

**BYLAWS  
Colorado  
Emergency Medical Practice Advisory Council**

**ARTICLE I  
Name**

The name of this organization shall be the Emergency Medical Practice Advisory Council, herein referred to as the “EMPAC,” created pursuant to C.R.S. § 25-3.5-206, operating within the Department of Public Health and Environment, Health Facilities and Emergency Medical Services Division, herein referred to as the “department.”

**ARTICLE II  
Duties of the Advisory Council**

Section 1. The EMPAC shall provide general technical expertise on matters related to the provision of patient care by department certified emergency medical service providers and shall advise or make recommendations to the department in the following areas:

- (a) The acts and medications that certified EMS providers at each level of certification are authorized to perform or administer under the direction of a physician medical director;
- (b) Requests for waivers to the scope of practice rules located at 6 CCR 1015-3 Chapter Two;
- (c) Modifications to EMS provider levels and capabilities; and
- (d) Criteria for physicians to serve as emergency medical service medical directors.

Section 2. The EMPAC shall provide guidance on rules to be adopted by the executive director or chief medical officer of the department. These rules include, but are not limited to:

- (a) Allowable acts for each level of EMS provider certification and the medications that each level of EMS provider can administer;
- (b) Defining the physician medical direction that is required for appropriate oversight of EMS providers by EMS medical directors;
- (c) Criteria for requests to waive the scope of practice rules and the conditions for such waivers; and
- (d) Minimum standards for physicians to be EMS medical directors.

**ARTICLE III**  
**Members**

- Section 1. Membership shall be in accordance with C.R.S. § 25-3.5-206.
- Section 2. There shall be eleven (11) members.
- Section 3. Eight (8) of these members shall be appointed by the Governor including:
- (a) Two physicians licensed in good standing in Colorado who are actively serving as emergency medical service medical directors and are practicing in rural or frontier counties;
  - (b) Two physicians licensed in good standing in Colorado who are actively serving as emergency medical service medical directors and are practicing in urban counties;
  - (c) One physician licensed in good standing in Colorado who is actively serving as an emergency medical service medical director in any area of the state;
  - (d) One EMS provider certified at an advanced life support level who is actively involved in the provision of emergency medical services;
  - (e) One EMS provider certified at a basic life support level who is actively involved in the provision of emergency medical services; and
  - (f) One EMS provider certified at any level who is actively involved in the provision of emergency medical services;
- Section 4. One voting member who, as of the effective date of this section, is a member of the state emergency medical and trauma services advisory council (SEMTAC), appointed by the executive director of the department.
- Section 5. Two (2) nonvoting ex officio members appointed by the executive director of the department.
- Section 6. Members of the EMPAC appointed by the governor shall serve four-year terms; except that, of the members initially appointed to the EMPAC by the governor, four members shall serve three-year terms.
- Section 7. A vacancy on the EMPAC shall be filled by appointment by the appointing authority for that vacant position for the remainder of the unexpired term.

Section 8. Members serve at the pleasure of the appointing authority and continue in office until the member's successor is appointed.

Section 9. Members of the EMPAC shall serve without compensation but shall be reimbursed for their actual and necessary travel expenses incurred in the performance of their duties.

#### **ARTICLE IV Officers**

Section 1. Elected officers of the EMPAC shall be the Chair and the Vice Chair:

- (a) These officers shall be elected from among the voting members of the EMPAC.
- (b) The election shall be at the first meeting of the EMPAC and then annually at the last meeting held in each calendar year thereafter or at such other time as may be fixed by resolution of the EMPAC.
- (c) The Chair and Vice Chair shall be elected by majority vote of the ballots cast for the office.
- (d) No elected officer shall hold more than one office at a time.
- (e) The Chair or Vice Chair may be removed from office:
  - (I) At any time for cause the EMPAC may deem sufficient, by a vote of two-thirds of the voting membership present. This vote shall take place at a meeting called for that purpose.
  - (II) If an officer is removed at such meeting, an election for a successor shall take place at the same meeting without previous notice of the election.

Section 2. Terms of the Chair and Vice Chair shall be one year commencing at the close of the meeting at which they were elected.

Section 3. A vacancy in office shall exist in the event of an officer's ineligibility to hold office, death, or resignation.

- (a) In the event the Chair position is vacated due to reasons identified in this Section 3, the Vice Chair shall assume the role for the remainder of the term.
- (b) In the event the Vice Chair position is vacated due to reasons identified in this Section 3, a special election shall be conducted at

the next regular meeting of the EMPAC in order to fill the vacancy. Nominations will be accepted at the meeting and an election will be conducted as described in Article VII following the close of nominations. The newly elected Vice Chair shall serve the remaining term.

