



Office of the County Attorney

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BOARD OF COUNTY COMMISSIONERS

February 21, 2023

Hearing Room, 3rd Floor

Boulder County Courthouse

Proposed Adoption of the Second Amended and Restated Intergovernmental Agreement for Ambulance and Secured Transportation Licensing and Inspection

Staff: Kathy Gissel, Permit & License Operations Manager, Community Permitting and Planning; Michael Koertje, Assistant County Attorney

BACKGROUND:

Colorado House Bill 21-1085 created a Secured Transportation Services program in the State of Colorado. Pursuant to C.R.S. §25-3.5-309(1)(a), as of January 1, 2023, any entity providing “secure transportation services” to a person experiencing a “behavioral health crisis” must be licensed by the Board of County Commissioners in the county in which the service is based. Law enforcement agencies and ambulances services are generally exempt from the licensing requirement. Licenses are effective for three years. Each vehicle utilized by the service must also obtain a permit, effective for one year, after an inspection. C.R.S. §25-3.5-309, 310. At a public hearing held on January 3, 2023, the BOCC adopted the Boulder County Secured Transportation Services Regulations [“the Regulations”] to comply with the statutory requirements.

The legislature delegated rulemaking to the State Board of Health. C.R.S. §25-3.5-311. Extensive regulations have been promulgated and are found at 6 CCR 1011-4, Standards for Secure Transportation Services [“the Standards”]. Section 3.1(B) of the Standards allow counties to enter into reciprocal licensing agreements with other counties. Article 3(b) of the Regulations also permits Boulder County to enter into reciprocal licensing and permitting agreements with other counties.

Since 2010, seven counties, including Boulder County, have participated in an intergovernmental agreement providing for the reciprocal recognition of ambulance licenses and to provide a central service for vehicle inspections. The regulatory environment for ambulance licensing is similar to that of secured transportation services licensing.

The same counties have proposed entering into the attached Second Amended and Restated Intergovernmental Agreement for Ambulance and Secured Transportation Licensing and Inspection [“the IGA”]. This proposed IGA continues the provisions for ambulance licensing previously established and extends those provisions for secure transportation services. Licenses for either of these services in one jurisdiction will be recognized by the other jurisdictions. Vehicle inspections for all jurisdictions will be conducted by a single Inspector. Each jurisdiction will have representation on the Program Committee, while Jefferson County Public Health shall continue as the Program Coordinator.

Each county would continue to issue its own licenses and take any necessary disciplinary action against licensees. Costs of the program are to be shared by the participating counties.

Staff believes that entering into the IGA will promote greater efficiency by creating regionwide standards and a central Inspector to conduct vehicle inspections. If the IGA is adopted, Boulder County staff will not have to engage in the time-consuming and technical process of vehicle inspections, and licensees would not have to apply in numerous jurisdictions if they operate throughout the region.

RECOMMENDATION:

Staff recommends the Board adopt the proposed Second Amended and Restated Intergovernmental Agreement for Ambulance and Secure Transportation Licensing and Inspection. Staff also recommends that Kathy Gissel be appointed as Boulder County representative to the Program Committee pursuant to Section VI.A.ii of the IGA.

Attachment

Exhibit A: Proposed Second Amended and Restated Intergovernmental Agreement for Ambulance and Secure Transportation Licensing and Inspection.