



**Colorado Department
of Public Health
and Environment**

DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

Health Facilities and Emergency Medical and Trauma Care System

6 CCR 1015-3

Chapter 1 – Education and Certification

**Rules Pertaining to Emergency Medical Services
(PROMULGATED BY THE STATE BOARD OF HEALTH)**

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DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

Health Facilities and Emergency Medical Services Division

EMERGENCY MEDICAL SERVICES

6 CCR 1015-3

[Editor's Notes follow the text of the rules at the end of this CCR Document.]

CHAPTER ONE – RULES PERTAINING TO EMS EDUCATION AND CERTIFICATION

Section 1 – Purpose and Authority for Rules

- 1.1 These rules address the recognition process for emergency medical services (EMS) education programs; the certification process for all levels of EMS Providers; and the procedures for denial, revocation, suspension, limitation, or modification of a certificate.
- 1.2 The authority for the promulgation of these rules is set forth in Section 25-3.5-101 et seq., C.R.S.

Section 2 – Definitions

- 2.1 All definitions that appear in Section 25-3.5-103, C.R.S., shall apply to these rules.
- 2.2 "Advanced Cardiac Life Support (ACLS)" - A course of instruction designed to prepare students in the practice of advanced emergency cardiac care.
- 2.3 "Advanced Emergency Medical Technician (AEMT)"- An individual who has a current and valid AEMT certificate issued by the Department and who is authorized to provide limited acts of advanced emergency medical care in accordance with the Rules Pertaining to EMS Practice and Medical Director Oversight.
- 2.4 "Basic Cardiac Life Support (CPR)" – A course of instruction designed to prepare students in cardiopulmonary resuscitation techniques.
- 2.5 "Certificate" – Designation as having met the requirements of Section 5 of these rules, issued to an individual by the Department. Certification is equivalent to licensure for purposes of the state Administrative Procedure Act, Section 24-4-101, et seq., C.R.S.
- 2.6 "Certificate Holder" – An individual who has been issued a certificate as defined above.
- 2.7 "Continuing Education" - Education required for the renewal of a certificate.
- 2.8 "Department" - Colorado Department of Public Health and Environment.
- 2.9 "Emergency Medical Practice Advisory Council (EMPAC)" – The council established pursuant to Section 25-3.5-206, C.R.S., that is responsible for advising the Department regarding the appropriate scope of practice for EMS Providers and for the criteria for physicians to serve as EMS medical directors.
- 2.10 "Emergency Medical Technician (EMT)" - An individual who has a current and valid EMT certificate issued by the Department and who is authorized to provide basic emergency medical care in accordance with the Rules Pertaining to EMS Practice and Medical Director Oversight. For the purposes of these rules, EMT includes the historic EMS Provider level of EMT-Basic (EMT-B).

- 2.11 "Emergency Medical Technician Intermediate (EMT-I)" - An individual who has a current and valid EMT-I certificate issued by the Department and who is authorized to provide limited acts of advanced emergency medical care in accordance with the Rules Pertaining to EMS Practice and Medical Director Oversight. For the purposes of these rules, EMT-I includes the historic EMS Provider level of EMT-Intermediate (EMT-I or EMT-I 99).
- 2.12 "Emergency Medical Technician with IV Authorization (EMT-IV)" – An individual who has a current and valid EMT certificate issued by the Department and who has met the conditions defined in the Rules Pertaining to EMS Practice and Medical Director Oversight relating to IV authorization.
- 2.13 "EMS Education Center" - A state-recognized provider of initial courses, EMS continuing education topics and/or refresher courses that qualify graduates for state and/or National Registry EMS provider certification.
- 2.14 "EMS Education Group" - A state-recognized provider of EMS continuing education topics and/or refresher courses that qualify individuals for renewal of a state and/or National Registry EMS provider certification.
- 2.15 "EMS Education Program" - A state-recognized provider of EMS education including a recognized education group or center.
- 2.16 "EMS Education Program Standards" - Department approved minimum standards for EMS education that shall be met by state-recognized EMS education programs.
- 2.17 "EMS Provider" – Means an individual who holds a valid emergency medical service provider certificate issued by the Department and includes Emergency Medical Technician, Advanced Emergency Medical Technician, Emergency Medical Technician Intermediate and Paramedic.
- 2.18 "Graduate Advanced Emergency Medical Technician" - A certificate holder who has successfully completed a Department recognized AEMT education course but has not yet successfully completed the AEMT certification requirements set forth in these rules.
- 2.19 "Graduate Emergency Medical Technician Intermediate" - A certificate holder who has successfully completed a Department recognized EMT-I education course but has not yet successfully completed the EMT-I certification requirements set forth in these rules.
- 2.20 "Graduate Paramedic" – A certificate holder who has successfully completed a Department recognized Paramedic education course but has not yet successfully completed the Paramedic certification requirements set forth in these rules.
- 2.21 "Initial Course" - A course of study based on the Department approved curriculum that meets the education requirements for issuance of a certificate for the first time.
- 2.22 "Initial Certification" - First time application for and issuance by the Department of a certificate at any level. This shall include applications received from persons holding any level of certification issued by the Department who are applying for either a higher or lower level certificate.
- 2.23 "Letter of Admonition" - A form of disciplinary sanction that is placed in a certificate holder's file and represents an adverse action against the certificate holder.
- 2.24 "Medical Director" – For the purposes of these rules, a physician licensed in good standing who authorizes and directs, through protocols and standing orders, the performance of students-in-training enrolled in Department-recognized EMS education programs and/or certificate holders who perform medical acts, and who is specifically identified as being responsible to assure the

