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EXECUTIVE ORDER

Authorizing the Colorado Department of Public Health and Environment to Reallocate Existing Funds from Contracts with Local Public Health Agencies Due to the Presence of COVID-19

Pursuant to the authority vested in the Governor of the State of Colorado and, in particular, pursuant to Article IV, Section 2 of the Colorado Constitution and the relevant portions of the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701 *et seq.*, I, Jared Polis, Governor of the State of Colorado, hereby issue this Executive Order authorizing the Colorado Department of Public Health and Environment (CDPHE) to reallocate existing funds from contracts with local public health agencies due to the presence of coronavirus disease 2019 (COVID-19) in the State.

I. Background and Purpose

On March 5, 2020, CDPHE's public health laboratory confirmed the first presumptive positive COVID-19 test result in Colorado. Since then, the number of confirmed cases has continued to climb, and there is community spread throughout the State. I verbally declared a disaster emergency on March 10, 2020, and on March 11, 2020, I issued the corresponding Executive Order D 2020 003, as amended by Executive Orders D 2020 018, D 2020 032, and D 2020 058. On March 25, 2020, I requested that the President of the United States declare a Major Disaster for the State of Colorado, pursuant to the Stafford Act. The President approved that request on March 28, 2020.

My administration, along with other State, local, and federal authorities, has taken a wide array of actions to mitigate the effects of the pandemic, prevent further spread, and protect against overwhelming our health care resources.

This Executive Order authorizes CDPHE to reallocate existing funds from contracts with local public health agencies to COVID-19 response activities, and permits the use of certain funds to conduct research to better serve minority and traditionally disadvantaged communities. Reprioritizing the use of existing funds will provide flexibility to local public health agencies as they respond to COVID-19.

II. Directives

A. I authorize CDPHE to redirect any remaining State fund balance on contracts between CDPHE and a county or district public health agency or the Denver Health and Hospital Authority (collectively, "local public health agency"), related to the Communities that Care (CTC) Program appropriated from the Marijuana Tax Cash Fund created by C.R.S. § 39-28.8-501(1), to COVID-19 response activities. CDPHE may permit a local public health agency who is a CTC contractor to utilize any remaining State contract funds for State Fiscal Year 2019-2020 for this purpose.

B. I authorize CDPHE to redirect any remaining State fund balance on contracts between CDPHE and a local public health agency related to the Family Planning Program (FPP) authorized by C.R.S. § 25-6-103, to COVID-19 response activities. CDPHE may permit a local public health agency who is a FPP contractor to utilize any remaining State contract funds for State Fiscal Year 2019-2020 for this purpose.

C. I authorize CDPHE to redirect any remaining State fund balance on contracts between CDPHE and a local public health agency related to Tuberculosis treatment and control as authorized by C.R.S. § 25-4-513, to COVID-19 response activities. CDPHE may permit a local public health agency who is a Tuberculosis treatment and control contractor to utilize any remaining State contract funds for State Fiscal Year 2019-2020 for this purpose.

D. I authorize CDPHE to redirect any remaining State fund balance on contracts between CDPHE and a local public health agency related to the Colorado immunization fund created by C.R.S. § 25-4-2301, to COVID-19 response activities. CDPHE may permit a local public health agency who is an immunization contractor to utilize any remaining State contract funds for State Fiscal Year 2019-2020 for this purpose.

E. Any remaining State fund balances that are redirected pursuant to Sections II.A through II.D of this Executive Order may be used to reimburse expenses local public health agencies have already incurred in conducting COVID-19 response activities on or after March 10, 2020, or to pay for ongoing COVID-19 response activities.

F. I authorize CDPHE to redirect up to $100,000 in State funds appropriated for ongoing statewide marijuana prevention and education campaigns authorized in C.R.S. § 25-3.5-1004 from the Marijuana Tax Cash Fund created by C.R.S. § 39-28.8-501(1), to fund behavioral research designed to inform COVID-19 recommendations and educational campaigns focused on minority and traditionally disadvantaged communities.

III. Duration

This Executive Order shall expire thirty (30) days from May 16, 2020, unless extended further by Executive Order.

GIVEN under my hand and the Executive Seal of the State of Colorado, this sixteenth day of May, 2020

Jared Polis
Governor