

Title of Rule: Revision to the Medical Assistance Act Rule Concerning Secure Transportation – Crisis Professional
Rule Number: MSB 25-03-11-A
Division / Contact / Phone: Policy Development and Implementation/ Erica Schaler/ 303-803-5607

STATEMENT OF BASIS AND PURPOSE

1. Summary of the basis and purpose for the rule or rule change. (State what the rule says or does and explain why the rule or rule change is necessary).

The purpose of the proposed rule is to change the term “skilled professional” to “crisis professional” in order to align with the Behavioral Health Administration’s (BHA’s) rules.

2. An emergency rule-making is imperatively necessary

to comply with state or federal law or federal regulation and/or
 for the preservation of public health, safety and welfare.

Explain:

N/A

3. Federal authority for the Rule, if any:

N/A

4. State Authority for the Rule:

2 C.C.R. 502-1, Section 1.3 (definition of “crisis professional”).

C.R.S. §§ 25.5-1-301 through 25.5-1-303 (2025);

Initial Review
Proposed Effective Date

06/13/25
08/30/25

Final Adoption
Emergency Adoption

07/11/25

DOCUMENT #11

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REGULATORY ANALYSIS

1. Describe the classes of persons who will be affected by the proposed rule, including classes that will bear the costs of the proposed rule and classes that will benefit from the proposed rule.

The purpose of the proposed rule is to change the term “skilled professional” to “crisis professional” in order to align with the Behavioral Health Administration’s (BHA’s) rules. There is no impact of the proposed rule – only an alignment of clinical terminology. There is no cost to the proposed rule.

2. To the extent practicable, describe the probable quantitative and qualitative impact of the proposed rule, economic or otherwise, upon affected classes of persons.

There is no quantitative or qualitative impact of the proposed rule as it is simply aligning Department rules with partner agency rules (BHA).

3. Discuss the probable costs to the Department and to any other agency of the implementation and enforcement of the proposed rule and any anticipated effect on state revenues.

The proposed rule is cost neutral. There will be no impact on state revenues.

4. Compare the probable costs and benefits of the proposed rule to the probable costs and benefits of inaction.

The proposed rule is cost neutral. The benefit of the proposed rule is that Department rules align with the BHA rules. There is no benefit to inaction.

5. Determine whether there are less costly methods or less intrusive methods for achieving the purpose of the proposed rule.

There are no less costly methods or less intrusive methods for achieving the purpose of the proposed rule.

6. Describe any alternative methods for achieving the purpose for the proposed rule that were seriously considered by the Department and the reasons why they were rejected in favor of the proposed rule.

There were no alternative methods seriously considered by the Department for achieving the purpose of the proposed rule.

1 8.019 SECURE TRANSPORTATION

2 8.019.A DEFINITIONS

- 3 1. “Behavioral Health” means an individual’s mental and emotional well-being and actions that affect
 4 an individual’s overall wellness. Behavioral health issues and disorders include substance use
 5 disorders, serious psychological distress, suicide, and other mental health disorders, and range
 6 from unhealthy stress or subclinical conditions to diagnosable and treatable diseases. The term
 7 “behavioral health” is also used to describe service systems that encompass prevention and
 8 promotion of emotional health and prevention and treatment services for mental health and
 9 substance use disorders.
- 10 2. “Behavioral Health Crisis” means a significant disruption in a person’s mental or emotional
 11 stability or functioning resulting in an urgent need for immediate assessment and treatment to
 12 prevent a further or serious deterioration in the person’s mental or physical health.
- 13 3. “Secure Transportation” or “Secure Transportation Services” means urgent transportation
 14 services provided to individuals experiencing a Behavioral Health Crisis as further defined at 6
 15 C.C.R. 1011-4: 2.22. 6 C.C.R. 1011-4: 2.22 is incorporated by reference. The incorporation of 6
 16 C.C.R. 1011-4: 2.22 excludes later amendments to, or editions of the referenced material.
 17 Pursuant to § 24-4-103(12.5), C.R.S., the Department maintains copies of this incorporated text
 18 in its entirety, available for public inspection during regular business hours at 303 E. 17th Ave.,
 19 Denver, CO 80203. Certified copies of incorporated materials are provided at cost upon request.
 20 Incorporated materials may also be obtained from the original issuer at www.sos.state.co.us.

21 8.019.B CLIENT ELIGIBILITY

- 22 1. A Health First Colorado Medicaid member is eligible for Secure Transportation Services if the
 23 member is in a Behavioral Health Crisis. A Behavioral Health Crisis may be established by an
 24 intervening professional as defined in Section 27-65-102(20), C.R.S.; crisis professional
 25 professional as defined in 2 C.C.R. 502-1:1.3; independent professional person as
 26 defined in Section 27-65-102(19), C.R.S.; certified peace officer as defined in 4 C.C.R. 901-1:1.3;
 27 Rule 1(k), Section 21.400.1; or by an Emergency Medical Services (EMS) provider as defined in
 28 6 C.C.R. 1015-3:1, 2.22. Section 27-65-102(20), C.R.S.; 2 C.C.R. 502-1:1.3; Section 27-65-
 29 102(19), C.R.S.; 4 C.C.R. 901-1:1(k); and 4 CCR 21.400.1 are incorporated by reference. The
 30 incorporation of Section 27-65-102(20), C.R.S.; 2 C.C.R. 502-1:1.3; Section 27-65-102(19),
 31 C.R.S.; 4 C.C.R. 901-1; and 4 CCR 21.400.1 excludes later amendments to, or editions of the
 32 referenced material. Pursuant to § 24-4-103(12.5), C.R.S., the Department maintains copies of
 33 this incorporated text in its entirety, available for public inspection during regular business hours
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 35 cost upon request. Incorporated materials may also be obtained from the original issuer at
 36 www.leg.colorado.gov or www.sos.state.co.us.

