

EXHIBIT A

POLICIES AND PROCEDURES COMPLIANT WITH THE BELOW REQUIREMENTS MUST BE SUBMITTED WITH APPLICATION:

GENERAL

Policies and procedures must follow national best practice guidelines where available that address, at a minimum:

- a. Appropriate procedures to assess initially whether the client requires a higher level of transport than the service can provide;
- b. Appropriate procedures to follow when, during a secure transport, it becomes apparent that a client needs medical attention or a higher level of transport than the service can provide;
- c. Appropriate procedures to confirm the receiving facility's acceptance of the client prior to initiation of the secure transport;
- d. Criteria used for pickup and drop-off, including the circumstances that determine a secure transport client's eligibility;
- e. The level of support and protection needed for both client and staff safety;
- f. Compliance with vehicle safety standards and procedures;
- g. Proper evacuation of the vehicle during emergencies if the windows and/or exits of the vehicle are blocked or inaccessible;
- h. Infection protection and control, including the decontamination of the vehicle after each transport;
- i. Parental and/or guardian level of support and involvement;
- j. Meeting client needs on extended transports including meals, water and bathroom breaks; and
- k. Documentation of all steps in the process from initial pickup request to drop-off, including but not limited to documenting all stops made during the secure transportation service.

STAFFING REQUIREMENTS POLICY

- A. Manager/Administrator: Each applicable secure transportation service operating within Pueblo County must have a manager and administrator who meets the following minimum requirements:
 1. Be at least twenty-one (21) years of age, possess a high school diploma or GED;
 2. Have at least one (1) year documented supervisory experience in the provision of secure transportation services - or be qualified by education, knowledge, and experience to oversee the secure transportation services provided;
 3. Be able to communicate, understand, and respond effectively to the client, family representatives, and other providers and be able to use appropriate translator services as needed;

4. Be familiar with all applicable local, state and federal laws and regulations concerning the operation and provision of secure transportation services;
 5. Be in good standing with any state regulatory agency if the manager or administrator is licensed or certified with the Colorado Department of Regulatory Agencies or the Colorado Department of Public Health and Environment; and
 6. Have passed a background check that was performed by the secure transportation service or owner prior to the assumption of responsibilities. The manager or administrator shall not conduct their own background check or any required follow-up.
- B. Any changes regarding the manager or administrator of record must be provided to the County or its designee within fourteen (14) business days of the change.
- C. Staffing: Every secure transportation service's staffing requirements must include, at a minimum:
1. All drivers must possess a current and valid Colorado driver's license.
 2. If a Type 1 (partitioned) vehicle is being used for the secure transport, then the following shall apply:
 - i. A 1:1 ratio of client to staff member shall be maintained during the transport; this staff member may *also* be the driver. If one (1) client is being transported, then one (1) staff member with a current and valid certification for all training topics is required to staff a vehicle permitted for each secure transport. If more than one client is being transported, then one (1) staff member who possesses a current and valid certification for all training topics is required to accompany each individual client during transport.
 3. If a Type 2 (non-partitioned) vehicle is being used for the secure transport, then the following shall apply:
 - i. A 1:1 ratio of client to staff member shall be maintained during the transport, in addition to the driver who is *not* included in this staffing ratio requirement. If one (1) client is being transported, then two (2) staff members are required to staff the vehicle. At minimum, the staff member who is not the driver will have a current and valid certification for all training topics.
 4. Each secure transportation service must have a policy in-place related to background checks for all staff members. Such background checks shall take place prior to an individual providing secure transportation services. The policy shall include, at a minimum:
 - i. The secure transportation service's responsibility to conduct a background check on every existing and prospective staff member.

- a. If any background check reveals prior convictions of a violent, fraudulent, or abusive nature, the manager or administrator shall inquire further to determine the potential impact on client safety in accordance with the policies developed by the secure transportation service.
 - b. If an individual is hired despite a background check that reveals a prior conviction of a violent, fraudulent, or abusive nature, the manager or administrator shall document the reasons for hire and plans for supervision.
5. Each secure transportation service must have established the following minimum staff training requirements for all staff that must be completed prior to providing secure transportation services, and annually thereafter, or as recommended by the relevant training organizations:
 - i. Cultural competencies including, but not limited to, supporting persons with physical or cognitive disabilities, language accessibility, and accessing interpretive services;
 - ii. In-person or online verbal de-escalation training sessions that prioritize client and staff safety and inform restraint requirements set forth in Part 8.3, 6 CCR 1011-4;
 - iii. Trauma-informed care principles;
 - iv. Evade and escape violent encounter strategies;
 - v. Internal policies and procedures applicable to the secure transportation service and staff, including, but not limited to the staff disciplinary policy;
 - vi. Client rights; and
 - vii. Compliance with applicable privacy laws.
6. Each secure transportation service must have established the following additional minimum staff training requirements for all staff with direct client contact:
 - i. Adult and Youth Mental Health First Aid as offered by educational institutions or by professional organizations such as mentalhealthfirstaid.org, or the equivalent;
 - ii. Basic First Aid and CPR; and
 - iii. Care of clients with substance use disorders.
7. Each Class A secure transportation service must have also established the following additional minimum staff training requirements for all staff who may utilize physical restraint during secure transportation of clients:
 - i. Circumstances and protocols governing the permissible application of individual physical restraint during secure transport consistent with 6 CCR 1011-4; and
 - ii. Safe application of individual physical restraint on clients during secure transport to ensure restraints do not restrict a client's airway or breathing ability.
8. Each staff member with direct client contact must possess a certification or proof of having completed the required coursework.

