

## CHAPTER 7

### Emergency Medical Services

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## ARTICLE I

## General Provisions

**Sec. 7-1-10. Purpose.**

The purpose of this Chapter is to set forth the requirements for high quality emergency medical services to all citizens of the County. It is the intent of the Board of County Commissioners that emergency medical service in the County will consist of, at a minimum, timely response, transportation, treatment, communication and documentation subsystems designed to prevent premature mortality and to reduce the morbidity that arises from critical injuries, exposure to poisonous substances and illnesses. (Weld County Codification Ordinance 2000-1; Weld County Code Ordinance 2007-8)

**Sec. 7-1-20. Delegation.**

A. The Board of County Commissioners designates and delegates to the Director of the Weld County Department of Public Health and Environment the authority to manage the Emergency Medical Services Rules and Regulations as set out in this Chapter. Under the direction of the Board, inspections, licenses, permits, applications and other functions necessary to implement this Chapter shall be the responsibility of the Director.

B. The Director shall be authorized to promulgate and enforce such rules and regulations for the operation and licensing of ambulance services in the County as the Director deems necessary to provide for quality emergency medical services and to ensure compliance with state law and any resolution adopted by the Board. (Weld County Codification Ordinance 2000-1; Weld County Code Ordinance 2007-8)

**Sec. 7-1-30. Definitions.**

The following definitions shall apply in the interpretation and enforcement of this Chapter.

*Advanced life support personnel* means a minimum of two (2) individuals, including at least one (1) state-licensed Registered Nurse, or one (1) state-certified EMT-Paramedic or EMT Intermediate, and the second individual must be, at a minimum, a current state-certified EMT-Basic. One (1) of the two (2) individuals may also serve as the emergency vehicle operator of the ambulance.

*Air ambulance* means a fixed-wing or rotor-wing aircraft that is equipped to provide air transportation and is specifically designed to accommodate the medical needs of individuals who are ill, injured or otherwise mentally or physically incapacitated and who require in-flight medical supervision.

*Ambulance* means any privately or publicly owned land vehicle especially constructed or modified and equipped, intended to be used and maintained or operated by an ambulance service for the transportation in the County of individuals who are sick, injured or otherwise incapacitated or helpless. For the purposes of this Chapter, *ambulance* shall not include air vehicles used in air medical transport because, by state law, such air ambulances are licensed by the Colorado Department of Public Health and Environment.

a. *Basic life support ambulance* means an ambulance that meets the requirements for equipment as established by the Board of County Commissioners and is staffed by at least one (1) Emergency Medical Technician-Basic/EMT-B currently certified by the State, and a driver that, as a minimum, has a current American Red Cross Advanced First Aid Card, an American Heart Association Health Care Provider Cardiopulmonary Resuscitation Card or its equivalent, or the equivalent of both as established by the State Advisory Council on Emergency Medical Services, and a valid Colorado driver's license.

b. *Advanced life support ambulance* means an ambulance which, in addition to meeting the basic requirements for equipment, has on board the equipment and medications required by the Physician Advisor's protocol, and which operates with advanced life support personnel. An ALS Transport shall include the scope of practice of a state-certified EMT-Paramedic or EMT-Intermediate.

*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. Taken in context, it also means the person so engaged or professing to be 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.

*Ambulance service license* means a nonexclusive authorization issued by the Board of County Commissioners to operate an ambulance service, publicly or privately within the County. The license shall issue only to ambulance services whose primary base of operation is located in the County, or whose operation includes providing primary care in the County.

*Ambulance vehicle permit* means the authorization issued by the Department with respect to an ambulance used or to be used to provide ambulance service in the County.

*Applicant* means that person or entity who is an initial applicant or an applicant for renewal for an ambulance service license or ambulance vehicle permit.

*Current E.M.S. laws* means the Emergency Medical Services Act, Section 25-3.5-101 et seq., C.R.S., as amended; the Colorado Department of Public Health and Environment Rules Pertaining to Emergency Medical Services, 6 C.C.R. § 1015-3, as amended; and Colorado Board of Medical Examiners Rule 500, 3 C.C.R. § 713-6, as amended.

*Department* means the Weld County Department of Public Health and Environment.

*Director* means the Director of the Weld County Department of Public Health and Environment.

*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.

*Emergency medical services* means the services, or the training therein, utilized in a pre-hospital environment in response to the perceived individual needs for prevention of: loss of life, further aggravation to physiological and/or psychological injury, and/or inherent harm to an individual or group of individuals.

