

Las Animas County
200 E. 1st Str Room 110
Trinidad, CO. 81082



Felix M. Lopez, Commissioner
Tony C. Hass, Commissioner
Robert A. Lucero, Commissioner

February 13, 2025

Trinidad Ambulance District
13840 US Hwy 350
Trinidad, Colorado 81082

Re: Amended Service Plan for Trinidad Ambulance District

Dear Chief Moreno:

This letter shall serve as your written advisement of official action regarding the Amended Service Plan.

Trinidad Ambulance District ("District"), organized in 1989 as a Special District and authorized to operate as an ambulance district, submitted to the Las Animas County Board of County Commissioners ("Board") a request to amend their service plan through the procedures outlined in Title 32, Article 1, C.R.S.

As required by C.R.S. §32-1-204 the Board scheduled, properly noticed and held a public hearing on the Amended Service Plan ("Plan") on January 28, 2025.

The Plan as filed by the District included language that the District would continue to provide emergency services with the addition of several new services to include; primary medical care, mental health services, behavioral health services and support, dental services, health insurance assistance, preventative health screenings, prescription assistance, community health and monitoring programs and education opportunities.

Colorado caselaw has confirmed that although special districts do have proprietary powers, those powers are strictly limited to what is expressly conferred upon them by law. Therefore, the Board may only approve a service plan that contains services authorized by statute.

As stated above, the District was formed and is authorized to operate as an ambulance district. Under C.R.S. §32-1-1007(1)(a)(b)&(c), an ambulance district is authorized to (a) own, maintain and operate ambulances, other vehicles and equipment necessary for the provisions of emergency services; (b) provide emergency medical services by employees of the district, to provide voluntary ambulance service and to make contracts with individuals, partnerships, associations or corporations or with other political subdivisions of the state or any combination thereof; and (c) to impose an impact fee.

This Board can see the benefits that the services outlined in the Plan would bring to Las Animas County, however nothing in Colorado law authorizes an ambulance district to provide those additional services. The only special district currently authorized to provide those services is a health service district. Colorado law outlines the procedures under which a health service district can be formed, including a petition signed by 30% or 200 taxpaying electors, along with several other requirements. The District did not provide, nor could the Board find any statutory or regulatory guidance authorizing the conversion of a special district after the original special district had been formed (with the exception of a water and sanitation district as outlined in C.R.S. §32-1-1006, which does not apply in this matter).

The only written reference made regarding the ambulance district becoming a health service district is found in the opening paragraph of the Plan where it is stated that the District had received its Community Integrated Health Care Service License prompting the conversion to a health service district. This Board could find nothing in Colorado statute or case law that supports or authorizes an automatic conversion upon the issuance of a license.

Although the plan and evidence presented by the District shows that they feel they are no longer an ambulance district and want to hold themselves out as a health service district, the testimony provided at the hearing by representatives for the District was that it was not their intention to form, nor were they forming, a new district. If the District were to now be a health service district, they would in fact be a new district with new authority.

There is no process by which an ambulance district can convert to a health service district, therefore, at all times relevant to this process and this Board's decision the District was and remains an ambulance district. As an ambulance district can only provide (and therefore include in their service plan) the services outlined in C.R.S. §32-1-1007(1)(a)(b)&(c), the Board cannot approve the amended Plan.

It is this Board's official decision that the Amended Service Plan submitted by the Trinidad Ambulance District is hereby denied/disapproved.


Felix M. Lopez, Commissioner

February 13, 2025
Date


Tony C. Hass, Commissioner


Robert A. Lucero, Commissioner