performance competency of those EMS Providers as described in the physician's medical continuous quality improvement program.

- 2.25 "National Registry of Emergency Medical Technicians (NREMT)" - A national non-governmental organization that certifies entry-level and ongoing competency of EMS providers.
- 2.26 "Paramedic" - An individual who has a current and valid Paramedic certificate issued by the Department and who is authorized to provide acts of advanced emergency medical care in accordance with the Rules Pertaining to EMS Practice and Medical Director Oversight. For the purposes of these rules, Paramedic includes the historic EMS Provider level of EMT-Paramedic (EMT-P).
- 2.27 "Practical Skills Examination" - A skills test conducted at the end of an initial course and prior to application for national or state certification.
- 2.28 "Provisional Certification" - A certification, valid for not more than 90 days, that may be issued by the Department to an applicant seeking certification.
- 2.29 "Refresher Course" - A course of study based on the Department approved curriculum that contributes in part to the education requirements for renewal of a certificate.
- 2.30 "Rules Pertaining to EMS Practice and Medical Director Oversight" - Rules adopted by the Executive Director or Chief Medical Officer of the Department upon the advice of the EMPAC that establish the responsibilities of medical directors and all authorized acts of certificate holders, located at 6 CCR 1015-3, Chapter Two.
- 2.31 "State Emergency Medical and Trauma Services Advisory Council (SEMTAC)" – A council created in the Department pursuant to Section 25-3.5-104, C.R.S., that advises the Department on all matters relating to emergency medical and trauma services.

Section 3 - State Recognition of Emergency Medical Services (EMS) Education Programs

3.1 Specialized Education Curricula

3.1.1 The specialized education curricula established by the Department include but are not limited to the following:

- A) EMT initial and refresher courses
- B) Intravenous therapy (IV) and medication administration course
- C) AEMT initial and refresher courses
- D) EMT-I initial and refresher courses
- E) Paramedic initial and refresher courses

3.2 Application for State Recognition as an EMS Education Program

3.2.1 The Department may grant recognition for any of the following types of EMS education programs:

- A) EMT education center
- B) EMT education group

- C) EMT IV education group
- D) AEMT education center
- E) AEMT education group
- F) EMT-I education center
- G) EMT-I education group
- H) Paramedic education center
- I) Paramedic education group