*Emergency Medical Technician (EMT)* means an individual who holds a valid Emergency Medical Technician certificate issued by the Colorado Department of Public Health and Environment, as provided in the Emergency Medical Services Act, Section 25-3.5-101 et seq., C.R.S.

a. *Emergency Medical Technician-Basic (EMT-B)* means an individual who has been duly certified by the Emergency Medical Services Division of the Colorado Department of Public Health and Environment, and who is authorized to provide basic emergency medical care in accordance with the acts allowed by the Colorado State Board of Medical Examiners and the rules of the Colorado Board of Health.

b. *Emergency Medical Technician-Intermediate (EMT-I)* means an individual who has been duly certified by the Emergency Medical Services Division of the Colorado

Department of Public Health and Environment, and who is authorized to provide emergency medical care in accordance with the acts allowed by the Colorado State Board of Medical Examiners and the Colorado Board of Health.

*c. Emergency Medical Technician-Paramedic* means an individual who has been duly certified by the Emergency Medical Services Division of the Colorado Department of Public Health and Environment and who is authorized to provide advanced emergency medical care in accordance with the acts allowed by the Colorado State Board of Medical Examiners and the rules of the Colorado Board of Health.

*Emergency vehicle operator* means any person authorized to drive an ambulance in the County as provided in this Chapter.

*First Responder* means an individual who has successfully completed the First Responder Certification Program administered by the Division of Fire Safety pursuant to Section 24-33.5-1201 et seq., C.R.S., and the applicable regulations of the Colorado State Department of Public Safety.

*Medical Director* means a physician who holds an active Colorado medical license, who establishes protocols and standing orders for medical acts performed by First Responders, Registered Nurses or Colorado-certified EMTs of a prehospital EMS service agency and who is specifically identified as being responsible to assure the competency of the performance of those acts by such First Responders, Registered Nurses or Colorado-certified EMTs.

*Patient* means any individual who is sick, injured or otherwise incapacitated or helpless.

*Physician advisor* means a medical director.

*Primary care* means the initial response and care for emergency medical services, either by contract or agreement.

*Quick response team* means any organized group of individuals trained, at a minimum, as First Responders, which provides initial care to a patient prior to the arrival of an ambulance.

*Registered Nurse (R.N.)* means a person duly licensed under the provisions of the Professional Nurse Practice Act of the State of Colorado.

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

*Standby service* means a service provided by contract or on a voluntary basis to provide emergency medical services at special events, including athletic and competitive events, which may pose a potential hazard for injury or death and require immediate emergency medical care. Standby service providers must comply with all requirements, including but not limited to insurance requirements for emergency medical service providers set forth in this Chapter. (Weld County Codification Ordinance 2000-1; Weld County Code Ordinance 2007-8)

## ARTICLE II

### Licenses and Permits

#### Sec. 7-2-10. License for ambulance service.

No person shall provide or operate an ambulance service publicly or privately in the County unless that person holds a valid license to do so issued by the Department, except as provided in Section 7-2-80 below. The fee for said license shall be set by separate ordinance. (Weld County Codification Ordinance 2000-1)

**Sec. 7-2-20. Vehicle permit for each ambulance.**

In addition to the license required by Section 7-2-10 above, for an ambulance service, the Department shall issue a permit for each ambulance used. Said ambulance vehicle permit shall be issued upon a finding that the applicant's vehicle and equipment comply with the requirements of this Chapter and the applicable requirements set forth in the current EMS Laws. The permit issued for each vehicle will describe the maximum level of service that can be provided by that vehicle (e.g., "ambulance basic life support" or "ambulance advanced life support"). The ambulance vehicle permit fee shall be set by separate ordinance. (Weld County Codification Ordinance 2000-1; Weld County Code Ordinance 2007-8)

**Sec. 7-2-30. Expiration of licenses and permits.**

All ambulance service licenses and ambulance vehicle permits issued by the County shall expire on December 31 of the year issued. (Weld County Code Ordinance 2007-8)

**Sec. 7-2-40. Medical director required.**

Each ambulance service licensed in the County shall have a medical director, who shall comply with all of the appropriate requirements of the current EMS Laws. The medical director shall be notified in writing by the Department of any violation of this Chapter by any ambulance service or individual licensee for which the medical director provides services and oversight. (Weld County Code Ordinance 2007-8)

**Sec. 7-2-50. Advanced life support ambulance.**

When an ambulance service operates or charges as a paramedic or advanced life support ambulance service, the staffing and equipment must comply with the definition of *advanced life support ambulance*. (Weld County Code Ordinance 2007-8)

**Sec. 7-2-60. Basic life support ambulance.**

Any ambulance staffed and operating as a basic life support ambulance service shall in no way advertise, display or claim to be an advanced life support ambulance service unless it is licensed as such. (Weld County Codification Ordinance 2000-1)

**Sec. 7-2-70. Reciprocal agreements with other jurisdictions.**

The County may enter into reciprocal licensing and permitting agreements with other counties and neighboring states. (Weld County Code Ordinance 2007-8)

**Sec. 7-2-80. Exclusions.**

The provisions of this Chapter shall not apply to the following:

A. The exceptional emergency use of a privately or publicly owned vehicle, including search and rescue unit and quick response vehicles 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.

