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D 2021 013

EXECUTIVE ORDER

Amending and Extending Executive Orders D 2020 045, D 2020 080, D 2020 114, D 2020 145, D 2020 169, D 2020 198, D 2020 225, D 2020 249, and D 2020 279 Permitting the Limited Recommencement of Voluntary or Elective Surgeries and Procedures in Colorado

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 Orders D 2020 045, D 2020 080, D 2020 114, D 2020 145, D 2020 169, D 2020 198, D 2020 225, D 2020 249, and D 2020 279 to allow voluntary or elective surgeries and procedures to proceed under certain conditions due to coronavirus 2019 (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 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 and extended 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, and D 2021 009. 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.

This Executive Order amends and extends Executive Order D 2020 045, as amended and extended by Executive Orders D 2020 080, D 2020 114, D 2020 145, D 2020 169, D 2020 198, D 2020 225, D 2020 249, and D 2020 279, for an additional thirty (30) days to allow voluntary or elective surgeries and procedures under certain conditions.

II. Amendment

Section II of Executive Order D 2020 045, as amended and extended by Executive Orders D 2020 080, D 2020 114, D 2020 145, D 2020 169, D 2020 198, D 2020 225, D 2020 249, D 2020 279, is amended as follows:

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

   Beginning November 18, 2020, I direct all hospitals to report the following daily in EMResource at 10:00 a.m.:

   1. The maximum number of staffed intensive care unit (ICU) beds that can be made available for patients in need of ICU level care; and

   2. The maximum number of staffed medical and surgical beds available for patients in need of non-ICU hospitalization.

III. Duration

Executive Order D 2020 045, as amended and extended by Executive Orders D 2020 080, D 2020 114, D 2020 145, D 2020 169, D 2020 198, D 2020 225, D 2020 249, D 2020 279, and this Executive Order, shall expire thirty (30) days from January 10, 2021, unless extended further by Executive Order. In all other respects, Executive Order D 2020 045, as amended and extended by D 2020 080, D 2020 114, D 2020 145, D 2020 169, D 2020 198, D 2020 225, D 2020 249, and D 2020 279, shall remain in full force and effect as originally promulgated.

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

Jared Polis
Governor