- 3.2.2 An EMS education program recognized as an education center at any level shall also be authorized to serve as an education group at the same level(s).
- 3.2.3 EMS education programs recognized prior to the effective date of these rules shall be authorized to continue providing services at the same level(s) for the remainder of the current recognition period.
- 3.2.4 EMS education programs recognized at the EMT-I level shall also be authorized to provide services at the AEMT level for the remainder of the current recognition period.
- 3.2.5 Any education provider seeking to conduct EMS education to prepare graduates for national or state certification shall apply for state recognition as described below.
- 3.2.6 Initial EMS education program recognition shall be valid for a period of three (3) years from the date of the Department's written notice of recognition.
- 3.2.7 EMS education programs shall utilize personnel who meet the qualification requirements in the Department's EMS education program standards.
- 3.2.8 State-recognized EMS education programs are required to present the Rules Pertaining to EMS Practice and Medical Director Oversight at 6 CCR 1015-3, Chapter Two, including the current Colorado EMS scope of practice content as established in those rules, within every initial and refresher course.
- 3.2.9 EMS education centers that provide initial education at the Paramedic level shall obtain accreditation from the Commission on Accreditation of Allied Health Education Programs (CAAHEP). The EMS education center shall provide the Department with verification that an application for accreditation has been submitted to CAAHEP prior to the EMS education center initiating a second course.
- 3.2.10 EMS education centers that provide initial education at the Paramedic level shall maintain accreditation from CAAHEP. Loss of CAAHEP accreditation by an EMS education center shall result in proceedings for the revocation, suspension, limitation or modification of state recognition as an EMS education program.
- 3.2.11 Applicants for state EMS education program recognition shall submit the following documentation to the Department:
- A) a completed application form provided by the Department;

- B) a personnel roster, to include a current resume for the program director and medical director;
- C) a description of the facilities to be used for course didactic, lab, and clinical instruction and a listing of all education aids and medical equipment available to the program;
- D) program policies and procedures, which at a minimum shall address:
 - 1) admission requirements;
 - 2) attendance requirements;
 - 3) course schedule that lists as separate elements the didactic, lab, clinical, skills and written testing criteria of the education program;
 - 4) discipline/counseling of students;
 - 5) grievance procedures;
 - 6) successful course completion requirements;
 - 7) testing policies;
 - 8) tuition policy statement;
 - 9) infection control plan;
 - 10) description of insurance coverage for students, both personal liability and worker's compensation;
 - 11) practical skills testing policies and procedures;
 - 12) a continuous quality improvement plan: and
 - 13) recognition of continuing medical education provided by outside parties including, but not limited to, continuing medical education completed by members of the armed forces or reserves of the United States or the National Guard, military reserves or naval militia of any state.

3.2.12 After receipt of the application and other documentation required by these rules, the Department shall notify the applicant of recognition or denial as an EMS education program, or shall specify a site review or modification of the materials submitted by the applicant.

3.2.13 If the Department requires a site visit, the applicant shall introduce staff, faculty, and medical director, and show all documentation, equipment, supplies and facilities.

3.2.14 Applications determined to be incomplete shall be returned to the applicant.

3.2.15 The Department shall provide written notice of EMS education program recognition or denial of recognition to the applicant. The Department's determination shall include, but not be limited to, consideration of the following factors:

- A) fulfillment of all application requirements;

- B) demonstration of ability to conduct EMS education in compliance with the Department's EMS education program standards;
- C) demonstration of necessary professional staff, equipment and supplies to provide the education.

3.2.16 Denial of recognition shall be in accordance with Section 4 of these rules.

3.3 EMS Education Program Recognition Renewal

3.3.1 Renewal of recognition shall be valid for a period of five (5) years from the date of the Department's notice of recognition renewal and shall be based upon satisfactory past performance and submission of an updated application form.

3.3.2 Additional information as specified in Section 3.2.11 may be required by the Department. The Department may require a site review in conjunction with the renewal application.

3.4 Incorporation by Reference

3.4.1 These rules incorporate by reference the Commission on Accreditation of Allied Health Education Programs (CAAHEP) Standards and Guidelines for the Accreditation of Educational Programs in the Emergency Medical Services Professions as revised in 2005. Such incorporation does not include later amendments to or editions of the referenced material. The Health Facilities and Emergency Medical Services Division of the Department maintains copies of the incorporated material for public inspection during regular business hours, and shall provide certified copies of any non-copyrighted material to the public at cost upon request. Information regarding how the incorporated material may be obtained or examined is available from the Division by contacting:

EMTS Section Chief

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4300 Cherry Creek Drive South

Denver, CO 80246-1530

3.4.2 The incorporated material may be obtained at no cost from the website of the Committee on Accreditation of Education Programs for the Emergency Medical Services Professions at www.coaemsp.org/standards.htm.

