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D 2021 038

EXECUTIVE ORDER

Extending Executive Orders D 2020 077, D 2020 108, D 2020 139, D 2020 165, D 2020 191, D 2020 220, D 2020 247, D 2020 277, and D 2021 011 Ordering the Temporary Suspension of Certain Statutes to Increase the Medicaid Home Health Workforce and Eliminate Cost Sharing for COVID-19 Testing and Treatment for Medicaid 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 077, D 2020 108, D 2020 139, D 2020 165, D 2020 191, D 2020 220, D 2020 247, D 2020 277, and D 2021 011 temporarily suspending certain statutes to increase the Medicaid home health workforce and eliminate cost sharing for coronavirus disease 2019 (COVID-19) testing and treatment for Medicaid enrollees.

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, 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 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.

This Executive Order extends Executive Order D 2020 077, as extended by Executive Orders D 2020 108, D 2020 139, D 2020 165, D 2020 191, D 2020 220, D 2020 247, D 2020 277, and D 2021 011, which suspend certain statutes to preserve the State's Medicaid home

health workforce and protect Medicaid enrollees from COVID-19 by reducing the need for in person visits. This Executive Order also extends the temporary suspension of statutory requirements for cost sharing for COVID-19 testing and treatment for Medicaid enrollees.

II. Duration

Executive Order D 2020 077, as extended by Executive Orders D 2020 108, D 2020 139, D 2020 165, D 2020 191, D 2020 220, D 2020 247, D 2020 277, D 2021 011 and this Executive Order, shall expire thirty (30) days from February 7, 2021, unless extended further by Executive Order. In all other respects, Executive Order D 2020 077, as extended by Executive Orders D 2020 108, D 2020 139, D 2020 165, D 2020 191, D 2020 220, D 2020 247, D 2020 277, and D 2021 011 shall remain in full force and effect as originally promulgated.

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

Jared Polis
Governor