QUALITY MANAGEMENT PROGRAM

1. Each secure transportation service operating within Pueblo County must have an ongoing quality management program (“QMP”) that is appropriate to the size and type of the service. The program shall incorporate a plan that evaluates the quality of client care and safety and has the following policies and procedures including, at a minimum:
 - The incorporation of the substantiated findings of any complaint into its QMP for the purpose of evaluating and implementing systemic changes where needed.
 - The general description of the types of cases, problems, or risks to be reviewed and criteria for identifying potential risks.
 - Identification of the staff members responsible for coordinating quality management activities.
 - A description of the method(s) for:
 - i. Investigating and analyzing the frequency and causes of individual problems and patterns of problems;
 - ii. Taking corrective action to address the problems, including prevention and minimizing problems or risks;
 - iii. Evaluating corrective action(s) to determine the effectiveness of such action(s); and
 - iv. Coordinating all pertinent case, problem, or risk review information with other applicable quality assurance and/or risk management activities, such as review of client care, review of staff conduct, the client complaint system as described in Section XI of this Policy, and education and training programs.
 - Documentation of required quality management activities, including cases, problems, or risks identified for review; findings of investigations; and any actions taken to address problems or risks.
2. A schedule for program implementation not to exceed ninety (90) days after the date of the issuance of the secure transportation service license.
3. A schedule for program evaluation to periodically assess the effectiveness of services and review the clinical and operational protocols and compliance with such protocols.
4. The utilization or application of data collected pursuant to Section XIII.A of this Policy to inform the quality management plan.
5. A written disciplinary policy that addresses a process for staff quality improvement.
6. The secure transportation service shall make available the quality management plan to Pueblo County during the initial and renewal license applications.
7. Pueblo County, the Colorado Department of Public Health and Environment (the “Department”), or any other appropriate regulatory agency having jurisdiction for disciplinary or licensing sanctions shall have access to any records, reports, and other information of the quality management program.

SECURE TRANSPORTATION VEHICLE PERMIT

Each vehicle used by a licensed secure transportation service is required to have a valid County-issued permit for the vehicle beginning January 1, 2023.

- A. Permits are valid for one year and have the following two types of permitting options:
1. Type 1 – vehicle with a safety partition that separates the driver from the passenger compartment; or
 2. Type 2 – non-partitioned vehicle.
- B. Requirements for Licensing:
1. All client and crew vehicle safety standards must be followed.
 2. All vehicles must demonstrate proof of compliance with Federal Motor Vehicle Safety Standards on the date of manufacture.
 3. All vehicles must undergo routine vehicle maintenance and periodic checks in accordance with manufacturer recommendations.
 4. All vehicles must have the following safety features:
 - i. Four doors;
 - ii. Ligature risk reduction measures;
 - iii. Child safety and window safety locks;
 - iv. Global Positioning System (GPS) tracking;
 - v. Occupant protection, including seat belts, supplemental inflatable restraints, and child safety seats (as applicable);
 - vi. Cabin temperature control and ventilation system;
 - vii. Be absent any foreign items or instruments in the secured area that may be used to inflict harm; and
 - viii. Mirror for monitoring the client or capability for visual observation of the client.
 5. If a Type 1 vehicle with a safety partition that separates the driver from the passenger compartment is being used for the secure transportation service, then the vehicle must have the following additional safety features:
 - i. Permanent installation of all safety partitions; and
 - ii. For vehicles with a cargo area, a safety partition must also be installed that separates the passenger compartment from the cargo area
 6. All vehicles must be equipped with the following:

- i. First aid kit;
 - ii. Fire extinguisher;
 - iii. Wireless two-way communication (public safety radio, commercial land mobile radio, or wireless telephone);
 - iv. Biohazard bag;
 - v. Personal protective equipment for each occupant as per public health recommendations; and
 - vi. Map of service area.
7. If a licensed secure transportation service utilizes physical restraint as part of its services, the vehicle shall additionally be equipped with the following:
 - i. Automated external defibrillator (AED);
 - ii. Non-metal, soft posey-type restraints; and
 - iii. Device intended to prevent a client from spitting or biting that does not restrict the client's airway or breathing ability and does not pose a ligature risk.

