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EXECUTIVE ORDER

Temporarily Suspending Certain Statutes to Allow the Operation of Alternate Care Sites in Colorado 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.* (Act), I, Jared Polis, Governor of the State of Colorado, hereby issue this Executive Order temporarily suspending certain statutes to allow the operation of alternate care sites in Colorado due to the presence of coronavirus disease 2019 (COVID-19).

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 widespread 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 undertaken a wide 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.

In the event that a COVID-19 infection surge threatens to overwhelm our healthcare resources, the State may activate alternate care sites (ACS) to increase hospitals' capacity to provide care to COVID-19 patients. The ACSs will be used to provide care to COVID-19 patients who no longer require inpatient hospitalization but still require some medical care and observation to ensure their safety and well-being while recovering from COVID-19.

This Executive Order suspends certain statutes and authorizes the Division of Homeland Security and Emergency Management (DHSEM) in the Department of Public Safety to enter into contracts to allow ACSs to operate at the Colorado Convention Center and The Ranch Larimer County Fairgrounds and Events Complex (The Ranch). Denver Health Hospital Authority (DHHA) will provide services to operate the Colorado Convention Center ACS and UCHealth

will provide services to operate The Ranch ACS. Both ACSs will be operated under the oversight of DHSEM.

II. Directives

A. I direct DHSEM to create ACSs at the Colorado Convention Center and The Ranch to provide healthcare services to patients recovering from COVID-19.

B. I temporarily suspend the requirements for health facilities licensing by CDPHE under C.R.S. §§ 25-1.5-103, 25-3-101, and 25-1-114(1)(c) for the Colorado Convention Center ACS and The Ranch ACS.

C. Pursuant to the authority established in relevant provisions of the Act, C.R.S. § 24-33.5-701 *et seq.*, I direct DHSEM and DHHA to enter into a contract to provide healthcare services consistent with the provisions of this Executive Order at the Colorado Convention Center ACS. While acting in good faith to comply completely with this Executive Order, and the resulting contract, to operate the Colorado Convention Center ACS, DHHA and its personnel shall be immune from civil or criminal liability for any action taken to comply with this Executive Order related to their activities at the Colorado Convention Center ACS pursuant to C.R.S. § 24-33.5-711.5(2).

D. Pursuant to the authority established in relevant provisions of the Act, C.R.S. § 24-33.5-701 *et seq.*, I direct DHSEM and UCHealth to enter into a contract to provide healthcare services consistent with the provisions of this Executive Order at The Ranch ACS. While acting in good faith to comply completely with this Executive Order, and the resulting contract, to operate The Ranch ACS, UCHealth and its personnel shall be immune from civil or criminal liability for any action taken to comply with this Executive Order related to their activities at The Ranch ACS pursuant to C.R.S. § 24-33.5-711.5(2).

E. Pharmacy operations for the Colorado Convention Center ACS and The Ranch ACS are authorized to receive prescription drugs from a pharmaceutical manufacturer or wholesaler pursuant to the provisions of C.R.S. § 12-280-305(2) under the supervision of CDPHE's State Chief Medical Officer or such other licensed medical director as identified by DHSEM, DHHA, or UCHealth.

F. DHSEM is authorized to enter into contracts as may be necessary to provide services and administration of the Colorado Convention Center ACS and The Ranch ACS.

III. Duration

This Executive Order shall expire thirty (30) days from May 20, 2020, unless extended further by Executive Order.

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

Jared Polis
Governor