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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, and D 2020 240 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, and D 2020 240, 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 coronavirus disease 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 058, D 2020 064, and D 2020 268. 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, and D 2020 240, for an additional thirty (30) days to ensure that inpatient healthcare facilities have sufficient resources and personnel to treat patients suffering from COVID-19.

II. Amendments

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, and D 2020 240, is amended as follows:

1. Replace Section III.E with the following:

   I direct the Executive Director of DORA, through the Director of DPO, to promulgate and issue temporary emergency rules providing for the temporary licensure of nurses who hold valid nursing licenses in good standing from other states, regardless of whether the issuing state is a participant with Colorado in a licensing compact, and the temporary certification of nurse aides without a written examination or skills-based examination.

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, and this Executive Order, shall expire thirty (30) days from December 3, 2020, 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, shall remain in full force and effect as originally promulgated.

GIVEN under my hand and the Executive Seal of the State of Colorado, this third day of December, 2020.

Jared Polis
Governor