

Mesa County Emergency Medical Services Rules

Section 1 - Purpose and Scope

- 1.1 In December, 2004, the Mesa County Board of County Commissioners passed the Mesa County Emergency Medical Services Resolution. Resolution #MCM 2004-220. This resolution is referred to herein as the “EMS Resolution.” Pursuant to the EMS Resolution, “The Director of the Mesa County Department of Emergency Management or his/her designees shall be responsible for administering this Resolution. The Director shall develop rules consistent with this plan to enforce and oversee services regulated hereunder, for approval by the Board.” Article VI, ¶(1)(a) of the EMS Resolution.
- 1.2 The rules listed herein contain not only those rules promulgated by the Emergency Management Director pursuant to the directive above, but they also contain a reiteration of some of the rules from the EMS Resolution itself. In those instances where the EMS Resolution is quoted directly, those rules are indicated in bold lettering. Lack of reiteration of a rule from the EMS Resolution within these Rules does not affect the legal force and effect of any omitted EMS Resolution rule from these Rules.
- 1.3 All references to “articles” and “paragraphs” herein refer to articles and paragraphs of the EMS Resolution.
- 1.4 The definitions set forth in the EMS Resolution shall apply in these Rules unless specifically set forth otherwise herein.

Section 2 - Ambulance Service Areas

- 2.1 The ASA boundaries are described in Article III, ¶ 2 of the EMS Resolution. The legal descriptions and depictions of the ASA boundaries are found in Appendix A.
- 2.2 **Changes to ASA boundaries: At any time, the Mesa County Board of County Commissioners may change the boundaries of the Ambulance Service Areas (ASA), or create other ASA’s, or incorporate or remove non-emergency services in one or more ASAs in order to provide for the effective and efficient provision of Emergency Medical Services. Article III, ¶ 3.**
- 2.3 **If local city or special district boundaries change through annexation or exclusion, the Board may authorize a change to the ASA boundary. Article III, ¶ 3.**
- 2.4 **A provider serving an ASA may request a boundary change from the Board if serving the ASA within the existing boundary creates an economic or operational hardship on the provider. Article III, ¶ 3 (d).** The ASA boundary change request must come as a written request to the Director at least 60 days prior to requested public hearing date and it must document the hardship placed on the ASA service provider.

2.5 The Director shall notify, in writing, all licensed ASA providers of any proposed ASA changes that the Director receives within 10 days of his/her receipt of the request for a proposed ASA change. In this notification, the Director shall also notify all ASA providers of the proposed public hearing date at which the proposed change will be considered by the Board. The Director shall receive advice and comment from the agency(ies) affected or claimed to be affected by the change, as well as advice and comment from the EMS Council, the Department, and the EMSMD. Written comments should be received by the Director no later than 14 days prior to the scheduled public hearing date.

2.6 Prior to the Board making their decision to change the ASA boundaries, the Board shall consider information received by the agencies and the impacts on other service providers and the public. Article III, ¶ 3 (c).

2.7 The Board will make their determination on the ASA Boundary change and, if the request is granted, the ASA boundary change will take effect 30 days from the date of the public hearing.

2.8 Other areas

2.8.1 Areas outside of Mesa County may be served as part of the Mesa County Ambulance System. Article III, ¶ 4.

2.8.2 The Board may enter into joint services agreements with neighboring Counties to regulate areas that may be better served by Mesa County providers. Article III, ¶ 4 (a).

2.8.3 If the Board enters into an agreement with a neighboring county it may establish regulation for Mesa County Ambulance Licensees serving the neighboring County. Article III, ¶ 4 (b).

2.8.4 Licensees may request to serve areas outside the county, with which the county has established joint services agreements. Article III, ¶ 4 (c).

2.9 First Response Area Boundaries

2.9.1 The legal descriptions and depictions of the First Response boundaries are found in Appendix B. Article III, ¶ 5.

2.9.2 Changes to First Response Area Boundaries: At any time, the Mesa County Board of County Commissioners may change the boundaries of the First Response Area boundaries or create other First Response Area boundaries, in order to provide for the effective and efficient provision of Emergency Medical Services.

