



D 2021 094

EXECUTIVE ORDER

**Rescinding 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, D 2021 011, D 2021 038, D 2021 059, and D 2021 081
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 rescinding Executive Order D 2020 077, as amended and 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, D 2021 038, D 2021 059, and D 2021 081, because Executive Order D 2021 092 incorporates all remaining directives of Executive Order D 2020 077, as amended and extended.

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 coronavirus disease 2019 (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, D 2021 028, D 2021 045, D 2021 061, D 2021 068, and D 2021 087. 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.

On May 22, 2020, I issued Executive Order D 2020 077, temporarily suspending certain statutes to increase the Medicaid home health workforce and eliminate cost sharing for COVID-

19 testing and treatment for Medicaid enrollees. Executive Order D 2020 077 was 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, D 2021 038, and D 2021 059. On April 6, 2021, I amended and extended the series of Executive Orders to extend only sections II.A.4 and II.A.5, continuing the temporary suspension of statutory requirements for cost sharing for COVID-19 testing and treatment for Medicaid enrollees and the direct and indirect health care services costs. On April 28, 2021, I issued Executive Order D 2021 092, which incorporated the remaining provisions of Executive Order D 2020 077, as amended and 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, D 2021 038, D 2021 059, and D 2021 081.

In light of Executive Order D 2021 092, Executive Order D 2020 077 as amended and 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, D 2021 038, D 2021 059, and D 2021 081, is no longer necessary and is rescinded.

II. Directive

I rescind Executive Order D 2020 077, as amended and 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, D 2021 038, D 2021 059, and D 2021 081.



GIVEN under my hand and the
Executive Seal of the State of
Colorado, this twenty-eighth
day of April, 2021.

A handwritten signature in blue ink that reads "Jared Polis". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Jared Polis
Governor