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COVID-19: Colorado

Insight — May 18, 2020

Restrictions on Private Business Operations

- The state has been under a “Safer at Home” Order since April 27, where certain restrictions and closures will begin to relax. The goal is to maintain 65% social distancing, with vulnerable populations continuing to stay at home. Gatherings of 10 or more are still to be avoided.
- Provisions under “Safer at Home”
- Retail curbside delivery allowed
- Real estate showings can begin but no open houses.
- Retail stores may open with strict precautions
- Personal services (salons, tattoo parlors, spas, etc.) may open with strict precautions
- Offices can reopen at 50% capacity, and should consider setting up regular symptom and temperature checks
- K12 schools and universities will remain closed for the remainder of the school year.
- On-site dining prohibited in all restaurants and bars, to-go orders and delivery still ok for food and alcohol. Governor has said that he will look at data on May 25 to make a decision on reopening these businesses in June.
- Most counties are now operating under “Safer at Home” but some have issued additional guidance. (Denver now requires face masks for all businesses).
- County specific guidance found [here](#).

Health Care Provisions

- Health insurance carriers are instructed to waive fees and costs associated with testing for COVID-19.
- A Special Enrollment Period (SEP) is in place for uninsured Coloradans to get health insurance via the state exchange and the deadline to enroll has been extended to April 15.
- Applied for Medicaid 1115 waiver to enroll uninsured patients impacted by coronavirus and ensure continuity of coverage and services for Medicaid and CHP+ members.
- Plans were directed to conduct outreach campaigns to remind enrollees of their telehealth services and to provide telehealth services to cover non-COVID-19 related services at no cost share.
- Rules have been waived to allow Medicaid providers to bill for

telehealth. Full details [here](#).

- Elective surgeries are allowed to resume under the Safer at Home order with strict precautions to ensure adequate PPE and ability to meet critical care needs

Support for Impacted Businesses

- The Governor issued a State-wide disaster declaration, which has been reissued as of April 9 and is set to expire June 9 (but will likely be extended).
- The disaster declaration provides federal funding for small businesses through the SBA. FEMA approved the declaration on March 28.

Support for Impacted Workers

- Under “Safer at Home”, Colorado employers must provide reasonable accommodation and are prohibited from discriminating against employees who or are showing symptoms of COVID-19 or who have been in contact with a known positive case.
- Up to four days of paid sick leave for certain categorized workers with symptoms or awaiting test results.
- Unemployment claims are allowed for employees whose employers are closed or reduced hours. Businesses may appeal unemployment benefits for employees who refuse to come back to work, but appeals are being denied for the majority of cases so far.
- Employers looking to avoid layoffs can use CDLE's Work Share Program which allows eligible employees to work fewer hours and collect partial unemployment benefits while still working.
- A system of emergency childcare has been established for emergency/health care workers and essential workers.

Travel Restrictions and Advisories

- Health advisory for high country counties (Summit, Pitkin, Gunnison, and Eagle) for residents and recent visitors to minimize social contact and mandatory isolation for 7-10 days after onset of symptoms, travel is advised to be limited and if necessary to travel in private vehicle. The Governor has asked for people in Colorado and around the country to not visit mountain communities since their health care systems are ill-equipped to handle large numbers of cases. Guidance for mountain communities is being revisited as summer months approach.
- Rocky Mountain National Park is closed and will reopen on May 27.
- Statewide public health order prohibits gatherings of any size.
- Public health notice to restrict visitors at all skilled nursing facilities, assisted living residences, and intermediate care facilities.

Current Status of Legislature

- When the legislature reconvenes, they will have roughly 53 days remaining, and it is unclear how many days they will take

advantage of. There is some discussion about changing rules to allow for remote participation for floor work and committees. Bills that groups want to pass will need to fall into the following categories: free, friendly and fast.

- May 12: An updated revenue forecast was presented to the JBC, where a \$3.3 billion loss in state revenue was shown. The State also faces issues with property tax revenue and the hit on the oil and gas industry.
- May 26: The General Assembly is scheduled to resume work. This date was moved back from May 18 to give the General Assembly more time to review safety protocols and wait on further federal aid.
- June 30: The state budget and school finance act are constitutionally required to be passed.
- Interim committees will likely be suspended, and emergency COVID-19 related committees will meet in the summer/fall.

State and Local Tax

- Tax filing moved to July 15, 2020.
- Governor Polis issued an Executive Order to provide a one-month extension for filing and remitting state severance tax.
- Governor Polis has issued a one-month extension for filing and remitting state severance tax, now due on May 15, 2020.
- Governor Polis has issued a suspension of in-person requirements for notarizations until May 30.

Landlord and Tenant Issues

- Gov. Polis has asked for a pause on evictions enforcement until May 30, but he has not issued an order. From a practical standpoint, most evictions are not able to be enforced because of how the judicial system is handling COVID response.

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