Section 4 - Disciplinary Sanctions and Appeal Procedures for EMS Education Program Recognition

4.1 The Department, in accordance with the State Administrative Procedure Act, Section 24-4-101, et seq., C.R.S., may initiate proceedings to deny, revoke, suspend, limit or modify EMS education program recognition for, but not limited to, the following reasons:

4.1.1 the applicant fails to meet the application requirements specified in Section 3 of these rules.

4.1.2 the applicant does not possess the necessary qualifications to conduct an EMS education program in compliance with EMS education program standards.

- 4.1.3 the applicant fails to demonstrate access to adequate clinical or internship services as required in EMS education program standards.
 - 4.1.4 fraud, misrepresentation, or deception in applying for or securing EMS education program recognition.
 - 4.1.5 failure to conduct the EMS education program in compliance with EMS education program standards.
 - 4.1.6 failure to notify the Department of changes in the program director or medical director.
 - 4.1.7 providing false information to the Department with regard to successful completion of education or practical skill examination.
 - 4.1.8 failure to comply with the provisions in Section 3 of these rules.
- 4.2 If the Department initiates proceedings to deny, revoke, suspend, limit or modify an EMS education program recognition, the Department shall provide notice of the action to the EMS education program (or program applicant) and shall inform the program (or program applicant) of its right to appeal and the procedure for appealing. Appeals of Departmental actions shall be conducted in accordance with the State Administrative Procedure Act, Section 24-4-101, et seq., C.R.S.

Section 5 - Emergency Medical Services Provider Certification

5.1 General Requirements

5.1.1 The Department may issue the following EMS Provider certifications:

- A) EMT
- B) AEMT
- C) EMT-I
- D) Paramedic
- E) Provisional 90-day certification at the EMT, AEMT, EMT-I or Paramedic level.

5.1.2 No person shall hold himself or herself out as a certificate holder or offer, whether or not for compensation, any services included in these rules, or authorized acts permitted by the Rules Pertaining to EMS Practice and Medical Director Oversight, unless that person holds a valid certificate.

5.1.3 Certificates shall be effective for a period of three (3) years after the date of issuance. The date of issuance shall be determined by the date the Department approves the application.

5.1.4 Multiple certificates within the levels of EMS Provider shall not be permitted. Certification at a higher level indicates that the certificate holder may also provide medical care allowed at all lower levels of certification.

5.1.5 If a certificate holder seeks a higher or lower level of certification, he or she shall satisfy the requirements for initial certification at the new level, except as described below.

- A) If the higher level certificate is valid and in good standing or within six months of the expiration date, the applicant for a lower level certificate shall not be required to submit current and valid certification from the NREMT at the lower level.

5.2 Initial Certification

5.2.1 Applicants for initial certification shall be no less than 18 years of age at the time of application.

5.2.2 Applicants for initial certification shall submit to the Department a completed application provided by the Department, including the applicant's signature in a form and manner as determined by the Department, that contains the following:

A) evidence of compliance with criminal history record check requirements:

- 1) The applicant is not required to submit to a fingerprint-based criminal history record check if the applicant has lived in Colorado for more than three (3) years at the time of application and the applicant has submitted to a fingerprint-based criminal history record check through the Colorado Bureau of Investigations (CBI) for a previous Colorado certification application.
- 2) If the applicant has lived in Colorado for more than three (3) years at the time of application and has not submitted to a fingerprint-based criminal history record check as described in subparagraph 1 above, the applicant shall submit to a fingerprint-based criminal history record check generated by the CBI.
- 3) If the applicant has lived in Colorado for three (3) years or less at the time of application, the applicant shall submit to a fingerprint-based criminal history record check generated by the Federal Bureau of Investigations (FBI) through the CBI.
- 4) If, in accordance with subparagraphs 2 or 3 above, an applicant has twice submitted to a fingerprint-based criminal history record check and the FBI or CBI has been unable to classify the fingerprints, then the Department may accept a CBI and/or FBI name-based criminal history report generated through the CBI.

B) evidence of current and valid certification from the NREMT at or above the EMS Provider level being applied for, except as provided for in Paragraph F below.

- 1) NREMT certification at the Emergency Medical Technician – Intermediate 1985 national standard curriculum level (NREMT-I 85) shall be recognized at the EMT level for the purposes of this section.

C) evidence of current and valid professional level Basic Cardiac Life Support (CPR) course completion from a national or local organization approved by the Department, except as provided for in Paragraph F below.

