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D 2020 027

EXECUTIVE ORDER

Amending Executive Order D 2020 009 to Extend the Temporary Cessation of All Elective and Non-Essential Surgeries and Procedures and Preserving Personal Protective Equipment and Ventilators 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 Order D 2020 009 to order all hospitals, outpatient surgeries, and procedure providers to cease all elective and non-essential surgeries and procedures and preserve personal protective equipment, ventilators, and respirators until April 26, 2020, with the exception of rural and critical access hospitals. Rural and critical access hospitals are strongly advised to follow this guidance as originally set out in Executive Order D 2020 009, but are not mandated to do so under this Executive Order.

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 issued the corresponding Executive Order D 2020 003 on March 11, 2020. 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.

As the number of cases of COVID-19 continues to rise nationally, internationally, and statewide, it is clear that Colorado is facing a historic public health challenge. The State is making every effort to ensure that all Coloradans are safe and receive the best possible care over the next weeks and months, which requires prioritizing essential health care services while this pandemic emergency remains in effect. Our health care personnel have limited access to necessary equipment and supplies, particularly personal protective equipment (PPE), and our hospitals must reserve beds, respirators and ventilators to manage and assist patients that become critically ill.

The American College of Surgeons, the Colorado Emergency Operations Center, the Colorado Hospital Association as well as medical professionals and epidemiological experts

agree that adequate PPE and medical equipment, including respirators and ventilators, are critical to protecting patients and medical staff to prevent the spread of COVID-19. We must take every step possible to preserve Colorado's available PPE to protect health care personnel while they treat individuals with COVID-19 and others receiving critical care.

It is also clear that while we cannot anticipate how many Coloradans will need hospital care in the coming weeks, we must ensure that the State has enough capacity to treat patients who require hospital-level care both as a result of COVID-19 as well as accidents, illnesses, disease or other conditions.

I issued Executive Order D 2020 009 on March 19, 2020, because it is critical that Colorado take a uniform approach to maximizing its resources with respect to the preservation of PPE, respirators, ventilators, and anesthesia machines to ensure the availability of sufficient inpatient hospital capacity and equipment for critically ill patients.

This Executive Order amends and extends Executive Order D 2020 009 until April 26, 2020, to order the temporary cessation of all elective and nonessential surgeries and procedures, and the preservation of personal protective equipment, ventilators, and respirators. This extension will increase capacity in our health care system and preserve additional equipment for health care workers and patients.

II. Amendment

Section II.A of Executive Order D 2020 009 is amended to read as follows:

> As of 12:01 A.M. on March 23, 2020, all voluntary or elective surgeries or procedures, whether medical, dental, or veterinary, are suspended in the State of Colorado until April 26, 2020, at the earliest. A voluntary or elective surgery or procedure means that the surgery can be delayed for a minimum of three months without undue risk to the current or future health of the patient as determined by the guidelines developed by the hospital, surgical center or other treating medical facility.

III. Duration

Executive Order D 2020 009, as amended and extended by this Executive Order, shall expire on April 26, 2020, unless extended further by Executive Order. In all other respects, Executive Order D 2020 009 shall remain in full force and effect as originally promulgated.

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

Jared Polis
Governor