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# D 2020 136

## EXECUTIVE ORDER

**Extending Executive Orders D 2020 068 and D 2020 104 Temporarily Suspending Statutes to Maintain Eligibility for Medicaid and Children's Basic Health Plan Enrollees**

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 extending Executive Orders D 2020 068 and D 2020 104, temporarily suspending certain statutes to maintain eligibility for Coloradans enrolled in Medicaid and the Children's Basic Health Plan.

### I. Background and Purpose

On March 5, 2020, the Colorado Department of Public Health and Environment's (CDPHE) 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 we have evidence of 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, D 2020 058, D 2020 076, D 2020 109, and D 2020 125. 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 undertaken a broad array of actions to respond to and mitigate the effects of the pandemic, prevent further spread, preserve our health care resources, and provide needed flexibility to address the collateral consequences of the pandemic.

The Families First Coronavirus Response Act offers states participating in the Medicaid program a 6.2% increase in their Federal Medicaid Assistance Percentage (FMAP) if they maintain eligibility and benefit levels for Medicaid enrollees on and after March 18, 2020.

This Executive Order extends Executive Order D 2020 068, as extended by Executive Order D 2020 104, which ensures compliance with the Families First Coronavirus Response Act by temporarily suspending certain statutes to allow for continued eligibility or benefits status for those individuals enrolled in Medicaid as of

March 18, 2020 and to prevent any changes in eligibility, and directs the Executive Director of the Department of Health Care Policy and Financing (HCPF) to delay the collection of annual fees for those enrolled in Colorado's Children's Basic Health Plan.

## II. Duration

Executive Order D 2020 068, as extended by Executive Order D 2020 104 and this Executive Order, shall expire thirty (30) days from July 12, 2020, unless extended further by Executive Order. In all other respects, Executive Order D 2020 068, as extended by Executive Order D 2020 104, shall remain in full force and effect as originally promulgated.

GIVEN under my hand and the Executive Seal of the State of Colorado, this twelfth day of July, 2020.

Jared Polis
Governor