C. For secure transportation vehicle permits, applicants must provide:

1. Completed permit application (one for each vehicle).
2. Certificate of Mechanical Inspection (to be completed by a qualified motor vehicle mechanic) (one for each vehicle).
3. Proof of motor vehicle insurance coverage with Pueblo County identified as certificate holder.
4. Proof of general liability and applicable professional liability insurance coverage, at a minimum:
 2. Liability insurance for injuries in the amount of \$1,000,000 for each individual claim;
 3. Liability insurance in the amount of \$3,000,000 for all claims made against the secure transportation service or against its personnel from an insurance company authorized to write liability insurance in Colorado;
 4. Liability insurance coverage to the maximum extent required by Section 24-10-114, C.R.S., as applicable, if the secure transportation service is granted qualified immunity under the Colorado Governmental Immunity Act, Section 24-10-101, *et.seq.*, C.R.S.; and
 5. Proof of any additional insurance as identified in county resolution or regulations.

CLINICAL, MEDICAL AND OPERATING STANDARDS AND PROCEDURES

Parameters for Secure Transportation: Secure transport clients shall only be transported under the following circumstances:

1. The client is experiencing a behavioral health crisis.
2. The client is in need of urgent transportation to a facility that is defined in part 2.22(C), 6 CCR 1011-4.
3. The client does not and will not need either:
 - Medical treatment during transport, or
 - Active or ongoing medical monitoring.
4. The client does not and will not need to be chemically restrained during secure transport as a behavioral intervention.

5. No chemical restraint shall be administered during a secure transport. If chemical restraint is needed to ensure client safety, then the client shall receive an ambulance transport.

6. Physical restraint, as defined in Part 2.21, 6 CCR 1011-4, shall only be utilized for health and safety purposes under the following conditions:
 - i. In cases of emergency, when the client is at risk of causing serious, probable and imminent threat of bodily harm to themselves or to others and when there is the present ability to affect such bodily harm; and
 - ii. After the failure of less restrict alternatives, including verbal de-escalation; or
 - iii. After a determination that such alternatives would be inappropriate or ineffective under the circumstances.

If physical restraint is utilized during a transport, the service shall document the time at which the physical restraint was applied and removed (if applicable) and the type of physical restraint used.

Transportation Procedures:

1. The secure transportation service shall transport one (1) client per vehicle transport, except under the following circumstances:
 - i. Each client has received behavioral health clearance from the treating provider at the sending facility, no physical restraint is needed, and there is a low probability of behavioral destabilization;
 - ii. Each client has received medical clearance from the treating provider at the sending facility, is medically stabilized, and has a low probability of medical destabilization;
 - iii. Each client has received an assessment from the treating provider at the sending facility that the client is an appropriate candidate for a transport with one or more individuals;

- iv. The transport is an inter-facility transport as defined at Part 2.22(C), 6 CCR 1011-4; and
- v. Each client has given their consent to be transported with another individual.

2. The secure transportation service shall create and maintain accurate and detailed logs of client transports, including professional incident reports.

3. To ensure the needs of clients are met, secure transportation services that do not provide 24/7 services shall provide the client with their after-hours contact information and with contract information for the secure transportation service's back-up providers.

CLIENT RIGHTS

A. Every secure transportation service must have written client rights that assure a client has the right to be treated with consideration, respect, and full recognition of human dignity and individuality, and that includes, at a minimum:

1. The right of the client and their property to be treated with respect.
2. The right of the client to have access to basic comfort items and their personal mobile phone provided the direct client support staff member establishes and documents that those items do not pose a danger to the client or staff member.
3. The right of the client to wear their own clothes provided the direct client support staff member establishes and documents that those items do not pose a danger to the client or staff member.
4. The right of the client to receive secure transportation services by the least restrictive means necessary to assure the safety of the client.
5. The right of the client to be free from discrimination in the provision of services.
6. The right of the client to be free from neglect; financial exploitation; and verbal, physical, and psychological abuse, including humiliation, intimidation, or punishment.
7. For clients who request voluntary transport, the right of the client to discontinue secure transportation services.
8. The right of the client to receive disclosure about any video and/or audio recording that occurs during the delivery of service in accordance with applicable privacy laws.
9. The right of the client to have personally identifying health information protected from unnecessary disclosure.
10. The right of the client or their representative to file a complaint against the secure transportation service with the secure transportation service and County concerning services or care that is or is not furnished and receive documentation of the existence of the investigation and resolution of the complaint, including providing the complainant with the results of the investigation, and the secure transportation service's plan to resolve any identified issues.

11. The right of the client to file a complaint with the secure transportation service and County without fear of discrimination or retaliation by the secure transportation service's owner, manager, administrator or any staff member.

B. Every secure transportation service must have client's rights policies and procedures, that include, at a minimum:

1. Procedures for identifying, reporting, reviewing, and investigating all allegations of abuse, mistreatment, neglect and exploitation.
2. Procedures for timely communicating all investigation results to the client and County in which the secure transportation service is licensed.
3. Procedures for timely and appropriate disciplinary action up to and including termination of staff and appropriate legal recourse against any staff member who has engaged in abuse, mistreatment, neglect or exploitation of a client.
4. Procedures that direct client support staff members must follow, to document their decision to withhold any basic comfort items and/or the client's personal mobile phone or prohibit a client from wearing their own clothes.