- 2.9.3 If local city or special district boundaries change through annexation or exclusion, the Board may authorize a change to the First Response Area boundary.
- 2.9.4 A provider serving a First Response Area may request a boundary change from the Board if serving the First Response Area within the existing boundary creates an economic or operational hardship on the provider.
- 2.9.5 The First Response Area boundary change request must come as a written request to the Director at least 60 days prior to requested public hearing date, and it must document the hardship placed on the First Response Area service provider.
- 2.9.6 The Director shall notify, in writing, all First Response Agencies of any proposed First Response Area changes that the Director receives within 10 days of his/her receipt of the request for a proposed First Response Area change. In this notification, the Director shall also notify the First Response providers of the proposed public hearing date at which the proposed change will be considered by the Board. The Director shall receive advice and comment from the agency(ies) affected or claimed to be affected by the change, as well as advice and comment from the EMS Council, the Department, and the EMSMD. Written Comments should be received by the Director no later than 14 days prior to the scheduled public hearing.
- 2.9.7 Prior to the Board making their decision to change the First Response Area boundaries, the Board shall consider impacts on other service providers and on the public.
- 2.9.8 The Board will make their determination on the First Response Area boundary change shall consider information received by the agencies and the impacts on other service providers and the public. If the request is granted the First Response Area boundary change will take affect 30 days from the date of the public hearing.

Section 3 - Rules for Emergent and Non-emergent Ambulance Service Licenses and Ambulance Permits

- 3.1 Ambulance Service Application packets for an Ambulance Service License and Ambulance Permits can be obtained from the Mesa County EMS Coordinator in the Mesa County Office of Emergency Management. The office is located on the second floor of the Annex of the Mesa County Administration Building at 544 Rood Avenue, Grand Junction, Colorado.

An Ambulance Service License Application packet includes:

- i) The Ambulance Service License Application Form
- ii) A Certificate of Motor Vehicle Condition for each Ambulance Permit

- iii) A Pre-Inspection Checklist
- iv) An Ambulance Inspection Checklist
- v) An Ambulance Service Provider Information Form

- 3.2 **Payment of a fee in the amount of \$100 for the Ambulance Service License and \$20 for each Ambulance Permit, by check or money order made payable to Mesa County, shall be attached to and returned with the application. See Article VII, ¶ 6 (o).**
- 3.3 Inspection of the ambulance(s) listed on the application will not be scheduled or completed until all of the appropriate paperwork and fees are received by the Mesa County Office of Emergency Management.
- 3.4 The Director shall issue Ambulance Service Permits to the ambulance(s) which have met the inspection requirements and are duly licensed. See Article VII, ¶ 10.
- 3.5 Upon receipt of an application for an Ambulance Service License the Director shall review the application and the Applicant's record. The Director shall advise the Board on issuing the Applicant a license to operate an ambulance service. Based upon the recommendations of the Director and any evidence presented in the public hearing, the Board shall approve or deny the issuance of a license. See Article VII, ¶ 10.
- 3.6 Ambulance Service License and Permits will be valid for a period of twelve (12) months following the date of issue from the license and permit(s) effective date, or the next July 1st, whichever comes earlier. See Article VII, ¶ 10. Following the initial licensing and permitting on July 1st of 2005, all licenses and permits will expire on July 1st of each year. Any Ambulance Service applying for a new license and permit(s) after June 1st of any year will pay prorated fees and the license and permit(s) will be valid until July 1st of the next year.
- 3.7 **Ambulance Service Licenses and Ambulance Permits, unless revoked by the Board, may be renewed by filing an application for renewal. Application for renewal shall be filed annually, but not less than thirty (30) days before the date the License or Permit(s) expires. Renewal notices shall be sent by the Director, to all Licensees, sixty (60) days prior to expiration; however, failure to receive such notice shall not release the Licensee from its responsibility for renewal of its license or permit. See Article VII, ¶ 12.**
- 3.8 **If any 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 a License is re-issued. See Article VII, ¶ 12.**
- 3.9 Applicants denied issuance of a license may appeal to the Board within thirty (30) days from the date of the decision. See Article X, ¶ 5.

