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D 2021 076

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, D 2021 003, D 2021 031, and D 2021 054 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, D 2021 003, D 2021 031, and D 2021 054, 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 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, D 2021 009, D 2021 022, D 2021 028, D 2021 045, D 2021 061, and D 2021 068. 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 Orders D 2020 104, D 2020 136, D 2020 160, D 2020 183, D 2020 214, D 2020 241, D 2020 272, D 2021 003, D 2021 031, and D 2021 054, 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 Orders D 2020 104, D 2020 136, D 2020 160, D 2020 183, D 2020 214, D 2020 241, D 2020 272, D 2021 003, D 2021 031, D 2021 054, and this Executive Order, shall expire thirty (30) days from March 30, 2021, unless extended further by Executive Order. In all other respects, 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, D 2021 003, D 2021 031, and D 2021 054, shall remain in full force and effect as originally promulgated.

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

Jared Polis
Governor