D) In addition to paragraph C above, EMT-I and Paramedic applicants shall submit evidence of current and valid Advanced Cardiac Life Support (ACLS) course completion from a national or local organization approved by the Department, except as provided for in Paragraph F below.

- E) evidence of lawful presence in the United States.
- F) While stationed or residing within Colorado, an individual serving in the armed services of the United States or the spouse of the individual may apply for certification to practice in Colorado. The individual or spouse is exempt from the requirements of paragraphs B,C, and D if the applicant provides evidence of a valid EMS provider certificate or license to provide emergency medical services from another state, district or Territory, the certificate or license is current, and the person is in good standing.
 - 1) The Department may require evidence of military status and appropriate orders in order to determine eligibility for this exemption.

5.3 Renewal of Certification

5.3.1 General Requirements

- A) Upon the expiration date of a Department-issued certificate, the certificate is no longer valid and the individual shall not hold himself or herself out as a certificate holder, except under the circumstances specified below in paragraph F.
- B) Persons who have permitted their certification to expire for a period not to exceed six (6) months from the expiration date may renew their certification by complying with the provisions of Section 5.3 of these rules (Renewal of Certification).
- C) Persons who have permitted their certification to expire for a period of greater than six (6) months from the expiration date shall not be eligible for renewal and shall comply with the provisions of Section 5.2 of these rules (Initial Certification), unless exempted pursuant to 5.3.1(G) below.
- D) All certificates renewed by the Department shall be valid for three (3) years from the date of issuance.
- E) Date of issuance is the date of application approval by the Department, except, for applicants successfully completing the renewal of certification requirements during the last six (6) months prior to their certificate expiration date, the date of issuance shall be the expiration date of the current valid certificate being renewed.
- F) Pursuant to Section 24-4-104(7), C.R.S., of the State Administrative Procedure Act, if a certificate holder has made timely and sufficient application for certification renewal and the Department fails to take action on the application prior to the certificate's expiration date, the existing certification shall not expire until the Department acts upon the application. The Department, in its sole discretion, shall determine whether the application was timely and sufficient.
- G) Certificate holders who have been called to federally funded active duty for more than 120 days to serve in a war, emergency or contingency, shall be exempt from the requirements of Sections 5.3.2(B)(2) and (3) and (C) below, provided the holder's certificate expired:
 - 1) during the service or
 - 2) during the six months after the completion of service.

The Department may require appropriate documentation of service to determine eligibility for this exemption.

5.3.2 Application for Renewal of Certification

An applicant for renewal of a certification shall:

A) submit to the Department a completed application form provided by the Department, including the applicant's signature in a form and manner as determined by the Department;

B) submit to the Department with a completed application form all of the following:

1) evidence of compliance with criminal history record check requirements:

a. The applicant is not required to submit to a fingerprint-based criminal history record check if the applicant has lived in Colorado for more than three (3) years at the time of application and the applicant has submitted to a fingerprint-based criminal history record check through the Colorado Bureau of Investigations (CBI) for a previous Colorado certification application.

b. If the applicant has lived in Colorado for more than three (3) years at the time of application and has not submitted to a fingerprint-based criminal history record check as described in subparagraph a above, the applicant shall submit to a fingerprint-based criminal history record check generated by the CBI.

c. If the applicant has lived in Colorado for three (3) years or less at the time of application, the applicant shall submit to a fingerprint-based criminal history record check generated by the Federal Bureau of Investigations (FBI) through the CBI.

d. If, in accordance with subparagraphs b or c above, an applicant has twice submitted to a fingerprint-based criminal history record check and the FBI or CBI has been unable to classify the fingerprints, then the Department may accept a CBI and/or FBI name-based criminal history report generated through the CBI.

2) evidence of current and valid professional level Basic Cardiac Life Support (CPR) course completion from a national or local organization approved by the Department.

3) In addition to paragraph 2 above, EMT-I and Paramedic applicants shall submit evidence of current and valid Advanced Cardiac Life Support (ACLS) course completion from a national or local organization approved by the Department.

4) evidence of lawful presence in the United States.

C) complete one of the following:

1) current and valid NREMT certification at or above the EMS Provider level being renewed.