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 the State or the County which are not providing primary care, but are solely transporting a patient in the County and which are licensed by another state or by another Colorado county.

D. Vehicles used or designated for the scheduled transportation of convalescent patients, individuals with disabilities or persons who would not be expected to require skilled treatment or care while in the vehicle.

E. Vehicles used solely for the transportation of intoxicated persons or persons incapacitated by alcohol as defined in Section 25-1-302, C.R.S., 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. (Weld County Code Ordinance 2007-8)

**Sec. 7-2-90. Application requirements.**

Every applicant for an ambulance service license or an ambulance vehicle permit shall complete and submit to the Department an application and supporting documents for approval. Said application for approval shall contain but not be limited to the following information:

- A. The name, address and telephone number of the owner of the ambulance service.
- B. The name, address and current telephone number of the person who will be in charge of the operation of the ambulance service.
- C. The description of the ambulance, including the make, model, year of manufacture, current Colorado state license number, motor vehicle chassis number and length of time the vehicle has been in service.
- D. The location and description of the place or places from which the ambulance service will operate.
- E. The name, address and telephone number of the required medical director to the ambulance service, and an attestation by the medical director of willingness to provide medical oversight and a medical continuous quality improvement program for the ambulance service.
- F. The area to be served by the ambulance service.
- G. A list of all emergency medical service providers who may be called upon to respond to an emergency with the ambulance service. This list shall include the following information on each person:
  - 1. Complete name, address and date of birth.
  - 2. The highest level of certification, licensure or training attained.
  - 3. A copy of a current EMT-B, EMT-I or EMT-P certificate issued by the Colorado Department of Public Health and Environment; nurse licensure or an Advanced First Aid card from the American Red Cross; or a First Responder course completion certificate issued by a Division-recognized training center or training group.
  - 4. Proof of a valid Colorado driver's license.
  - 5. A statement of criminal complaint or convictions, including Class I and II traffic violations, within the previous twelve (12) months.
- H. Proof of insurance, as required in Section 7-3-60 of this Chapter.
- I. A current copy of EMT or Paramedic protocols adopted by the ambulance service in accordance with standards approved by the ambulance service's medical director.
- J. A current copy of the ambulance service's training standards in accordance with the requirements approved by the ambulance service's medical director. All training must be through a state-certified emergency medical services training center.
- K. Make available for review by the Department current records of compliance with the current EMS Laws.

L. Copies of any judgments entered against the licensee or license applicant within the previous twelve (12) months, including findings of fact, conclusions of law and order by any court or other tribunal.

M. Such other information as the Department may require to make a fair determination. (Weld County Code Ordinance 2007-8)

**Sec. 7-2-100. Approval of application.**

After receipt of an original application for an ambulance service license or ambulance vehicle permit, or a renewal thereof, the Department shall review the application and the applicant's record and provide for an inspection of equipment and vehicles to determine compliance with this Chapter. The Director shall issue a license to the applicant to provide ambulance service and a permit for each ambulance used upon a finding that:

A. The ambulance service staff, vehicles, equipment and location comply with the requirements of this Chapter;

B. The ambulance service's emergency medical technicians are certified in accordance with the rules pertaining to emergency medical services of the Colorado Department of Public Health and Environment; and

C. The applicant has complied in all respects with the requirements of this Chapter. (Weld County Code Ordinance 2007-8)

**Sec. 7-2-110. Fraud or misrepresentation.**

Obtaining or attempting to obtain any license or permit hereunder by fraudulent means or misrepresentation shall be grounds for denial, suspension or revocation of such license or permit. (Weld County Code Ordinance 2007-8)

**Sec. 7-2-120. Additional or replacement vehicles.**

If an ambulance is added to a service's fleet, an application for an ambulance vehicle permit shall be filed with the Department prior to the new ambulance being placed in service, but in no event later than thirty (30) days of receipt of the new ambulance. The completed application shall include a description of the ambulance replaced. Upon receipt of a new ambulance vehicle permit application, the Department shall inspect the new ambulance and issue the new ambulance vehicle permit, if appropriate. (Weld County Code Ordinance 2007-8)

**Sec. 7-2-130. Additional inspections.**

In addition to the inspection required at the time of application, the Department may also visit or contact all ambulance services at any other time during the year, at which time an inspection may or may not be performed. The inspections of the ambulances and related equipment shall cover but not be limited to the following items: condition of the ambulance, safety and warning systems and minimum equipment for the relevant ambulance. Each service shall provide evidence of an adequate ongoing vehicle safety and maintenance program. This shall be a log which shows the dates of the service and list of service performed. The Department may modify this regulation or adopt additional requirements with the consent of the Board of County Commissioners. (Weld County Code Ordinance 2007-8)