Section 4. Duties of the Chair shall be to:

- (a) Preside at all meetings of the EMPAC.
- (b) Observe and enforce the bylaws and policies of the EMPAC.
- (c) Appoint EMPAC members to committees and appoint committee chairs as may be needed to conduct the business of the EMPAC.
- (d) Perform all such other duties incident to the office as provided by these bylaws, as prescribed by the governor, and by the parliamentary authority.

Section 5. Duties of the Vice Chair shall be to:

- (a) Exercise the functions of the Chair in the absence, during the absence, or during the inability of the Chair to perform, or upon the Chair's request.
- (b) Perform other duties the Chair may prescribe.

Section 6. The staff support for the EMPAC shall be provided by the department.

- (a) Staff support includes, but is not limited to:
  - (I) Monitor attendance, rule and report on unexcused absences;
  - (II) Receive resignations, written notices of impending vacancies or notices of change in status of the members, and communicating with the appropriate appointing authority to fill such vacancies;
  - (III) Notify all EMPAC members and announce to the public, in a manner prescribed by the EMPAC, the time and place of EMPAC meetings and meetings of the EMPAC's committees and task forces at least ten working days prior to such meetings and cancellations of such;
  - (IV) Record, maintain and distribute accurate minutes of all EMPAC and EMPAC committee meetings;

- (V) Make the minutes available to the public through the department;
- (VI) Distribute to EMPAC members the minutes of the previous meetings, the agenda of any EMPAC meetings and any supplemental materials approved by the Chair pertaining to such meetings at least ten working days prior to such meetings;
- (VII) Process vouchers for reimbursement for EMPAC members' expenses;
- (VIII) Maintain accurate and up-to-date lists of members of the EMPAC and all EMPAC Committees;
- (IX) Perform such other administrative duties as requested by the Chair.

Section 7. In the absence of both the Chair and Vice Chair at any meeting in which a quorum is present, the members present shall elect a chair to serve for that meeting only.

## **ARTICLE V Meetings**

Section 1. The EMPAC shall meet at least quarterly at the call of the Chair or at the request of any three (3) members of the EMPAC in accordance with Section 7 of this article.

Section 2. A quorum shall be a majority of the members, including ex officio non-voting members.

- (a) No proxy or absentee voting shall be allowed, however, at the discretion of the EMPAC Chair, members may be allowed to attend by teleconference.
- (b) Any meeting may be cancelled by the Chair, three working days prior to such meeting, when, in consultation with department staff, the Chair determines there will be no quorum present at such meeting.

Section 3. In the absence of a quorum, any business transacted is null and void, except:

- (a) to fix the time to which to adjourn,

- (b) to adjourn
- (c) to recess, or
- (d) to take measures to obtain a quorum.

Section 4. All meetings of the EMPAC shall be open to the public, unless called to Executive Session in accordance with the Colorado Open Meetings Law, and the EMPAC shall hear testimony from the public in attendance in a manner as prescribed by the EMPAC.

Section 5. All recommendations to the department, and/or its executive director or chief medical officer shall have been adopted by majority vote of the EMPAC.

Section 6. No individual member shall make a statement of policy that purports to be that of the EMPAC unless the EMPAC shall have adopted such policy, but no one shall be prohibited from stating his or her personal opinions, provided they are clearly identified as such.

Section 7. Special Meetings: Special meetings of the EMPAC may be called by the Chair or at the request of any three members of the EMPAC. The Chair may fix the time and place for holding any special meeting of the EMPAC. Any special meeting shall be limited in agenda and action to the specific purpose for which the meeting was called.

- (a) Notice Requirements. Notice of each special meeting of the EMPAC stating the date, time and place of the meeting shall be given to each member by first class mail at his or her address on file with the Department, at least five days prior to the meeting or at least two days prior to the meeting, if the notice is given by personal delivery, private carrier, telephone, facsimile, electronic transmission or any other form of wire or wireless communication. The method of notice need not be the same as to each member. Written notice, if given a comprehensible form, is deemed given upon the earliest of:
  - (I) the date received;
  - (II) five days after its deposit in the United States mail, as evidenced by the postmark, if mailed correctly addressed and with first class postage affixed; and

- (III) Notice transmitted by facsimile, electronic transmission or other form of wire or wireless communication is deemed given when the transmission is complete.
- (b) Public notice will be provided as specified in statute or regulation.
- (c) Waiver of Notice. A member may waive notice requirements for any meeting before or after the time and date of the meeting stated in the notice. Such waiver shall be delivered to the department's EMTS Section for filing with the department records. A member's attendance at or participation in a meeting constitutes waiver of notice requirements.
- (d) Attendance. For special meetings, EMPAC members may attend in person at the location specified in the meeting notice, or by telephone conference call as may be arranged by Department staff.