- 2) appropriate level refresher course as described in Section 5.3.3 conducted or approved through signature of a Department-recognized EMS education program representative and skill competency as attested to by signature of medical director or department-recognized EMS education program representative.
- 3) the minimum number of education hours as described in Section 5.3.3 completed or approved through signature of a Department-recognized EMS education program representative and skill competency as attested to by signature of medical director or department-recognized EMS education program representative.

5.3.3 Education Requirements to Renew a Certificate Without the Use of a Current and Valid NREMT Certification

A) For renewal of a certificate without the use of a current and valid NREMT certification, the following education is required:

- 1) Education required for the renewal of an EMT or AEMT certificate shall be no less than thirty-six (36) hours and shall be completed through one of the following:
 - a. a refresher course at the EMT or AEMT level conducted or approved by a Department-recognized EMS education program plus additional continuing education topics such that the total education hours is no less than thirty-six (36) hours.
 - b. continuing education topics consisting of no less than thirty-six (36) hours of education that is conducted or approved through a Department-recognized EMS education program consisting of the following minimum content requirements on the EMT or AEMT level:
 - i) one (1) hour of preparatory content that may include scene safety, quality improvement, health and safety of EMS providers, or medical legal concepts.
 - ii) two (2) hours of obstetric patient assessment and treatment.
 - iii) two (2) hours of pediatric patient assessment and treatment.
 - iv) six (6) hours of trauma patient assessment and treatment.
 - v) five (5) hours of patient assessment.
 - vi) three (3) hours of airway assessment and management.
 - vii) six (6) hours of medical/behavioral emergency patient assessment and management.
 - viii) eleven (11) hours of elective content that is relevant to the practice of emergency medicine.

2) Education required for the renewal of an EMT-I or Paramedic certificate shall be no less than fifty (50) hours and shall be completed through one of the following methods:

- a. a refresher course at the EMT-I or Paramedic level conducted or approved by a Department-recognized EMS education program plus additional continuing education topics such that the total education hours is no less than fifty (50) hours.
- b. continuing education topics consisting of no less than fifty (50) hours of education that is conducted or approved through a Department-recognized EMS education program consisting of the following minimum content requirements at the EMT-I or Paramedic level:

No less than twenty-five (25) hours as described below:

- i) eight (8) hours of airway, breathing, and cardiology assessment and treatment.
- ii) four (4) hours of medical patient assessment and treatment.
- iii) three (3) hours of trauma patient assessment and treatment.
- iv) four (4) hours of obstetric patient assessment and treatment.
- v) four (4) hours of pediatric patient assessment and treatment.
- vi) two (2) hours of operational tasks and no less than twenty-five (25) hours of elective content that is relevant to the practice of emergency medicine.

5.3.4 In satisfaction of the requirements of Section 5.3.3 above, the Department may accept continuing medical education, training, or service completed by a member of the armed forces or reserves of the United States or the National Guard, military reserves or naval militia of any state, upon presentation of satisfactory evidence by the applicant for renewal of certification.

- A) Satisfactory evidence may include but is not limited to the content of the education, method of delivery, length of program, qualifications of the instructor and method(s) used to evaluate the education provided.

5.4 Provisional Certification

5.4.1 General Requirements

- A) The Department may issue a provisional certification to an applicant whose fingerprint-based criminal history record check has not been received by the Department at the time of application for certification.
- B) To be eligible for a provisional certification, the applicant shall, at the time of application, have satisfied all requirements in these rules for initial or renewal certification.
- C) A provisional certification shall be valid for not more than ninety days.

- D) The Department may impose disciplinary sanctions pursuant to these rules if the Department finds that a certificate holder who has received a provisional certification has violated any of the certification requirements or any of these rules.
- E) Once a provisional certification becomes invalid, an applicant may not practice or act as a certificate holder unless an initial or renewal certification has been issued by the Department to the applicant.