- 3.10 **The procedure for approval or disapproval of application for renewal of License and permits, requirements, and fees shall be the same as for new applications. See Article VII, ¶ 12.**
- 3.11 **No License or Permit issued by the Board shall be sold, assigned, or otherwise transferred. Change of ownership shall require a new fee, application and approval for any License or Permit. See Article VII, ¶ 13.**

Section 4 - Definition and Supplementary Rules for Non-Emergency Ambulance Services

- 4.1 Non-emergency Ambulance Service shall be defined as ambulance service which provides routine transport of persons who are sick, injured, convalescent, incapacitated, or non-ambulatory but do not require emergency medical treatment or urgent transport. Non-emergency services will not be dispatched emergently by the Grand Junction Regional Communication Center routinely.
- 4.2 An ambulance service wishing to provide Non-emergency Ambulance Service must submit an application for an Ambulance Service License and Ambulance Permit(s) through the Director of the Office of Emergency Management to the Board. See Article VII, ¶ 1.
- 4.3 Non-emergent Ambulance Service providers must have a dispatcher capable of two-way radio communication to their permitted ambulances and to the Grand Junction Regional Communication Center during their hours of business.
- 4.4 Non-emergent Ambulance Service providers will not be required to comply with the response times or response time reporting requirements set forth in the EMS Resolution.
- 4.5 Non-emergent Ambulance Service providers will cooperate with and perform in accordance with the Mesa County Mass Casualty Incident Plan.
- 4.6 These rules for Non-Emergency Ambulances are in addition and supplementary to those set forth in the EMS Resolution directives, including but not limited to, those EMS rules set forth in the Resolution at Article IV, Paragraph 2, sub-paragraphs (a) and (c) and in Article IV, Paragraph 4.

Section 5 - Rules for Medical Stand-by Permits

- 5.1 **A Medical Standby Permit is required for all events at which trained First Responders, state-certified EMTs, or licensed nurses, physician's assistants, or physicians are used to provide service. Article VII, ¶ 9 (a).**
- i) **The Director may waive the permit requirements for events conducted by public agencies or schools.**
 - ii) **A Medical Standby Permit may be issued by the Director for each event, or may be issued on an annual basis.**
 - iii) **Medical Standby Permits are not required for a Licensed Ambulance Provider in Mesa County.**
- 5.2 Medical Standby Providers must submit an application for a Medical Standby Permit, with the check or money order for the standby fee attached, and a Special Event EMS Plan to the Director at least thirty (30) days prior to the event. Requests for waiver of the Standby Permit must be documented on the application.
- 5.3 The Director and the County EMSMD will complete review of the application for a Medical Standby Permit and the Special Event EMS plan within ten (10) days after submission.
- 5.4 The Director or designee will have the right to make recommendations for changes to the Special Event EMS Plan.
- 5.5 If the Director or the County EMSMD do not approve of the Special Event EMS Plan, the Director or designee will notify the medical standby provider who submitted it and allow the provider to make changes as recommended.
- 5.6 The medical standby provider must make any changes to the Special Event EMS plan as recommended by the Director or designee and return the plan to the Director within 14 days.
- 5.7 If approved by the Director and the County EMSMD, a Medical Standby Permit and an approved copy of the Special Event EMS Plan will be returned to the Medical Standby Provider who submitted it.
- 5.8 **Rates, if any, for standby services shall be determined by the Licensee providing the service. Article V, ¶ 6.**
- 5.9 **A regulatory fee of five dollars (\$5) for each ambulance transport that originates in Mesa County, and a fee of five percent for each dedicated EMS Medical standby is hereby established. Article V, ¶ 7.**
- 5.10 **If requested by a Licensee, the Board may waive Medical Standby Service fees for events conducted by public agencies and schools. Article V, ¶ 7 (d).**

- 5.11 **Payment of a standby fee in the amount of five percent of the fee charged by the provider for the event, or \$50, whichever is greater, for each event, shall be paid to Mesa County. The fee shall be paid by check or money order, made payable to Mesa County and be attached to the application. The Board may waive payment of fees for Medical Standby for events of municipalities or special districts. Request for waiver will be processed in the same manner as a new or renewal application. Article VII, ¶ 9 (c).**

Section 6 - Licensee Review of Response Performance Report

These rules apply to the monthly review of response time reports as provided by the GJRCC for each agency, and the subsequent reporting of response times violations by the agencies.