**Sec. 7-2-140. Appeal of application denial.**

Any person or entity having been denied a license by the Director may appeal such denial to the Board of County Commissioners. The request for a hearing on such denial must be in writing and shall be filed with the Clerk to the Board no later than thirty (30) days after the date of notification by the Director to the applicant of such denial. The request for a hearing shall specify the grounds of the appeal. A hearing based upon the specific grounds stated in the appeal shall be scheduled and conducted in accordance with Section 7-7-40 of this Chapter. The decision of the Board of County Commissioners shall be based solely on the grounds of the appeal set forth in the applicant's request for hearing. (Weld County Code Ordinance 2007-8)

**Sec. 7-2-150. Change of ownership.**

Any change of ownership shall require a new application and license, with payment of the same license fee as is required for an original application. Any sale or exchange of stock of fifty percent (50%) or more of the total outstanding stock of a corporation shall be deemed a change of ownership for purposes of this Chapter. Any change of ownership or any change of stock ownership of ten percent (10%) or more shall be reported in writing to the Director. (Weld County Code Ordinance 2007-8)

**Sec. 7-2-160. Licenses and permits not transferable.**

No license or permit issued by the Director shall be sold, assigned or otherwise transferred. (Weld County Code Ordinance 2007-8)

**Sec. 7-2-170. Annual renewal.**

All licenses and permits shall be renewed annually, shall expire on December 31 of the year issued, and shall not be renewed until the application has been approved by the Department. All applications for renewal of licenses and permits shall be made not later than sixty (60) days prior to the date of expiration. The Department shall notify, by certified mail, return receipt requested, each licensee of the renewal requirements of this Section, within ninety (90) days prior to the date of expiration. (Weld County Code Ordinance 2007-8)

**Sec. 7-2-180. Change of medical director.**

An ambulance service must report any change of medical director, including name, address and telephone number, to the Director within fifteen (15) calendar days of such change. (Weld County Code Ordinance 2007-8)

**ARTICLE III****Ambulance Operation****Sec. 7-3-10. Emergency vehicle operator.**

For land vehicles, the ambulance driver shall meet the requirements of Section 25-3.5-202, C.R.S. This requirement may be waived in unusual emergency conditions when no driver meeting these requirements is available. (Weld County Code Ordinance 2007-8)

**Sec. 7-3-20. Ambulance crew member training.**

A. No patient shall be transported in an ambulance within the County unless there is available in the patient compartment a Colorado State-certified EMT-Basic or higher level trained person.

B. Ambulances responding to a call without a State-certified EMT-Basic or higher level trained person on board the ambulance shall immediately, upon acknowledgment of the call, notify Weld County Regional Communications Center that the ambulance is responding without such person on board. Upon notification, Weld County Regional Communications Center shall immediately contact and dispatch back-up ambulance service coverage.

**Sec. 7-3-30. Documentation.**

Each ambulance service shall prepare, maintain and submit upon request copies of uniform and standardized records concerning the transportation and/or treatment of patients as required by the Director and/or the Colorado Department of Public Health and Environment. Such records shall include all information determined to be essential by the Colorado Department of Public Health and Environment and set forth in the EMS Laws for maintenance of adequate minimum records on the patient's medical condition and medical care provided by the ambulance service. All licensed ambulance services are required to utilize the statewide emergency medical and trauma services uniform prehospital care

reporting system operated by the Colorado Department of Public Health and Environment. (Weld County Code Ordinance 2007-8)

**Sec. 7-3-40. Agency profile to be submitted to State.**

Each licensed ambulance service shall complete, and submit to the Colorado Department of Public Health and Environment an agency profile as defined by the Colorado Emergency Medical and Trauma Services Advisory Council and approved by the State to provide information on resources available for planning and coordination of statewide emergency medical and trauma services on an annual basis. (Weld County Code Ordinance 2007-8)

**Sec. 7-3-50. Criminal record of ambulance crew member.**

Unless waived by the Board of County Commissioners, no person shall be employed by an ambulance service as an ambulance crew member who has been convicted of any of the following offenses within the previous twelve (12) months from the date of application: felony, misdemeanor or Class I or Class II traffic offense. (Weld County Code Ordinance 2007-8)

**Sec. 7-3-60. Insurance.**

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

1. Workers' compensation insurance: Each ambulance service shall maintain at least the statutorily required amount of workers' compensation insurance.
2. Public liability and property damage bodily injury:
  - a. Each person, six hundred thousand dollars (\$600,000.00);
  - b. Each accident, six hundred thousand dollars (\$600,000.00).
3. Property Damage: Each accident, six hundred thousand dollars (\$600,000.00).
4. Professional Liability Coverage:
  - a. Each person, six hundred thousand dollars (\$600,000.00);
  - b. Each accident, one million dollars (\$1,000,000.00).
5. Ambulance vehicle coverage: The ambulance vehicle insurance shall be a complying policy for motor vehicles, as defined in Sections 10-4-609 and 42-7-103, C.R.S.