**ARTICLE VI**  
**Committees and Task Forces**

- Section 1. Committees and Task Forces of the EMPAC may be established or dissolved as needed to effectively conduct the business of the EMPAC.
- Section 2. Committees of the EMPAC shall be established annually by majority vote of the EMPAC at the next regular meeting following the election of the officers as follows:
  - (a) Committee membership shall consist of at least two (2) EMPAC members appointed by the Chair;
  - (b) The Chair of the EMPAC shall appoint the committee chair from among the EMPAC members;
  - (d) The Chair of the EMPAC may appoint additional committee members as needed. Additional committee members do not need to be members of the EMPAC.
  - (e) Ex-officio members may serve on committees. Ex-officio members shall be voting members and may serve as committee chairs.
- Section 3. Meetings of the EMPAC Committees shall be open to the public in accordance with the Colorado Open Meetings Law and except when prohibited by law, regulation or applicable policy, and shall hear testimony from the public in attendance in a manner as prescribed by the committee:

- (a) Meetings shall be at the call of the Chair of the committee.
- (b) Meetings shall be announced at least ten working days prior to the meeting date in a manner as prescribed by the EMPAC.
- (c) A majority of the current membership of committee shall constitute a quorum of such.
- (d) No proxy or absentee voting shall be allowed for any member of a committee or task force; however, a committee member may participate by teleconference.
- (e) Meetings of EMPAC committees shall be conducted in the manner as prescribed in the parliamentary authority.
- (f) Minutes of all committee and task force meetings shall be made, copies of which shall be remitted to department staff.

Section 4. Recommendations of committees to the EMPAC shall have been adopted by consensus of those present at the meeting. Should consensus not be attainable, then the recommendation shall be by majority vote of the respective committee members at a meeting.

Section 5. Task Forces may be established by the EMPAC to provide specific advice to the EMPAC. Task Forces shall be comprised of appropriate advisors to include at least one EMPAC member. Task force members must be approved by the EMPAC and task force members may include ex-officio members and advisors/members who are not EMPAC members. Task forces shall report to the EMPAC and shall dissolve when it is established that their purpose and function is complete or is no longer applicable.

## **ARTICLE VII**

### **Voting and Balloting Procedures**

Section 1. In any instance in which a majority vote is called for:

- (a) The presiding officer may call for a show of hands or standing vote and such voting method shall determine the result of the vote; except,
- (b) In the case of a candidate election where a majority is not discernible in Section 1(a) of this article, the vote shall be by secret ballot.

Section 2. The Chair shall be entitled to vote.

Section 3. In cases where a vote results in a tie, the vote fails.

**ARTICLE VIII**  
**Amendment of Bylaws**

Section 1. The bylaws may be amended at a meeting of the EMPAC by two-thirds vote provided that such amendment was submitted to the EMPAC Chair and the department staff and remitted to all members of the EMPAC at least ten working days prior to the meeting at which such amendment is to be offered.

Section 2. Adopted amendments shall take effect immediately upon adoption.

**ARTICLE IX**  
**Parliamentary Authority**

Section 1. The latest edition of ROBERT'S RULES OF ORDER NEWLY REVISED shall govern the EMPAC and its committees wherever they are applicable and not inconsistent with Colorado Revised Statutes or these bylaws.

**ARTICLE X**  
**Adoption of Bylaws**

These Bylaws shall take effect immediately upon majority vote of EMPAC and signature of the Chair.

**ARTICLE XI**  
**Conflict of Interest**

Section 1. No member of the EMPAC shall be permitted to vote on items brought before the EMPAC, or directly engage in tasks or duties of the EMPAC whereby an immediate personal or financial conflict of interest exists.

- (a) Any member wishing to abstain from voting shall notify the EMPAC according to the EMPAC's procedural policy.
- (b) Any EMPAC member wishing to disengage from a required task or duty of the EMPAC shall notify the EMPAC and give citation of possible conflict of interest to the Chair.
- (c) Dispensation from voting or duty shall pertain only to the specified vote or duty.

Bylaws adopted January 26, 2011:

A handwritten signature in black ink, appearing to be 'W. J. ...', written over a horizontal line.

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EMPAC Chair