- 6.1 Decisions regarding exemption requests. The Director shall make a determination of the appropriateness of requested exemptions and notify the agencies by the 25th of each month, or if the 25th falls on a weekend, the Monday following.
- 6.2 Reporting of Revised Response Times by Agencies. Each month each agency must provide a revised report to the Director regarding the response times as reported from the GJRCC, excluding any exemptions approved by the Director. This revised report must be in writing and be given to the Director by 5:00 pm on the last day of the month following the reporting month, (i.e. The revised report for February is due March 31st). The revised reports shall address any response time violations from the aggregate and maximum response time standards outlined in Article IV, ¶ 5, e/f. Documentation must include:
1. The reasons why the standard was not met.
 2. Efforts undertaken to improve response times and prevent further violations, if any, of the standards.
- 6.3 Low Call Volume Agencies. For those agencies with less than 100 calls per month, reports shall still be given to the Director from the GJRCC and agencies may request exemptions for call which exceed the maximum times. These will be held until the performance reports are due following 100 calls, or one calendar year, per Article IV, ¶ 5 (h).
- 6.4 Response Time Standards Modification. A 30-day notice shall be given to all agencies prior to the Director and the EMSMD submitting any response time modifications to the Board pursuant to Article IV, ¶ 5 (i).
- 6.5 Levels of Care Designation. The level of care any agency may provide will be determined by the personnel and equipment which the agency employs in the course of operations. These elements shall be checked by the EMS coordinator prior to issuing a license to operate by the County, and ambulance permits shall reflect the level of care

by stating Advanced Life Support (ALS) or Basic Life Support (BLS) on the permit. See Article IV, ¶ 7 (a-c).

6.5.1 ALS Agencies who do not provide ALS Care 24/7. Satisfaction of Article IV, ¶ 7, b, iii shall be as follows. Those agencies with ambulances which are permitted by the County to provide ALS care but are unable to do so 24 hours a day/7 days a week must provide the following at a minimum:

- i) A signed agreement with the EMSMD that this is allowed and that the correct protocols shall be followed when responding as BLS or ALS. This shall be attached to the Ambulance License Application and a copy kept by the EMSMD.
- ii) A written plan for notification of the GJRCC for those times when ALS is not available. This plan must be approved by the EMSMD and the GJRCC in writing. This will be attached to the Ambulance License application and copies kept at the GJRCC and with the EMSMD.
- iii) A written plan for ALS backup when ALS is not available which has been approved by the EMSMD and the GJRCC. This shall include automatic aid provisions and shall be attached to the Ambulance License Application and copies kept with the GJRCC and EMSMD.

6.5.2 Marking of ALS Ambulances. No ambulance agency shall place ALS Ambulance Service or any moniker implying such on any ambulance unless that ambulance is used to provide ALS service 24 hours a day/7 days a week.

6.6 Personnel. Approval of staffing by the EMSD and shall be deemed satisfied with the EMSMD signature of attestation on the ambulance license application. See Article IV, ¶ 8 (d).

6.6.1 Rural Agencies which use State Minimums for Personnel Staffing Per the EMS resolution sections IV. ¶ 7.b.ii and IV. ¶ 7.c.ii agencies employing volunteers and responding in the rural or frontier areas may staff the ambulance to the State minimums and not necessarily the County minimums as stated in section IV, 8.

The State minimums are:

- i) ALS – One person of EMT-Intermediate or higher and one person with a valid driver's license.
- ii) BLS – One person of EMT-Basic or higher and one person with a valid driver's license.

