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D 2021 008

EXECUTIVE ORDER

Amending and Extending Executive Orders D 2020 038, D 2020 063, D 2020 097, D 2020 131, D 2020 158, D 2020 182, D 2020 212, D 2020 240, D 2020 271, and D 2021 002 Ordering the Temporary Suspension of Certain Statutes and Rules to Expand the Healthcare Workforce for Hospitals and Other Inpatient Treatment Facilities 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 amending and extending Executive Order D 2020 038, as amended and extended by Executive Orders D 2020 063, D 2020 097, D 2020 131, D 2020 158, D 2020 182, D 2020 212, D 2020 240, D 2020 271, and D 2021 002, ordering the temporary suspension of certain statutes and rules to expand the healthcare workforce for hospitals, inpatient treatment facilities, and administration of coronavirus disease 2019 (COVID-19) vaccinations in outpatient settings due to the presence of COVID-19 in Colorado.

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 or extended by Executive Orders D 2020 2020 018, D 2020 032, D 2020 058, D 2020 076, D 2020 109, D 2020 125, D 2020 152, D 2020 176, D 2020 205, D 2020 234, D 2020 258, D 2020 264, D 2020 268, D 2020 284, D 2020 290, D 2020 296, and D 2021 008. 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 amends and extends Executive Order D 2020 038, as amended and extended by Executive Orders D 2020 063, D 2020 097, D 2020 131, D 2020 158, D 2020 182, D 2020 212, D 2020 240, D 2020 271, and D 2021 002, for an additional thirty (30) days to

ensure that inpatient healthcare facilities have sufficient resources and personnel to treat patients suffering from COVID-19 and to ensure that inpatient facilities and outpatient settings have sufficient resources to administer COVID-19 vaccinations.

II. Amendment

Section II of Executive Order D 2020 038, as amended and extended by Executive Orders D 2020 063, D 2020 097, D 2020 131, D 2020 158, D 2020 182, D 2020 212, D 2020 240, D 2020 271, and D 2021 002, is amended as follows:

1. Section II.A is amended to read as follows:

   I direct the Executive Director of DORA, through the Director of the Division of Professions and Occupations (DPO), to promulgate and issue temporary emergency rules to permit the licensed professionals listed below to cross train, supervise, and delegate responsibilities concerning the temporary care and treatment of patients to the professionals listed in Section II.B., below, in hospitals, inpatient medical facilities, including emergency departments, and outpatient settings, including but not limited to providing the COVID-19 vaccine, as long as such delegated responsibilities are appropriate based on each delegated professional's education, training, and experience

III. Duration

Executive Order D 2020 038, as amended and extended by Executive Orders D 2020 063, D 2020 097, D 2020 131, D 2020 158, D 2020 182, D 2020 212, D 2020 240, D 2020 271, D 2021 002, and this Executive Order, shall expire thirty (30) days from January 7, 2021, unless extended further by Executive Order. In all other respects Executive Order 2020 038, as amended and extended by Executive Orders D 2020 063, D 2020 097, D 2020 131, D 2020 158, D 2020 182, D 2020 212, D 2020 240, D 2020 271, and D 2021 002 shall remain in full force and effect as originally promulgated.

GIVEN under my hand and the Executive Seal of the State of Colorado, this seventh day of January, 2021.

Jared Polis
Governor