37 8.019.C PROVIDER ELIGIBILITY

- 38 1. A Medicaid-Health First Colorado enrolled provider that is licensed and meets all requirements
 39 set forth at ~~to~~ 6 C.C.R. 1011-4 may provide secure transportation services. 6 C.C.R. 1011-4 is
 40 incorporated by reference. The incorporation of 6 C.C.R. 1011-4 excludes later amendments to,
 41 or editions of the referenced material. Pursuant to § 24-4-103(12.5), C.R.S., the Department
 42 maintains copies of this incorporated text in its entirety, available for public inspection during
 43 regular business hours at 303 E. 17th Ave., Denver, CO 80203. Certified copies of incorporated
 44 materials are provided at cost upon request. Incorporated materials may also be obtained from
 45 the original issuer at www.leg.colorado.gov.

1 **8.019.D COVERED SERVICES**

2 1. Secure Transportation includes:

3 a. Transportation of an individual from the community to a facility for treatment and
4 evaluation pursuant to Section 27-65-103 or 27-65-105(1), C.R.S. and Article 65 of Title
5 27, which are incorporated by reference. The incorporation of Section 25-65-103, C.R.S.;
6 Section 27-65-105(1), C.R.S.; and Article 65 of Title 27 excludes later amendments to, or
7 editions of the referenced material. Pursuant to § 24-4-103(12.5), C.R.S., the Department
8 maintains copies of this incorporated text in its entirety, available for public inspection
9 during regular business hours at 303 E. 17th Ave., Denver, CO 80203. Certified copies of
10 incorporated materials are provided at cost upon request. Incorporated materials may
11 also be obtained from the original issuer at www.leg.colorado.gov;

12 b. Transportation of an individual from any location to an approved treatment facility or to a
13 walk-in crisis center that is in operation as part of the behavioral health crisis response
14 system as described in Articles 81 and 82 of Title 27; Section 27-81-106, C.R.S., which
15 are incorporated by reference. The incorporation of Articles 81 and 82 of Title 27 and
16 Section 25-81-106, C.R.S. excludes later amendments to, or editions of the referenced
17 material. Pursuant to § 24-4-103(12.5), C.R.S., the Department maintains copies of this
18 incorporated text in its entirety, available for public inspection during regular business
19 hours at 303 E. 17th Ave., Denver, CO 80203. Certified copies of incorporated materials
20 are provided at cost upon request. Incorporated materials may also be obtained from the
21 original issuer at www.leg.colorado.gov; or

22 c. An individual who is receiving transportation across levels of care or to a higher or lower
23 level of care, transportation between any of the following types of facilities:

24 i. An emergency medical services facility;

25 ii. A facility designated by the Executive Director of the Colorado Department of
26 Human Services (DHS) for the treatment and evaluation pursuant to Article 65 of
27 Title 27;

28 iii. An approved treatment facility, as described in Section 27-81-106, C.R.S., which
29 is incorporated by reference. The incorporation of Section 25-81-106, C.R.S.
30 excludes later amendments to, or editions of the referenced material. Pursuant to
31 § 24-4-103(12.5), C.R.S., the Department maintains copies of this incorporated
32 text in its entirety, available for public inspection during regular business hours at
33 303 E. 17th Ave., Denver, CO 80203. Certified copies of incorporated materials
34 are provided at cost upon request. Incorporated materials may also be obtained
35 from the original issuer at www.leg.colorado.gov;

36 iv. A walk-in crisis center that is operating as part of the behavioral health crisis
37 response system; or

38 v. A behavioral health entity (BHE) licensed with a current twenty-four (24) hour
39 endorsement pursuant to Section 25-27.6-106, C.R.S. Section 25-27.6-106,
40 C.R.S. is incorporated by reference. The incorporation of Section 25-27.6-106,
41 C.R.S. excludes later amendments to, or editions of the referenced material.
42 Pursuant to § 24-4-103(12.5), C.R.S., the Department maintains copies of this
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45 incorporated materials are provided at cost upon request. Incorporated materials
46 may also be obtained from the original issuer at www.leg.colorado.gov.

1 **8.019.E NON-COVERED SERVICES**

2 1. Secure Transportation does not include transportation services provided by law enforcement;

3 a. Except that any member of a co-responder team may provide Secure Transportation
4 Services if that co-responder:

5 i. Is not law enforcement or personnel employed by or contracted with a law
6 enforcement agency; and

7 ii. Holds a valid license for Secure Transportation by the county in which the Secure
8 Transportation originates; and

9 iii. Provides Secure Transportation in a vehicle:

10 1) With a valid permit issued by the county in which the Secure
11 Transportation originates; and

12 2) That meets the minimum requirements for Secure Transportation
13 services set forth at 6 CCR 1011-4. 6 C.C.R. 1011-4 is incorporated by
14 reference. The incorporation of 6 C.C.R. 1011-4 excludes later
15 amendments to, or editions of the referenced material. Pursuant to § 24-
16 4-103(12.5), C.R.S., the Department maintains copies of this
17 incorporated text in its entirety, available for public inspection during
18 regular business hours at 303 E. 17th Ave., Denver, CO 80203. Certified
19 copies of incorporated materials are provided at cost upon request.
20 Incorporated materials may also be obtained from the original issuer at
21 www.sos.state.co.us.

22 **8.019.F PRIOR AUTHORIZATION REQUIREMENTS**

23 1. Prior authorization is not required.

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