When this occurs, each agency which responds in the rural and frontier areas and uses the State minimums for staffing must provide a monthly report of calls where the State staffing level was used and what steps are being taken to come up to the County minimum staffing levels. This report shall coincide with the monthly response time reports.

- 6.6.2 EMTs providing care at standby events. Authorization by the EMSMD for EMT's to provide care at stand-by events shall be satisfied by the signature of attestation by the EMSMD on the Standby application made to the County.
- 6.6.3 Changes to the Mesa County Staffing Levels. The Director shall give agencies at least 30-days notice of any proposed changes to allow for comments to be received prior to submitting any change recommendations to the Board.

Section 7 - Rates and Fees

7.1 **County Regulation of Maximum Rates.** The Director shall recommend a schedule of maximum ambulance rates that can be charged for ambulance transports that originate in Mesa County. Article V, Paragraph 1.

7.1.1 The maximum ambulance base rate schedule is based on the Western Slope average ambulance base rate plus ten (10) percent.

7.1.2 The maximum ambulance base rates are;

- i) Advanced Life Support (ALS) \$781.00
- ii) Basic Life Support (BLS) \$572.00
- iii) ALS Critical Care Transport \$850.00
- iv) BLS Critical Care Transport \$650.00

7.1.3 Annual Increases

The Director will review, in February of each year, the CPI numbers for the preceding calendar year and make a determination whether to recommend an increase in rates or not. Such notice will be delivered by March 1st of each year as defined pursuant to Article V, ¶ 3.

7.2 First Aid Fee Authorized

A "First Aid" fee is hereby authorized pursuant to Article V, ¶ 2.

7.3 Discounts

7.3.1 **Discounts based on volume of business or group membership for ambulance transports are prohibited, unless specifically authorized by the Board for service to a group at least 50 percent of whose members have incomes below the Federal Labor Market Index (LMI) level. Article V, Paragraph 5.**

7.3.2 **The Board may approve other payment arrangements, so long as unacceptable "cost shifting" does not result. Article V, Paragraph 5.**

- 7.3.3 With regard to “other payment arrangements” (as discussed in the preceding paragraph), the Board hereby approves the following as an “acceptable” “other payment arrangement”: So long as a Licensee, as a condition of their licensing, certifies, signs, and attests, on their applications with the Director, that they will not discount below Medicare allowable rates, and further, that by their signature, they consent to Mesa County reviewing their contracts to ensure compliance with this section, this will be considered an acceptable “other payment arrangement.”
- 7.3.4 When a Licensee certifies as set forth in the previous paragraph, the Licensee thereby consents that Mesa County may, at its discretion, review their Ambulance Service contracts with third parties to ensure discounting is not causing a cost-shifting detrimental to the Mesa County EMS system.

Section 8 - Oversight of the EMS System. The Department of Emergency Management is required to oversee EMS, ambulance service licensing, ambulance permits, EMS regulation, and rules promulgated under this resolution. Article VI, Paragraph 1.

8.1 Process for Input

- 8.1.1 Comments or concerns regarding the EMS oversight (including licensing, permitting, EMSMD), or regarding these rules, or regarding the EMS Resolution should be presented at a regularly scheduled meeting to the EMS Council for their initial review.
- 8.1.2 Presentations to EMS Council. Items requested to be considered by the EMS Council should be presented in writing to the Director, or his/her designee, at least one week prior to the EMS Council meeting at which presentation is desired.
- 8.1.3 The EMS Council will consider input per the Bylaws and take further action as a majority of the council determines.
- 8.1.4 If the person or entity that provided their initial input to the EMS Council is not satisfied with the EMS Council’s action, the person or entity may feel free to take their concern, or give their input, directly to the Board of County Commissioners.

8.2 Changes to Rules

- 8.2.1 At anytime, these Emergency Medical Services Rules may be amended by the Board.