B. Proof of insurance. Proof of insurance shall be filed with the Department, along with the application for an ambulance service license as required in this Chapter. 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 Department.

C. Certificate of insurance requirements. A certificate of insurance, with the Board of County Commissioners named on the certificate holder's copy, shall indicate the vehicles covered by the policy, type of insurance (vehicle and professional liability, etc.), policy number, policy effective date, policy expiration date and amount of coverage, and shall 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 Department.

D. Changes in the status of vehicles. 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 Department within thirty (30) days of the changes.

E. Changes in insurance. Notification of any changes in insurance shall be made in writing within thirty (30) days of such changes to the Department by the licensee, to be followed with a certificate of insurance as outlined in the previous paragraphs. The Director may require additional proof of insurance at any time needed in order to promote health, safety and welfare of residents of the County. (Weld County Codification Ordinance 2000-1; Weld County Code Ordinance 2007-8)

**Sec. 7-3-70. Safety belts.**

Safety belts shall be utilized by all persons in the forward compartment. Attending personnel shall utilize seat belts when feasible. Safety belts or other safety restraining devices shall be available for patients being transported, regardless of age or size. Such devices shall be utilized when feasible. (Weld County Code Ordinance 2007-8)

**Sec. 7-3-80. Transport to medical facility.**

All ambulances shall deliver patients to the most appropriate licensed medical facility, as determined by the physician advisor or his or her designee, dependent on the patient's medical needs. When medically appropriate, the patient's preference should be considered. (Weld County Code Ordinance 2007-8)

**Sec. 7-3-90. Approved locations; abandonment.**

No licensed ambulance service shall operate from locations other than those approved by the Director, nor shall such licensed ambulance service abandon approved locations without prior notification of the Director. (Weld County Code Ordinance 2007-8)

**Sec. 7-3-100. Compliance with all applicable laws and regulations.**

Ambulance services operating in the County must comply with all applicable federal, state and local laws and regulations, including but not limited to EMS Laws, HIPPA laws and regulations and relevant County and municipal zoning regulations. (Weld County Code Ordinance 2007-8)

**Sec. 7-3-110. Medical continuous quality improvement program required.**

Each licensed ambulance service operating within the County must have an ongoing medical continuous quality improvement program consistent with the requirements defined in the Colorado Board of Medical Examiners rules, 3 C.C.R. § 713-6, Rule 500, 3.2, b. (Weld County Code Ordinance 2007-8)

## ARTICLE IV

### Ambulance Vehicle Requirements

**Sec. 7-4-10. Specifications.**

Land vehicles obtained, licensed and placed in use as ambulances shall, at the minimum, meet the guidelines as established by the provisions in the EMS Laws applicable to ambulances. Variances of the above-mentioned specifications may be granted at the discretion of the Director. All ambulances shall have the name and level of service of the ambulance service clearly visible on said vehicles. (Weld County Code Ordinance 2007-8)

**Sec. 7-4-20. Ambulance equipment.**

Each ambulance shall contain the following equipment which shall be maintained in good working order:

- A. Emergency lighting and audible warning equipment which complies with state law for emergency vehicles.
- B. Safe tires and, in addition, adequate snow tires or chains when weather conditions demand.
- C. In the case of ambulances providing primary care in the County, or otherwise qualified pursuant to Section 7-2-90 of this Chapter, a capability of two-way radio communication with the following: the ambulance dispatcher, the Weld County Regional Communication Center and on-line medical control.
- D. Safety belts for both the ambulance driver and other attending personnel.
- E. The minimal required equipment shall be that set forth as required, either for Advanced Life Support or Basic Life Support, as applicable, in the EMS Laws. The Director may add to this list at his or her discretion as other needs or new methodology become known. (Weld County Code Ordinance 2007-8)

**ARTICLE V****Qualifications of  
Emergency Medical Technicians****Sec. 7-5-10. Valid EMT certificate required.**

No person shall practice as an Emergency Medical Technician for any ambulance service subject to the licensing requirements of this Chapter unless that person holds a current, valid Emergency Medical Technician certificate from the State. (Weld County Code Ordinance 2007-8)

**Sec. 7-5-20. List of EMS providers required.**

Each ambulance service subject to the licensing requirements of this Chapter shall provide the Department with a list of its Emergency Medical Service providers as stated in Subsection 7-2-90.G of this Chapter, and shall notify the Department of any changes in that list within thirty (30) days of the change in the list. (Weld County Codification Ordinance 2000-1; Weld County Code Ordinance 2007-8)

**Sec. 7-5-30. Current EMT certificate required.**

Before the State certification of an EMT expires, the ambulance service shall provide the department with a written statement showing the name of the EMT, the date the certificate was issued, the date of expiration and the certificate number of the new state certificate. Failure to comply with this Section disqualifies an EMT from practice in any County ambulance service.

