



D 2023 001

EXECUTIVE ORDER

Colorado COVID-19 Disaster Recovery Order

Amending and Extending Executive Orders D 2021 122, D 2021 124, D 2021 125, D 2021 129, D 2021 132, D 2021 136, D 2021 139, D 2021 141, D 2022 003, D 2022 010, D 2022 013, D 2022 017, D 2022 020, D 2022 028, D 2022 035, D 2022 037, D 2022 038, D 2022 040, D 2022 043, D 2022 044 and D 2022 045

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, issue this coronavirus disease 2019 (COVID-19) Executive Order amending and extending Executive Order D 2021 122, as amended and extended by D 2021 124, D 2021 125, D 2021 129, D 2021 132, D 2021 136, D 2021 139, D 2021 141, D 2022 003, D 2022 010, D 2022 013, D 2022 017, D 2022 020, D 2022 028, D 2022 035, D 2022 037, D 2022 038, D 2022 040, D 2022 043, D 2022 044, and D 2022 045, which refocuses the State's efforts on COVID-19 recovery and ends the disaster declaration for Respiratory Syncytial Virus (RSV), influenza, and other respiratory illnesses.

I. Background and Purpose

The Governor is responsible for meeting the dangers to the State and people presented by disasters. C.R.S. § 24-33.5-704(1). The Colorado Disaster Emergency Act (Act) defines a disaster as "the occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural cause or cause of human origin, including but not limited to . . . epidemic." C.R.S. § 24-33.5-703(3). The threat posed by COVID-19 constitutes a disaster for purposes of the Act. The Governor has authority to take any action "in prevention of, preparation for, response to, and recovery from disasters." C.R.S. § 24-33.5-702(1)(d). For purposes of the Act, recovery is "the short, intermediate, and long-term actions taken to restore community functions, services, vital resources, facilities, programs, continuity of local government services and functions, and infrastructure to the affected area." C.R.S. § 24-33.5-703(7.3).

The State has made tremendous progress in containing and treating the sharp increase in infection and hospitalization for RSV, influenza, and other respiratory diseases resulting in significant increases in hospital capacity; particularly in pediatric hospital beds. The additional provisions incorporating RSV, influenza, and other respiratory illnesses in Colorado into the

disaster declaration are no longer necessary. However, we must still continue the recovery efforts for COVID-19. This Executive Order removes the disaster declaration for RSV, influenza, and other respiratory diseases, but continues the declaration for COVID-19 and ensures that the State maintains access to federal funding and that our healthcare facilities have access to additional resources.

This Executive Order amends and extends Executive Orders D 2021 122, D 2021 124, D 2021 125, D 2021 129, D 2021 132, D 2021 136, D 2021 139, D 2021 141, D 2022 003, D 2022 010, D 2022 013, D 2022 017, D 2022 020, D 2022 028, D 2022 035, D 2022 037, D 2022 038, D 2022 040, D 2022 043, D 2022 044, and D 2022 045, which ensures that the State maintains access to federal funding and that our healthcare facilities have access to additional resources. The amendments remove RSV, influenza, and other respiratory illnesses from the disaster declaration and remove the provisions that expanded the scope of practice for medical professionals, returning the focus to COVID-19 recovery efforts. Together these remaining directives allow the State access to federal funds, continue recovery efforts, and ensure additional resources for healthcare providers.

II. Amendments

Executive Order D 2021 122, as amended and extended by D 2021 124, D 2021 125, D 2021 129, D 2021 132, D 2021 136, D 2021 139, D 2021 141, D 2022 003, D 2022 010, D 2022 013, D 2022 017, D 2022 020, D 2022 028, D 2022 035, D 2022 037, D 2022 038, D 2022 040, D 2022 043, D 2022 044, and D 2022 045, is amended as follows:

1. Strike the following in subsection II.iv.A.:

On November 11, 2022, I expanded the disaster emergency to include RSV, influenza, and other respiratory illnesses due to the serious increases in infection and hospitalization throughout the State.

2. Delete subsection II.v.A.
3. Delete subsection II.v.B.
4. Delete subsection II.v.C.
5. Delete subsection II.v.D.
6. Delete subsection II.v.E.
7. In Subsection II.i.G, include “COVID-19” between the words “treat” and “patients” so that the provision returns to its original focus on COVID-19.

8. In Subsection II.i.K, include ___“COVID-19” between the words “treat” and “patients” so that the provision returns to its original focus on COVID-19.

III. Duration

Executive Order D 2021 122, as amended and extended by Executive Orders D 2021 124, D 2021 125, D 2021 129, D 2021 132, D 2021 136, D 2021 139, D 2021 141, D 2022 003, D 2022 010, D 2022 013, D 2022 017, D 2022 020, D 2022 028, D 2022 035, D 2022 037, D 2022 038, D 2022 040, D 2022 043, D 2022 044, D 2022 045, and this Executive Order, shall expire thirty (30) days from January 8, 2023, unless extended further by Executive Order, except that the funds described in subsection II.iv.C. of Executive Order D 2021 122, as amended and extended, shall remain available for the described purposes and the described time period stated in subsection II.iv.C. In all other respects, Executive Order D 2021 122, as amended and extended, shall remain in full force and effect as originally promulgated.



GIVEN under my hand and
the Executive Seal of the
State of Colorado, this eighth
day of January 2023.

A handwritten signature in blue ink that reads "Jared Polis". The signature is written in a cursive, flowing style.

Jared Polis
Governor