfano County Ambulance Licensing and Inspection Policy adopted with Resolution 17-53 is hereby amended as follows:

1. The Policy is renamed the Huerfano County Ambulance Authorization to Operate Policy.
2. Part A. Definitions, is amended to strike items 1 through 33 and to insert the following:

The definitions set forth in C.R.S. §25-3.5-101 et seq. and 6 CCR 1015-3, as the same may be amended from time to time, shall apply to this policy, unless the context clearly requires a different meaning. Definitions within the emergency services industry shall be used as context requires and as determined by the Board of County Commissioners.

3. Part B. Regulations, is amended to strike items 2 through 4 and renumber item 5 to be the revised item 2. Item 1 and the revised Item 2 are amended to read as follows:

1. No person or agency shall provide ambulance service, publicly or privately, in the county unless that person or agency obtains a valid authorization to operate issued by the Board of County Commissioners, is provided in this policy. An authorization to operate issued by the board of county commissioners shall be valid for two years from date of issuance, unless suspended, revoked, terminated, or otherwise modified prior to expiration of such two years. A person or agency may seek to renew an authorization to operate by following the same application and review process as for a new authorization to operate under this article. Each ambulance operated within the county shall bear evidence that it's equipped and meets or exceeds the minimum requirements set forth in 6 CCR-1015-3 et seq.

2. The requirements to obtain an authorization to operate from the County shall not apply to instances in which a state license is not required pursuant to C.R.S. § 25-3.5-314(2) or 6 CCR 1015-3 (including without limitation under Sections 3.3 and 16.2.2 of Chapter 4 and Section 3 of Chapter 5)

4. Part C. Insurance is hereby amended to strike items 3 through 6. Item 1 and Item 2 are amended to read as follows:

1. No ambulance shall operate in the county unless it is covered at all times by the minimum amounts of general liability insurance, motor vehicle liability insurance, and any other insurance policies as required by state law.

2. Proof of insurance shall be filed with the County along with the application for an ambulance service authorization to operate as required in this article. At any time, such insurance is required to be renewed or otherwise revised, proof of renewal shall be provided to the County.

5. Part D. Standards, is repealed and Part E is renumbered to be the revised Part D.

6. Part E. Licenses now the revised Part D. is renamed "Authorization to Operate Application", and amended to strike items 1 through 6 and insert the following:

An application for an ambulance service authorization to operate shall be submitted in writing to the County. An application to renew an existing authorization to operate shall be submitted at least thirty (30) days prior to expiration of the existing authorization to operate in order to avoid a gap in authorization. All applications shall be filed with the County Administrator containing the following information and attaching necessary supporting documents.

1. Information for the owner/parent company of the ambulance service, including

name, mailing address, telephone number, and the status of the owner as sole proprietor, partnership, corporation, or a unit of local government.

2. Ambulance service name, mailing address, and telephone number.

3. Information for the individual submitting the application for authorization to operate, including name, mailing address, telephone number, and email address.

4. Information for the person who will be in charge of the operation of the ambulance service including name, mailing address, telephone number, and email address.

5. The location and description of the place or places from which it is intended to operate an ambulance service and evidence of compliance with any applicable land use, zoning, and building code regulations.

6. Description of primary service area to be served by the proposed ambulance service. If less than the entire County attach a map.

7. Attach: Evidence of the insurance policies as set forth in Part C.

8. Attach: A copy of the state-issued license letter, along with the attached license certificate and vehicle permit documents.

9. Attach for new applications only: A letter explaining how the service is needed in the intended service area. Letters of support from existing service providers or other emergency response or public health agencies are encouraged.

7. A new Part E. Application Procedures, is hereby created and reads as follows:

1. Upon receipt of all required documents, applications shall be scheduled for a hearing before the Board. The Board shall approve or deny applications upon making the following findings:

a. The need, justification and supporting documents for the service, including without limitation proof of all necessary licenses issued by the state.

b. Service history and record of the ambulance service (renewal only).

c. Description of area to be served.

d. Response time to population centers within the designated service area and to the nearest hospital from the location where the ambulance will be operated.

e. How the new service will interact or conflict with existing services and fire agencies (new services only).

2. If the Board denies the application, it shall advise the applicant in writing of the

reasons for the denial.

3. The County Administrator, and other County staff designated by the County Administrator, are authorized to review applications and make recommendations to the Board of County Commissioners regarding an application's compliance with this policy and other applicable law.

4. The County Administrator is authorized to convert the requirements of Part D into an application form and assign submission and handling of that form to a County Department

4. Upon approval of an application the County will issue a letter signed by the Chair of the Board and the County Clerk and Recorder confirming the authorization to operate.

8. Part F. Complaints and Investigation is amended to strike items 1 through 8 and insert the following:

1. The County Administrator, upon receipt of a complaint, may commence investigation of any violation of this policy. The Ambulance Service shall be issued a notice of the alleged violations or charges for which the investigation is being conducted and the County Administrator will work with the Ambulance Service to complete the investigation and resolve the complaint. If the complaint cannot be resolved, or the complainant is not satisfied by the resolution, the County Administrator will forward the complaint to the Board. All complaints related to operators or services that are not operating pursuant to an authorization to operate issued by the Board will be forwarded to the appropriate state agency (and, if easily ascertainable, a county that has issued an applicable authorization to operate).

2. The Board, upon its own motion or upon receipt of a complaint forwarded by the County Administrator, may commence investigation of any violation of this policy. A hearing date shall be set within thirty days of the commencement of the action. Such hearing date may be continued for good cause shown to the Board.

3. The Ambulance Service shall be issued a notice of the alleged violations or charges for which the investigation is being conducted. Service of Notice of Violation and of hearing dates shall be by certified mail, return receipt requested, or personal delivery to the person in charge of the operation at the address contained in such Authorization to Operate application.

4. At the hearing, the Ambulance Service shall be afforded an opportunity to be heard. The hearing shall be open to the public and every vote and official act of the Board shall be public.

- a. Upon determining that the Ambulance Service, its employees, agents, representatives or contractors failed to comply with any provision of the Division rules, or of this policy, the Board may suspend, cancel, or revoke Authorization to Operate, for any portion of or for the remainder of its life. At the end of such period, the Ambulance Service whose Authorization to Operate was suspended, canceled, or revoked may apply for Authorization to Operate as an original application.
 - b. Upon a second violation or failure to comply with any provision of the Division rules, or of this policy, the Board may permanently revoke Authorization to Operate.
6. As a condition of Authorization to Operate, the holder thereof shall provide any records necessary to the determination of any issue at any hearing conducted by the Board.
 7. The County Administrator shall notify the appropriate state agency, local law enforcement authorities, fire departments, and hospitals of revocation or suspension.
 9. Part G. Revocation/Suspension Procedures and Hearings, is repealed and Part H is renumbered to be the revised Part G.

INTRODUCED, READ, APPROVED AND ADOPTED THIS 9th day of JULY 2024.



ATTEST:

 County Clerk and Recorder and
 Ex-Officio Clerk to said Board

BOARD OF COUNTY COMMISSIONERS
 OF HUERFANO COUNTY, COLORADO

BY _____
 Arica Andreatta, Commissioner

 Karl Sporleder, Commissioner

 Mitchell Wardell, Commissioner