**ARTICLE VI****EMS Providers Not Employed or Utilized by a  
County-Licensed Ambulance Service****Sec. 7-6-10. Compliance by contract with ambulance services.**

Emergency Medical Services contracting with, or employed by, groups and organizations for public events and not employed or utilized by a licensed ambulance service licensed by the County shall, upon request, be able to demonstrate compliance with rules and regulations as promulgated by the County, and through the EMS Laws. (Weld County Code Ordinance 2007-8)

**Sec. 7-6-20. Standby services.**

A. Emergency Medical Services contracting with, or employed by, groups or organizations for public events to provide emergency medical care in

the County must have sufficient personnel, supplies and equipment to effect care on the First Responder or higher level basis, and provide proof of compliance with the insurance requirements set forth in Section 7-3-60 of this Chapter. Assemblages of three hundred fifty (350) or more persons shall require the standby services of at least one (1) advanced life support ambulance staffed with at least one (1) EMT-P and one (1) EMT-B. Each additional three hundred fifty (350) persons shall meet the same requirements.

B. The following is the minimum equipment required for standby services:

1. Direct communication access to 911 for requesting advance life support care.
2. Oropharyngeal airways in adult, child and infant sizes.
3. Assorted dressings (sterile – large and small).
4. Soft roller bandages.
5. Tape.
6. Blanket.
7. Triangular bandages.
8. Shears capable of cutting clothing or bandages, including heavy leather or canvas.
9. Flashlight.
10. Oral suction device.
11. Portable oxygen and pocket mask and administration equipment. (Weld County Code Ordinance 2001-3)

## ARTICLE VII

### Suspension or Revocation of License or Permit

#### Sec. 7-7-10. Unlawful practices.

The following practices shall be unlawful and shall be grounds for a suspension or revocation of a license:

- A. Willful and deliberate failure to respond to any emergency call.
- B. Willful and deliberate failure to transport a patient when required in the event of an emergency.
- C. Administering unnecessary treatment or supplies to a patient for the purpose of increasing the patient's bill.
- D. Administration of any substance unless under the protocol and/or order of the physician advisor or medical control.
- E. Charging for treatment or supplies not actually provided to a patient.
- F. Requiring and/or allowing any employee of an ambulance service to be on continuous duty for any one (1) period in excess of forty-eight (48) hours, except in cases of extreme emergency.
- G. Except as otherwise provided in this Chapter, failure to deliver a patient to the most appropriate licensed medical facility as determined by the physician advisor, dependent upon the patient's medical needs.
- H. Conduct which constitutes a significant threat to the health or safety of the individuals receiving emergency care from a licensed ambulance service.

I. Noncompliance with any rule or regulation set forth in the EMS Laws concerning the duties and responsibilities of emergency medical technicians or medical directors. (Weld County Codification Ordinance 2000-1; Weld County Code Ordinance 2007-8)

**Sec. 7-7-20. Complaints concerning ambulance services.**

Complaints against an ambulance service in the County, whether or not such ambulance service currently holds a license pursuant to this Chapter, must be filed in writing with the Director. The written complaint must contain the name, address and telephone number where the complaining party may be reached, and as detailed information as possible concerning the complaint. The Director will investigate such incidents. Upon completion of the investigation, the Director shall report the resolution of the investigation to the complaining party and any other entity as appropriate or required pursuant to the provisions of 6 C.C.R. 1015-3, § 12.4.2. A report of all complaints and the resolutions of such complaints shall be provided to the medical director who oversees the relevant ambulance service. (Weld County Code Ordinance 2007-8)

**Sec. 7-7-30. Temporary suspension.**

Upon a determination by the Director that any person has violated or failed to comply with any provisions of this Chapter, the Director may temporarily suspend, for a period not to exceed thirty (30) days, any license or permit issued pursuant to this Chapter. The licensee or permit holder shall receive written notice of such temporary suspension. The temporary suspension shall be effective upon the date of mailing the written notice by certified mail, return receipt requested, to the licensee or permit holder, or on the date of service of the notice upon the licensee or permit holder pursuant to the Colorado Rules of Civil Procedure. A hearing on the temporary suspension shall be held before the Board of County Commissioners not later than ten (10) days after the effective date of the temporary suspension. The written notice of temporary suspension shall include notice of the time and place of such hearing. Prior to such hearing, the Director may reinstate the license or permit upon a finding that the licensee has come into compliance with the provisions of this Chapter. (Weld County Code Ordinance 2007-8)

