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D 2021 031

EXECUTIVE ORDER

Extending Executive Orders D 2020 068, D 2020 104, D 2020 136, D 2020 160, D 2020 183, D 2020 214, D 2020 241, D 2020 272, and D 2021 003 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, D 2020 104, D 2020 136, D 2020 160, D 2020 183, D 2020 214, D 2020 241, D 2020 272, and D 2021 003 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 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, 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, D 2021 009, D 2021 022, and D 2021 028. 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.

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 Orders D 2020 104, D 2020 136, D 2020 160, D 2020 183, D 2020 214, D 2020 241, D 2020 272, and D 2021 003, 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, D 2020 136, D 2020 160, D 2020 183, D 2020 214, D 2020 241, D 2020 272, D 2021 003, and this Executive Order, shall expire thirty (30) days from January 31, 2021, unless extended further by Executive Order. In all other respects, Executive Order D 2020 068, as extended by Executive Order D 2020 104, D 2020 136, D 2020 160, D 2020 183, D 2020 214, D 2020 241, D 2020 272, and D 2021 003, shall remain in full force and effect as originally promulgated.

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

Jared Polis
Governor