5.4.2 Application for Provisional Certification

An applicant for a provisional certification shall:

- A) submit to the Department a completed application form provided by the Department.
 - 1) The applicant shall request a provisional certification.
- B) submit to a fingerprint-based criminal history record check as provided in Sections 5.2.2 and 5.3.2 of these rules. At the time of application, the applicant shall have already submitted the required materials to the CBI to initiate the fingerprint-based criminal history record check.
- C) submit to the Department with a completed application form all of the following:
 - 1) a fee in the amount of \$23.00.
 - 2) a name-based criminal history record check.
 - a. If the applicant has lived in Colorado for more than three (3) years at the time of application, a name-based criminal history report conducted by the CBI, including any internet-based system on CBI's website, or other name-based report as determined by the Department.
 - b. If the applicant has lived in Colorado for three (3) years or less at the time of application, a name-based criminal history report for each state in which the applicant has lived for the past three (3) years, conducted by the respective states' bureaus of investigation or equivalent state-level law enforcement agency, or other name-based report as determined by the Department.
 - c. Any name-based criminal history report provided to the Department for purposes of this paragraph c shall have been obtained by the applicant not more than 90 days prior to the Department's receipt of a completed application.

Section 6 - Disciplinary Sanctions and Appeal Procedures for EMS Provider Certification

6.1 For good cause, the Department may deny, revoke, suspend, limit, modify, or refuse to renew a certificate, may impose probation on a certificate holder, or may issue a letter of admonition in accordance with the State Administrative Procedure Act, Section 24-4-101, et seq., C.R.S.

6.2 Good cause for disciplinary sanctions listed above shall include, but not be limited to:

- 6.2.1 failure to meet the requirements of these rules pertaining to issuance and renewal of certification.
- 6.2.2 fraud, misrepresentation, or deception in applying for or securing certification.
- 6.2.3 aiding and abetting in the procurement of certification for any person not eligible for certification.
- 6.2.4 utilizing NREMT certification that has been illegally obtained, suspended or revoked, to obtain a state certification.
- 6.2.5 unlawful use, possessing, dispensing, administering, or distributing controlled substances.
- 6.2.6 driving an emergency vehicle in a reckless manner, or while under the influence of alcohol or other performance altering substances.
- 6.2.7 responding to or providing patient care while under the influence of alcohol or other performance altering substances.
- 6.2.8 demonstrating a pattern of alcohol or other substance abuse.
- 6.2.9 materially altering any Department certificate, or using and/or possessing any such altered certificate.
- 6.2.10 having an EMS provider certificate or license, or other health care certificate or license, suspended or revoked in Colorado or in another state or country.
- 6.2.11 unlawfully discriminating in the provision of services.
- 6.2.12 representing qualifications at any level other than the person's current EMS Provider certification level.
- 6.2.13 representing oneself to others as a certificate holder or providing medical care without possessing a current and valid certificate issued by the Department.
- 6.2.14 failing to follow accepted standards of care in the management of a patient, or in response to a medical emergency.
- 6.2.15 failing to administer medications or treatment in a responsible manner in accordance with the medical director's orders or protocols.
- 6.2.16 failing to maintain confidentiality of patient information.
- 6.2.17 failing to provide the Department with the current place of residence or failing to promptly notify the Department of a change in current place of residence or change of name.
- 6.2.18 a pattern of behavior that demonstrates routine response to medical emergencies without being under the policies and procedures of a designated emergency medical response agency and/or providing patient care without medical direction when required.
- 6.2.19 performing medical acts not authorized by the Rules Pertaining to EMS Practice and Medical Director Oversight and in the absence of any other lawful authorization to perform such medical acts.

- 6.2.20 failing to provide care or discontinuing care when a duty to provide care has been established.
 - 6.2.21 appropriating or possessing without authorization medications, supplies, equipment, or personal items of a patient or employer.
 - 6.2.22 falsifying entries or failing to make essential entries in a patient care report, EMS education document, or medical record.
 - 6.2.23 falsifying or failing to comply with any collection or reporting required by the state.
 - 6.2.24 failing to comply with the terms of any agreement or stipulation regarding certification entered into with the Department.
 - 6.2.25 violating any state or federal statute or regulation, the violation of which would jeopardize the health or safety of a patient or the public.
 - 6.2.26 unprofessional conduct at the scene of an emergency that hinders, delays, eliminates, or deters the provision of medical care to the patient or endangers the safety of the public.
 - 6.2.27 failure by a certificate holder to report to the Department any violation by another certificate holder of the good cause provisions of this section when the certificate holder knows or reasonably believes a violation has occurred.
 - 6.2.28 committing or permitting, aiding or abetting the commission of an unlawful act that substantially relates to performance of a certificate holder's duties and responsibilities as determined by the Department.
 - 6.2.29 committing patient abuse including the willful infliction of injury, unreasonable confinement, intimidation, or punishment, with resulting physical harm, pain, or mental anguish, or patient neglect, including the failure to provide goods and services necessary to attain and maintain physical and mental well-being.
- 6.3 Good cause for disciplinary sanctions also includes conviction of, or a plea of guilty, or of no contest, to a felony or misdemeanor that relates to the duties and responsibilities of a certificate holder, including patient care and public safety. For purposes of this paragraph, "conviction" includes the imposition of a deferred sentence.
- 6.3.1 The following crimes set forth in the Colorado Criminal Code (Title 18, C.R.S.) are considered to relate to the duties and responsibilities of a certificate holder:
 - A) offenses under Article 3 - offenses against a person.
 - B) offenses under Article 4 - offenses against property.
 - C) offenses under Article 5 - offenses involving fraud.
 - D) offenses under Article 6 - offenses involving the family relations.
 - E) offenses under Article 6.5 - wrongs to at-risk adults.
 - F) offenses under Article 7 - offenses related to morals.
 - G) offenses under Article 8 - offenses - governmental operations.

