



D 2023 009

EXECUTIVE ORDER

**Colorado COVID-19 Disaster Recovery Order
to Maximize Federal Benefits and Secure Healthcare Staffing
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, D 2022 045, D 2023 001, D 2023 005, and D 2023 008**

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 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, D 2022 045, D 2023 001, D 2023 005, and D 2023 008, which continues the State's efforts on COVID-19 recovery to maximize federal benefits and ensure additional resources for healthcare workers.

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, a respiratory illness that can spread from person to person, 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).

This Executive Order ensures that the State maintains access to federal funding and that our healthcare facilities have access to additional resources. Senate Bill 23-182, Temporary Suspension of Medicaid Requirements, which would codify the elements of this Executive Order

necessary for funding eligibility and continued access to federal funding, is currently with the General Assembly. As soon as I sign the bill, this Executive Order will come to an end.

This Executive Order 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, D 2022 045, D 2023 001, D 2023 005, and D 2023 008, which ensures that the State maintains access to federal funding and that our healthcare facilities have access to additional resources. Together these remaining directives allow the State access to federal funds, continue recovery efforts, and ensure additional resources for healthcare providers.

II. 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, D 2023 001, D 2023 005, D 2023 008, and this Executive Order, shall expire thirty (30) days from April 5, 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 fifth day
of April, 2023.

Jared Polis
Governor