

UPPER SAN JUAN HEALTH SERVICE DISTRICT
d/b/a PAGOSA SPRINGS MEDICAL CENTER
ARCHULETA COUNTY AND PORTIONS OF MINERAL AND HINSDALE
COUNTIES, COLORADO

**BOARD CONSENT TO AND CONTINUATION OF
DECLARATION OF LOCAL DISASTER EMERGENCY**

RESOLUTION 2020-07

WHEREAS, pursuant to Colorado Revised Statutes (“C.R.S.”) Sections 32-1-1001-1007, the District has all rights and powers necessary or incidental to or implied from the specific powers granted to special districts pursuant to Title 32, Article 1; and

WHEREAS, Colorado Revised Statutes (“C.R.S.”) Section 24-33.5-709 provides that the principal executive officer of a political subdivision, in this case, the Chief Executive Officer of the Upper San Juan Health Service District, a Colorado governmental special district that does business under the trade name Pagosa Springs Medical Center (“USJHSD”), is authorized to declare a local disaster; and

WHEREAS, pursuant to C.R.S. § 24-33.5-709, the local disaster declaration issued by the principal executive officer shall not be continued or renewed for a period in excess of seven (7) days *except* by the USJHSD Board of Directors (“Board”) as the governing board of the political subdivision; and

WHEREAS, COVID-19 is a highly contagious virus that originated in China and has since spread to many countries around the world, including the United States; and

WHEREAS, there is significant consensus that COVID-19 results in a world-wide pandemic and local disaster emergency as evidenced by the following:

- On January 30, 2020, the World Health Organization declared the worldwide outbreak of COVID-19 a “public health emergency of international concern”;
- On January 31, 2020, the United States Department of Health and Human Services declared the virus a public health emergency;
- On February 26, 2020, the CEO of USJHSD activated USJHSD’s emergency operations plan for a pandemic;
- On March 11, 2020, the World Health Organization declared COVID-19 to be a global pandemic;
- On March 11, 2020, the Governor of Colorado issued an Executive Order declaring Colorado a state of disaster emergency due to the presence of COVID-19 in Colorado;
- On March 12, 2020, the CEO of USJHSD activated its Incident Command as part of its emergency operations plan to prepare and respond to the pandemic;

- On March 13, 2020 the President of the United States issued a Proclamation that the “COVID-19 outbreak constitutes a national emergency”;
- On March 16, 2020, the Executive Director of San Juan Basin Public Health, the public health district for Archuleta and La Plata counties, declared a local disaster emergency for its entire district for a period up to seven days, and on March 17, 2020 the Board of Public Health for the San Juan Basin Public Health consented to the continuation of the declaration of local disaster emergency for so long as is necessary to address the COVID-19 pandemic as determined by its Executive Director or Board;
- On March 16, 2020, the Mayor of the Town of Pagosa Springs declared a local disaster emergency for a period of up to seven days and on March 19, 2020, the Town Council consented to a continuation of the declaration of local disaster emergency;
- On March 16, 2020, the County Administrator of Archuleta County declared a local disaster emergency and on March 17, 2020, the Board of County Commissioners extended its declaration of local disaster emergency through April 21, 2020;
- During the week of March 16, 2020, the Southern Ute Indian Tribe ceased nonessential tribal governmental operations due to COVID-19.

WHEREAS, as of **March 23, 2020**, the Colorado Department of Public Health and Environment (CDPHE) has confirmed **591** cases of COVID-19 within the State of Colorado and public health experts anticipate that, due to the contagiousness of the illness and the fact that numerous travelers from around the world visit the USJHSD, the USJHSD residents are at significant risk of spread of COVID-19; and

WHEREAS, there must be emergency efforts to: (i) flatten the pandemic curve so as not to exhaust the USJHSD’s hospital and EMS resources beyond its capacity to care for the residents of USJHSD; and (ii) to be as prepared as possible for a surge of COVID-19 cases in the USJHSD and such surge presents substantial risk of serious illness or death for certain members of the community and for the functioning of the USJHSD and the community; and

WHEREAS, the COVID-19 pandemic presents an imminent threat to the health and wellbeing of the USJHSD residents and visitors, requiring the USJHSD to take emergency action to avert the spread of COVID-19 and deaths; and

WHEREAS, the cost and magnitude of responding to and recovery from the impact of COVID-19 is far in excess of the USJHSD’s available resources;

WHEREAS, pursuant to C.R.S. § 24-33.5-709 the effect of a declaration “is to activate the response and recovery aspects of any and all applicable local and interjurisdictional disaster emergency plans and to authorize the furnishing of aid and assistance under such plans”; and

WHEREAS, the CEO of USJHSD has declared a Local Disaster Emergency for a period not to exceed seven days; further, the CEO recommends to the USJHSD Board of Directors to consent to and continue and expand the Declaration of Local Disaster Emergency, until such future time, as determined by the Board of Directors as advised by the CEO, in order to minimize the spread of COVID-19 and the resulting illnesses/death.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Upper San Juan Health Service District does hereby consent to:

1. Consent to the continuation of the Declaration of Local Disaster Emergency until such future time, as subsequently determined by the Board of Directors upon the advice of the CEO; and, the effect of such Declaration activates the response and recovery aspects of any and all applicable local and interjurisdictional disaster emergency plans and to authorize the furnishing of aid and assistance under such plans. And,
2. The Chief Executive Officer shall, as deemed reasonably necessary, be authorized to take actions to address the COVID-19 pandemic including, without limitation, the following:
 - a. Prioritize the USJHSD's resources and efforts to protect the health, safety and welfare of the residents and visitors of the USJHSD while ensuring the safety of patients and personnel.
 - b. Discontinue or suspend services as necessary to address the COVID-19 pandemic.
 - c. Implement policies and practices for employee and public contact consistent with the delivery of services as balanced with the intent and advice of the federal government, State of Colorado government and orders, San Juan Basin Public Health orders and advisories, epidemiology data, and/or other relevant advisories (e.g., the American Medical Association, medical societies, the Colorado Hospital Association, etc.).
 - d. Take such personnel actions as necessary to carry out the USJHSD's priority of hospital and emergency services, including but not limited to establishing wellness for work, assigning personnel to work from home, reassigning personnel, placing a freeze on hiring, and conducting lay-offs of personnel; denying, or revoking previously approved leave requests; requiring reasonable documentation for extended sick leave requests, including COVID-19 testing, if appropriate; and placing on leave or in quarantine or isolation any employee reasonably believed to have been exposed to or exhibiting symptoms consistent with infection from the COVID-19 virus.
 - e. Make purchases or suspend such procurement to address the COVID-19 pandemic and report on the same to the Board's Finance Committee and to the Board at its next regular meeting of the Board or special meeting of the Board if deemed necessary by the CEO and/or the Board Finance Committee.
 - f. Apply for and accept any available local, state or federal assistance and reporting the same to the Board's Executive Committee and to the Board at its next regular meeting.
 - g. In consultation with the Board Chair and USJHSD's legal counsel, arrange for meetings of the Board of Directors to be held via telephone, video conference, or other electronic means, in a manner which as fully as possible given the emergency situation complies with the Colorado Open Meetings Law as well as Orders of the State of Colorado (e.g., to limit any meeting to no greater than ten persons and employ social distancing of six feet).
 - h. Take such other actions as reasonably necessary to carry out this declaration and ensure the reliability of the USJHSD's services, while ensuring the safety of the USJHSD's patients and personnel.

Effective and approved this ____ day of March, 2020.

UPPER SAN JUAN HEALTH SERVICE DISTRICT

Greg Schulte, its Board Chair