



## Board Summary Report

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**File #:** 22-699

**Agenda Date:** 11/28/2022

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**To:** Board of County Commissioners

**Through:** Nathan Fogg, Manager, Office of Emergency Management

**Prepared By:**  
Alex Nelson, Management Analyst I, Commissioners' Office

**Presenter:** Nathan Fogg, Manager, Office of Emergency Management

**Subject:**  
2:00 PM \*Secure Transportation Licensing

**Purpose and Request:**

The purpose of this study session is to consider policies for the creation of a secure transportation licensing program as required by HB 21-1085.

**Background and Discussion:** In 2021, the Colorado General Assembly passed HB 21-1085, Secure Transportation Behavioral Health Crisis (bill language attached) to develop a program for secure, non-ambulance transportation for people experiencing mental health crises. Each county in Colorado is required to implement a secure transportation licensing program by January 1, 2023. The county programs must include:

- A process for issuing secure transportation licenses and individual vehicle permits
- A complaint process
- A denial, revocation or suspension process
- Data collection and reporting requirements
- Staffing requirements
- Clinical, medical and operating standards and procedures
- Client rights
- A quality management program

Based on initial outreach to behavioral health providers (i.e., AllHealth Network), we anticipate some contracting with third-party secure transportation services.

The program components are similar to that of the existing statutory ambulance licensing program, currently managed by the Office of Emergency Management through delegated authority to the Sheriff's Office. With this delegated authority, the Sheriff's Office entered into an intergovernmental agreement for program

management of the ambulance licensing program with five other metro-area counties. This IGA allows an ambulance provider who successfully completes the licensing process in Jefferson County, for example, to receive a license to operate in Arapahoe County pending payment of the fee.

The purpose of this study session is to satisfy the statutory obligation of adopting preliminary processes for secure transportation licensing before January 1, 2023, including establishing a licensing fee as well as delegating permitting authority to the Office of Emergency Management, consistent with the existing ambulance licensing practices. The Colorado Department of Public Health and Environment created a toolkit of example materials (link attached) to help counties meet the new statutory requirements of HB 21-1085. The Office of Emergency Management staff are working closely with other metro-area counties to prepare draft materials for each respective Board's adoption.

Beginning in January, businesses who want to acquire a secure transportation license will have to complete the license application in each metro county jurisdiction. However, staff are proposing that the county explore an IGA establishing license reciprocity with the other metro-area counties to increase business certainty and manage staffing expectations.

In addition, with the new single-county public health department coming online in 2023, there is an opportunity for further discussion with the Board of County Commissioners and Board of Health in 2023 regarding the operation of both licensing programs, consistent with other counties. Staff recommends doing further analysis and bringing this item back for consideration in the second quarter of 2023. (Note that, per SB 22-225, the Board will also have the option of opting out of ambulance licensing altogether beginning in July 2024 and allowing the State to manage ambulance licenses).

To meet our statutory requirements, staff is proposing a \$125 fee per vehicle license and delegating permitting authority to the Office of Emergency Management, consistent with the County's current ambulance licensing practices. If this framework is approved by the Board, the program materials would be placed on the December 6, 2022, consent agenda for Board adoption.

**Fiscal Impact:** There is no immediate direct fiscal impact associated with adopting the secure transportation licensing program. If the fee is approved as presented, each licensee would pay the County \$125 per vehicle permit. For context, the ambulance licensing program has generated approximately \$14,375 and expended approximately \$15,015 year to date. Expenditures and revenues for the secure transportation licensing program will be dependent upon the volume of licenses Arapahoe County has to review and issue, which is unknown at this time.

**Alternatives:** The Board could modify or decline to move forward with the recommendations as presented.

**Alignment with Strategic Plan:**

- Be fiscally sustainable
- Provide essential and mandated service
- Be community focused

**Staff Recommendation:** Staff recommend approving the program policies as presented.

**Concurrence:** Office of Emergency Management; County Attorney's Office