- 8.2.2 Prior to amendments being accepted, the Director or designee shall send out the proposed rule changes to all EMS providers in Mesa County. The Director shall accept written comments on the proposed changes for no less than 30 days.
- 8.2.3 After the 30 days of accepting EMS and public comment have passed, then the Director shall bring the proposed amendments before the Board at a public hearing for consideration for adoption.
- 8.2.4 After adoption, those rules that were amended by the Board at public hearing shall be announced and distributed by mail to all permitted and licensed EMS providers in Mesa County. The amendments shall take effect 30 days following their adoption at public hearing.

8.3 Process for Complaint Review.

- 8.3.1 Service, price and other complaints shall be reported to the Director or his/her designee in writing for further investigation.
- 8.3.2 The Mesa County EMS Council may be requested by the Director to provide recommendations pertaining to complaints of service, price, or other administrative issues.
- 8.3.1 Complaints arising out of patient care and those that may have clinical component(s) shall be referred to the EMSMD in writing for investigation. The EMSMD will follow the complaints process outlined in the Mesa County EMSMD Protocols.
- 8.3.2 The Director or his/her designee shall notify the complainant of the result of the investigation in writing within 5 days after the completion of the investigation.

8.4 Mutual Aid Assistance Rules. The Director and EMS Council shall develop and implement a mutual aid plan to ensure the availability of ambulance service throughout the County.

- 8.4.1 All Emergent Service Provider Licensees shall be signatory to a mutual aid agreement to ensure the availability of ambulance service throughout Mesa County.
- 8.4.2 Non-emergent Service Provider Licensees and Standby Permit Holders shall not be required to sign the mutual aid agreement.
- 8.4.3 Non-emergent Service Providers Licensees and Standby Permit Holders are required to cooperate with and perform in accordance with the Mesa County Mass Casualty Incident Plan.

- 8.4.4 Non-emergent Service Provider Licensees and Standby Permit Holders may not sign mutual aid agreements wherein they would agree to provide emergent response or emergent transport services.

8.5 Command and Control at Emergency Scenes

- 8.5.1 Under Homeland Security Presidential Directive-5, *Management of Domestic Incidents*, all local, state, and federal agencies shall adopt the National Incident Management System as a condition for Federal preparedness assistance beginning in 2005. The Incident Command System is one component of the National Incident Management System.
- 8.5.2 The Incident Command System (ICS) is a management system designed to enable effective and efficient incident management by integrating a combination of facilities, equipment, personnel, procedures, and communications operating within a common organizational structure.
- 8.5.3 All Ambulance Service Providers in Mesa County shall adopt and implement an approved standardized Incident Command System compliant with NIMS within their agency.
- 8.5.4 All Ambulance Service Providers shall adopt and use a personnel accountability system.
- 8.5.5 Post incident reviews of the command system in large-scale events may be conducted by the Department.

Section 9 - Revocation and Suspension Procedures

- 9.1 **On its own motion or on complaint, the Board may temporarily suspend any License or Permit issued pursuant to the EMS Resolution. Article VIII, Paragraph 1.**
- 9.2 An immediate verbal notice of the suspension shall be given by the Director, or his/her designee, to the manager of the suspended entity.
- 9.3 In addition to the verbal notice, if a temporary suspension is invoked, the Permittee/Licensee, as the case may be, shall be mailed a formal, written notice of such suspension by the Director or designee within 48 hours of the temporary suspension action by the Board.
- 9.4 The GJRCC, and the persons and entities, listed in Article VIII, Paragraph 9 of the EMS Resolution, shall also be notified of the suspension of the Licensee/Permittee -- and in the same manner as set forth above in section 9.2 and section 9.3.

- 9.5 Pursuant to the “Input” and “Complaint” processes found in these Rules, complaints which may result in a referral to the Board for a temporary suspension or revocation shall be those complaints that have been previously reviewed by the EMS Council. Or, they may be complaints that have been brought before the EMS Council which the Council has declined to refer.
- 9.6 Complaints which may result in a referral to Board for a temporary suspension or revocation may also be complaints brought on the EMS Council’s own motion, or by the EMSMD, or by the Director.
- 9.7 Additional conditions and details concerning suspension and revocation proceedings are set forth in the EMS Resolution.