**Sec. 7-7-40. Hearings to be public.**

All hearings before the Board of County Commissioners shall be public and every vote and official act of the Board shall be public. The Board of County Commissioners 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 Board of County Commissioners. All testimony at the hearings shall be under oath and shall be electronically recorded. If a stenographic shorthand reporter is desired by any party, such reporter shall be permitted at the requesting party's expense. The Board of County Commissioners shall make other rules and regulations for the conduct of the hearing as are deemed necessary in its discretion. (Weld County Code Ordinance 2007-8)

**Sec. 7-7-50. Hearing in two phases.**

A. The hearing before the Board of County Commissioners shall be conducted in two (2) phases.

B. During Phase I of the hearing, the Board of County Commissioners shall determine whether, by a preponderance of the evidence presented in the public hearing, any one (1) or more of the following has occurred:

1. Violation of any provision of this Chapter.
2. Violation of any state law or any ordinance or regulation of a municipality in the County. Evidence of any violation may be considered, regardless of any conviction thereof.
3. Commission of any practices set forth in Section 7-7-10 above.

If the Board does not find that any of the above acts has occurred, the Board shall conclude the hearing

and shall reinstate the license or permit for the remainder of its term. If the Board finds that one (1) or more of the above acts has occurred, the public hearing shall progress to Phase II.

C. During Phase II of the public hearing, the Board of County Commissioners shall consider whether to suspend or revoke permanently the license or permit. The Board may suspend any license or permit issued pursuant to this Chapter 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 finding by the Board that the licensee or permit holder has committed, within two (2) consecutive calendar years, two (2) violations or on two (2) separate occasions has failed to comply with any provision of this Chapter, the Board may permanently revoke such license or permit. The Board's decision to suspend or to revoke permanently the license or permit shall be based upon whether evidence of the following factors mitigates or aggravates the effects of the acts found by the Board during Phase I of the public hearing:

1. The seriousness of the violation.
2. Corrective actions taken by the license holder.
3. Prior violations and offenses and the effectiveness of prior corrective action.
4. Prior violations and offenses by the licensee or permit holder.
5. The violation, offense or occurrence as a repeated course of conduct or as a single event.
6. The likelihood of recurrence.
7. All circumstances surrounding the violation, offense or occurrence.
8. Willfulness of the violation, offense or occurrence.
9. The length of time the license or permit has been held by the licensee or permit holder being disciplined.
10. Previous sanctions imposed against the licensee or permit holder.
11. Other factors making the situation unique to the licensee or permit holder subject to discipline. (Weld County Codification Ordinance 2000-1; Weld County Code Ordinance 2007-8)

**Sec. 7-7-60. Notification of revocation or suspension.**

It shall be the duty of the Director to notify local law enforcement authorities, fire departments, hospitals and the physician advisor of revocation or suspension of any ambulance service license or vehicle permit. (Weld County Code Ordinance 2007-8)

## ARTICLE VIII

### Countywide Emergency Service

**Sec. 7-8-10. Mutual aid agreements.**

The County encourages a cooperative systems approach towards improved patient care. All licensed agencies providing EMS responses in the County shall make a good faith effort to execute written mutual aid agreements with all other EMS providers located within or bordering on their area of response. Copies of these agreements shall be kept on file for review.

**Sec. 7-8-20. County paramedic service.**

The Weld County Paramedic Service is the ambulance service organized and furnished by the County, pursuant to the provisions of state statutes. So long as the Weld County Paramedic Service is in existence and is duly licensed pursuant to this Chapter, the Weld County Paramedic Service may provide emergency service to all areas of the County and to

those other areas specifically set forth in the Weld County Paramedic Service application and license. The Weld County Regional Communications Center may dispatch the Weld County Paramedic Service to respond to a call within another ambulance service's response area under the terms and conditions set forth in Section 7-3-20 of this Chapter. (Weld County Code Ordinance 2007-8)

**Sec. 7-8-30. Triage authority.**

Incident Command shall appoint triage authority at an active incident. The Weld County Paramedic Service shall be appointed medical triage authority in the County when the Weld County Paramedic Service and any other ambulance service have responded to calls for emergency assistance where medical triage authority has not yet been established, and/or a dispute concerning medical triage exists. (Weld County Code Ordinance 2007-8)

**Sec. 7-8-40. Nonliability.**

Nothing in this Chapter shall be construed to create a cause of action and/or civil liability remedy in any person. This Chapter shall not be construed to create a duty to any third party where no such duty otherwise existed. It is the express intention of the Board of County Commissioners that any third party receiving services or benefits under this Chapter shall be deemed an incidental beneficiary only.

