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EXECUTIVE ORDER

Amending and Extending Executive Orders D 2020 071, D 2020 107, D 2020 137, D 2020 163, D 2020 189, D 2020 218, D 2020 244, D 2020 275, and D 2021 006 Concerning the Suspension of 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*., I, Jared Polis, Governor of the State of Colorado, hereby issue this Executive Order amending and extending Executive Orders D 2020 071, D 2020 107, D 2020 137, D 2020 163, D 2020 189, D 2020 218, D 2020 244, D 2020 275, and D 2021 006 concerning the suspension of statutes to allow the operation of alternate care sites in Colorado due to the presence of 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 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, 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 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. It is imperative that we ensure health care facilities have sufficient resources and to ensure the safety and well-being of COVID-19 patients who no longer require inpatient hospitalization but still require some medical care and observation while recovering from COVID-19.

Three of five alternate care sites (ACS), The Ranch Complex in Loveland, the Western Memory Care Center in Grand Junction, and the Colorado Convention Center in Denver, are being decommissioned. Decommissioning these three sites will save the State money while ensuring that we still have the necessary capacity to respond to a surge of COVID-19 patients.

This Executive Order amends and extends Executive Order D 2020 071, as amended and extended by Executive Orders D 2020 107, D 2020 137, D 2020 163, D 2020 189, D 2020 218, D 2020 244, D 2020 275, and D 2021 006, for an additional thirty (30) days to ensure health care facilities have sufficient resources and to ensure the safety and well-being of COVID-19 patients who no longer require inpatient hospitalization but still require some medical care and observation while recovering from COVID-19. The amendment accounts for the decommissioning of the Colorado Convention Center ACS in Denver.

II. Amendments

Executive Order D 2020 071, as amended and extended by Executive Orders D 2020 107, D 2020 137, D 2020 163, D 2020 189, D 2020 218, D 2020 244, D 2020 275, and D 2021 006, is amended as follows:

1. Strike Section II.A and replace it with the following:

   > I direct DHSEM to create alternate care sites (ACS) at St Anthony's and St. Mary-Corwin Medical Center to provide healthcare services to patients recovering from COVID-19.

2. Strike Section II.B and replace it with the following:

   > 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 St Anthony's and St. Mary-Corwin Medical Center.

3. Strike Section II.C.

4. Strike Section II.E and replace it with the following:

   > Pharmacy operations for St Anthony's ACS and St. Mary-Corwin Medical Center 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 and DHHA.

5. Strike Section II.F and replace it with the following:

   DHSEM is authorized to enter into contracts as may be necessary to provide services and administration of St Anthony's ACS and St. Mary-Corwin Medical Center ACS.

III. Duration

Executive Order D 2020 071, as amended and extended by Executive Orders D 2020 107, D 2020 137, D 2020 163, D 2020 189, D 2020 218, D 2020 244, D 2020 275, D 2021 006, and this Executive Order, shall expire thirty (30) days from February 2, 2021, unless extended further by Executive Order. In all other respects, Executive Order D 2020 071, as amended or extended by Executive Orders D 2020 107, D 2020 137, D 2020 163, D 2020 189, D 2020 218, D 2020 244, D 2020 275, and D 2021 006, shall remain in full force and effect as originally promulgated.

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

Jared Polis
Governor