- H) offenses under Article 9 - offenses against public peace, order and decency.
- I) offenses under Article 17 - Colorado Organized Crime Control Act.
- J) offenses under Article 18 - Uniform Controlled Substances Act of 1992.

6.3.2 The offenses listed above are not exclusive. The Department may consider other pleas or criminal convictions, including those from other state, federal, foreign or military jurisdictions.

6.3.3 In determining whether to impose disciplinary sanctions based on a plea or on a felony or misdemeanor conviction, the Department may consider, but is not limited to, the following information:

- A) the nature and seriousness of the crime including but not limited to whether the crime involved violence to or abuse of another person and whether the crime involved a minor or a person of diminished capacity;
- B) the relationship of the crime to the purposes of requiring a certificate;
- C) the relationship of the crime to the ability, capacity or fitness required to perform the duties and discharge the responsibilities of an EMS Provider; and
- D) the time frame in which the crime was committed.

6.4 Appeals

6.4.1 If the Department denies certification, the Department shall provide the applicant with notice of the grounds for denial and shall inform the applicant of the applicant's right to request a hearing.

- A) A request for a hearing shall be submitted to the Department in writing within sixty (60) calendar days from the date of the notice.
- B) If a hearing is requested, the applicant shall file an answer within sixty (60) calendar days from the date of the notice.
- C) If a request for a hearing is made, the hearing shall be conducted in accordance with the State Administrative Procedure Act, Section 24-4-101 et seq., C.R.S.
- D) If the applicant does not request a hearing in writing within sixty (60) calendar days from the date of the notice, the applicant is deemed to have waived the opportunity for a hearing.

6.4.2 If the Department proposes disciplinary sanctions as provided in this section, the Department shall notify the certificate holder by first class mail to the last address furnished to the Department by the certificate holder. The notice shall state the alleged facts and/or conduct warranting the proposed action and state that the certificate holder may request a hearing.

- A) The certificate holder shall file a written answer within thirty (30) calendar days of the date of mailing of the notice.
- B) A request for a hearing shall be submitted to the Department in writing within thirty (30) calendar days from the date of mailing of the notice.

- C) If a request for a hearing is made, the hearing shall be conducted in accordance with the State Administrative Procedure Act, Section 24-4-101 et seq., C.R.S.
- D) If the certificate holder does not request a hearing in writing within thirty (30) calendar days of the date of mailing of the notice, the certificate holder is deemed to have waived the opportunity for a hearing.

6.4.3 If the Department summarily suspends a certificate, the Department shall provide the certificate holder notice of such in writing, which shall be sent by first class mail to the last address furnished to the Department by the certificate holder. The notice shall state that the certificate holder is entitled to a prompt hearing on the matter. The hearing shall be conducted in accordance with the State Administrative Procedure Act, Section 24-4-101, et seq., C.R.S.

Editor's Notes

History

Section 13 eff. 03/01/2008.

Section 11 eff. 05/30/2008.

Sections 1-6 eff. 12/30/2009.

Chapter Two eff. 12/15/2010.

Entire Rule eff. 06/30/2011.

Chapter One eff. 03/17/2013.

Annotations

Rule 5.4.1.D (adopted 11/18/2009) was not extended by Senate Bill 11-078 and therefore expired 05/15/2011.