## ARTICLE IX

### Enforcement

**Sec. 7-9-10. Violations and penalties.**

The County, through the Director of the Weld County Department of Public Health and Environment, may enforce this Chapter through methods included in this Chapter, or through other methods adopted by the Board of County Commissioners. (Weld County Code Ordinance 2007-8)

**Sec. 7-9-20. Criminal penalties.**

A. Any person, firm, corporation or ambulance service violating any provision of this Chapter is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars (\$100.00) or by imprisonment in the County Jail for not more than ten (10) days, or by such fine and imprisonment for each offense or violation. Each day during which such violation continues shall be deemed a separate offense.

B. Whenever the Department of Public Health and Environment, through one (1) of its employees, has personal knowledge of any violation of this Chapter, it shall give written notice to the violator to correct such violation within fifteen (15) days after the date of the notice. Should the violator fail to correct the violation within such fifteen-day-period, the Director may request that the Sheriff's Office issue a summons and complaint to the violator, stating the nature of the violation with sufficient particularity to give notice of said charge to the violator. The summons and complaint shall require that the violator appear in court at a definite time and place stated therein to answer and defend the charge. One (1) copy of the summons and complaint shall be served upon the violator by the Sheriff's Office in the manner provided by law for the service of a criminal summons. One (1) copy each shall be retained by the Sheriff's Office and the Director, and one (1) copy shall be transmitted to the Clerk of the Court.

C. It is the responsibility of the County Attorney to enforce the provisions of this Section. In the event the Board of County Commissioners deems it appropriate, the Board of County Commissioners may appoint the District Attorney to perform such enforcement duties in lieu of the County Attorney. (Weld County Code Ordinance 2007-8)

**Sec. 7-9-30. Equitable relief in civil action.**

In the event that any ambulance service is being operated within the County in violation of any provision of this Chapter, the County Attorney, or where the Board of County Commissioners deems it

appropriate, the District Attorney, in addition to the other remedies provided by law, ordinance or resolution, may institute an injunction, mandamus or other appropriate action or proceeding to prevent or enjoin such violation. (Weld County Code Ordinance 2007-8)

**Sec. 7-9-40. Civil penalties.**

A. In addition to any penalties imposed pursuant to Section 7-9-20 above, any person, firm, corporation or ambulance service violating any regulation or provision contained in this Chapter may be subject to the imposition, by order of the County Court, of a civil penalty in an amount of not less than two hundred fifty dollars (\$250.00), nor more than five hundred dollars (\$500.00). It is within the discretion of the County Attorney to determine whether to pursue the civil penalties set forth in this Article. Each day after the issuance of the order of the County Court during which such violation continues shall be deemed a separate violation and shall, in accordance with the subsequent provisions of this Section, be the subject of a continuing penalty in an amount not to exceed fifty dollars (\$50.00) for each such day.

B. The Department of Public Health and Environment, through one (1) of its employees, shall, upon personal information and belief that a violation of any regulation or provision of this Chapter has occurred, give written notice to the violator to correct such violation within fifteen (15) days after the date of such notice. If the violator fails to correct the violation within such fifteen-day period or within any extension period granted by the Director, the Director may request that the County Sheriff or the County Attorney issue a summons and complaint to the violator, stating the nature of the violation with sufficient particularity to give notice of such charge to the violator.

C. One (1) copy of the summons and complaint issued pursuant to Subsection B above shall be served upon the violator in the manner provided by law for the service of a County Court civil summons and complaint in accordance with the Colorado Rules of County Court Civil Procedure. The summons and complaint shall also be filed with the Clerk of the County Court, and thereafter the action shall proceed in accordance with the Colorado Rules of County Court Civil Procedure.

D. If the County Court finds, by a preponderance of the evidence, that a violation of any provision of this Chapter, as enacted and adopted by the Board of County Commissioners, has occurred, the Court shall order the violator to pay a civil penalty in an amount allowed pursuant to Subsection A above. Such penalty shall be payable immediately by the violator to the County Treasurer. In the event that the alleged violation has been cured or otherwise removed at least five (5) days prior to the appearance date in the summons, then the County Attorney shall so inform the Court and request that the action be dismissed without fine or appearance of the defendant.

E. Upon the filing with the Court of a receipt issued by the County Treasurer showing payment in full of a civil penalty assessed pursuant to this Section and upon the filing of an affidavit of the Department of Public Health and Environment that the violation has been cured, removed or corrected, the Court shall dismiss the action and issue a satisfaction in full of the judgment.

F. If a receipt showing full payment of the civil penalty or the affidavit required by Subsection E above is not filed, the action shall continue and the Court shall retain jurisdiction to impose an additional penalty against the violator in the amount specified in Subsection A of this Section. Such additional penalty shall be imposed by the Court upon motion filed by the County and proof that the violation has not been corrected. Thereafter, the action shall continue until the penalty and any additional penalties are assessed, and the filing of an affidavit of the Department of Public Health and Environment verifies that the violation has been corrected. (Weld County Code Ordinance 2007-8)

