

Secure Transportation Regulatory Development and County Program Implementation

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Presentation Outline

- Background and Intent of [House Bill 21-1085](#)
- Statutory Obligations - CDPHE, Counties, HCPF
- Statutory & Project Timelines
- Regulatory Development
- County Responsibilities
- Q&A

Background and Intent of HB 21-1085

Created a regulatory and service system to provide secure transportation services to individuals experiencing a behavioral health crisis.

Intent to:

- Provide a **patient-centered approach**
 - Create **accountability** and **parity**
- Free up resources to **create a more effective alternative** to traditional ambulance services and law enforcement

CDPHE's Statutory Obligations

Requires the Colorado Department of Public Health and Environment (CDPHE) to develop minimum standards for urgent secure transportation services, as defined by Section 25-3.5-103, C.R.S.

The rules must include specific components and be adopted by the Board of Health by July 1, 2022

[Section 25-3.5-311, C.R.S.]

Requires CDPHE to collect data from secure transportation providers and annually make data publicly available

[Section 25-3.5-313, C.R.S.]

Counties' Statutory Obligations

The Board of County Commissioners of the county in which the secure transportation service is based is required to:

- **Ensure compliance** with minimum standards and license all secure transportation services, beginning no later than January 1, 2023
- **Set fees for all licenses, vehicle permits, and renewals** that reflects the direct and indirect costs incurred by the county
- **Issue separate vehicle permits** for each vehicle being used by the licensed secure transportation service

[Section 25-3.5-309, C.R.S.]

HCPF's Statutory Obligations

Requires the Colorado Department of Healthcare Policy and Financing (HCPF) to create a benefit for secure transportation by January 1, 2023

HCPF, in collaboration with the Office of Behavioral Health, is required to research and create a plan to establish secure transportation services, which may include supplemental and coordinated community response services, to be implemented by July 1, 2023

[Section 25-5.5-328, C.R.S.]

Project Timelines

September 2021	Stakeholder process began, held monthly meetings
December 2021- January 2022	Held 5 in-depth small workgroup meetings
March 2022	CDPHE stakeholder process ends HCPF stakeholder process begins
April 20, 2022	Board of Health request for rulemaking hearing
June 15, 2022	Board of Health rulemaking hearing
July/August 2022	Rules become effective (TBD)
July 2022- December 2022	Technical assistance to counties (anticipated)
January 1, 2023	Counties begin licensing secure transportation services Initial HCPF benefit creation
July 1, 2023	HCPF reimbursement benefits begin



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Regulatory Development - Stakeholder Process

- Working with diverse group of stakeholders who currently provide secure transportation services across the state
- Representation from behavioral health agencies, ground ambulance agencies, security companies, other state agencies, consultants, and advocates
- Wealth of expertise from internal and external partners on EMS and behavioral health side
- Utilized other states (Oregon, Utah, Nevada), although limited

Regulatory Development

Statutory obligations to include in rule:

(a) Staffing requirements for vehicles

(b) Staff training requirements

(c) Operating procedures, including circumstances when individual physical restraint is allowed

(d) Quality improvement and the process used to investigate complaints against a licensee

(e) Data collection and reporting on utilization to the Department by a licensee

(f) Minimum clinical and medical standards and procedures

(g) The circumstances under which an individual may be transported

(h) Criteria for pickup and drop-off

6 CCR 1011-4, Standards for Secure Transportation Services - Current Chapter Draft

Part 1 - Statutory Authority and Applicability

Part 2 - Definitions

Part 3 - County Issuance of Licenses and Vehicle Permits

Part 4 - Complaints

Part 5 - Denial, Revocation, or Suspension of Licensure and/or Vehicle Permits

Part 6 - Data Collection and Reporting Requirements

Part 7 - Staffing Requirements

Part 8 - Clinical, Medical, and Operating Standards and Procedures

Part 9 - Client Rights

Part 10 - Quality Management Program

County Responsibilities

The Board of County Commissioners of the county in which the secure transportation service is based will be responsible for issuing licenses and vehicle permits for such transports, complaint processing, and enforcement of the rules.

County Responsibilities - Part 3, County Issuance of Licenses and Vehicle Permits

The county shall ensure that the secure transportation service complies with the general requirements for County licensure of secure transportation services and permitting of secure transportation vehicles

County Responsibilities - Part 3, County Issuance of Licenses and Vehicle Permits

The county shall manage the licensure process for the following two license classifications:

License Classifications:

Class A - services that may use physical restraint during secure transport

Class B - services that shall not use physical restraint during secure transport

County Responsibilities - Part 3, County Issuance of Licenses and Vehicle Permits

The county shall manage the annual vehicle permitting process for the following two vehicle types:

Vehicle Types:

Type 1 - vehicle with a safety partition that separates the driver from the passenger compartment

Type 2 - non-partitioned vehicle

County Responsibilities - Part 3, County Issuance of Licenses and Vehicle Permits

Exemptions to licensing:

- 1) Ambulance agencies;
- 2) Transportation services provided by the Office of Behavioral Health within the Department of Human Services;
- 3) Emergency service patrols established pursuant to Section 27-81-115, C.R.S.; and
- 4) Law enforcement

[Section 25-3.5-309, C.R.S.]



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County Responsibilities - Part 3, County Issuance of Licenses and Vehicle Permits

If ambulance agencies act as secure transportation service providers and wish to be reimbursed, they must comply with the rules

An ambulance agency is eligible to receive reimbursement pursuant to Section 25.5-5-328 and is exempt from additional licensing requirements if the agency meets the requirements for secure transportation services as established by rule pursuant to Section 25-3.5-311, C.R.S.

[Section 25-3.5-309, C.R.S.]

County Responsibilities - Part 4, Complaints and Part 5, Denial, Revocation, or Suspension of Licensure and/or Vehicle Permits

Part 4 - Complaints:

- Develop and implement written complaint and investigation policy

Part 5 - Denial, Revocation, or Suspension of Licensure and/or Vehicle Permits:

- Develop and implement process for denial, suspension, or revocation of a license or vehicle permit(s)

County Responsibilities - Parts 7 through 10

The county shall ensure that the secure transportation service complies with all of the following requirements:

- Part 7 - Staffing Requirements
- Part 8 - Clinical, Medical, and Operating Standards and Procedures
- Part 9 - Client Rights
- Part 10 - Quality Management Program

Questions?

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