

**BOARD OF HEALTH FOR THE  
RIO GRANDE COUNTY PUBLIC HEALTH AGENCY  
STATE OF COLORADO**

**Order No. 2020- 01**

**ORDER DETERMINING POLICIES TO BE FOLLOWED BY  
THE PUBLIC HEALTH DIRECTOR DURING A PUBLIC  
HEALTH EMERGENCY, INCLUDING A COMMUNICABLE  
DISEASE OUTBREAK**

WHEREAS, pursuant to C.R.S. §25-1-506(1) the Rio Grande County Public Health Agency (“Agency”) consists of the County Board of Health (“Board”), the Public Health Director (“Director”), and all other personal employed or retained by the County Department of Public Health; and

WHEREAS, each entity within the Agency has clearly defined roles, authority, and responsibilities which must be dutifully executed in order to accomplish the Colorado General Assembly’s declaration of preventing disease and injury, promoting healthy behavior, and reducing the incidents of chronic diseases and conditions; and

WHEREAS, the Director serves at the pleasure of the Board, and in addition to the powers conferred upon the Director by Title 25, Article 1, Part 5, of the Colorado Revised Statutes, the Director has a duty to administer and enforce the orders and rules of the Board; and

WHEREAS, in the event of a public health emergency the Agency is required to issue orders and adopt rules consistent with the laws and rules of the state as the Director may deem necessary for the proper exercise of the powers and duties vested in or imposed by the Board, in accordance with C.R.S. §25-1-506(3)(b)(II), the Agency also has a duty to advise the Board on public policy issues necessary to protect public health and the environment; and

WHEREAS, pursuant C.R.S. §25-1-508, *et. seq.*, the Board has not only the power, but a duty, to develop and promote public policies needed to secure the conditions necessary for a healthy community and to determine general policies to be followed by the Director in administering and enforcing public health laws, orders, and rules of the Board and orders, rules, and standards of the state board; and

WHEREAS, pursuant C.R.S. §25-1-508, *et. seq.*, the Board also has the power and duty to issue orders and adopt rules as the Board may deem necessary for the proper exercise of duties vested in or imposed upon the Agency or the Board; and

WHEREAS, pursuant C.R.S. §25-1-508, *et. seq.*, the Board has a duty to act in an advisory capacity to the Director on all matters pertaining to public health, which cannot be accomplished without access to pertinent records of the Agency, whether public or private, which are relevant and necessary to the public health investigations of epidemic and communicable diseases as provided for by C.R.S. §25-1-122(2).

**NOW, THEREFORE, BE IT ORDERED**, by the Board of Health for the Rio Grande County Public Health Agency, State of Colorado:

**THAT**, epidemics and the spread of communicable disease throughout Rio Grande County, including but not limited to that of the COVID-19 virus, constitute a public health emergency requiring the Agency to investigate, issue orders, and adopt rules necessary in order to prevent the further spread of disease or injury, to promote healthy behavior, and to reduce incidents of disease; and

**THAT**, upon confirmation or reasonable suspicion of additional instances of communicable diseases or conditions, the Agency, through the Director, shall promptly contact the Board to convene a special or emergency meeting of the Board for the purpose of advising the Board on the issues pertinent to the Agency's investigation; and

**THAT**, the Agency, through the Director, shall provide the Board with any and all pertinent information and/or records of the Agency, whether public or private, which are relevant and necessary to the public health investigation of the epidemic and/or communicable diseases; and

**THAT**, the information provided to the Board by the Director shall, at a minimum, include: the number of infected individuals throughout the County; the general location, including municipality and voting district of each infected individual; the mode of disease transmission of each infected individual, if known; the age and gender of each infected individual; any recent travel outside the United States of America, the State of Colorado, and/or the County of Rio Grande, if known; whether the infected individual(s) is/are hospitalized; whether the infected individual(s) suffer(s) from any underlying conditions, if known; whether the infected individual(s) is/are the subject of quarantine or isolation orders, and if so, the anticipated period of quarantine or isolation for each infected individual; a general statement of the infected individual's prognosis, if known; and

**THAT**, unless otherwise determined to be pertinent and relevant to the investigation, the information provided to the Board by the Director shall be general in nature and shall not include any Protected Health Information (PHI) as defined by the Health Insurance Portability and Accountability Act of 1996 (HIPAA); and

**THAT**, to the extent that the Director determines that the information to be provided to the Board in furtherance of this Order constitutes private, rather than public, information the Director shall request that the Board adjourn and convene in executive session; and

**THAT**, the Director may make recommendations to the Board as to what information the Director believes to be appropriate or even necessary for public disclosure; but

**THAT**, the Board shall make the ultimate determination as to what, if any, non-protected information should be released to the public to prevent further disease or injury, to promote healthy behavior, and to reduce the incidents of chronic diseases or conditions.

ISSUANCE DATE: 3/30/2020

BY: THE BOARD OF HEALTH  
RIO GRANDE COUNTY  
PUBLIC HEALTH AGENCY

ATTEST:   
Clerk/Deputy

  
John Noffske, Chairman

  
Suzanne Bothell, Member

  
Gene Glover, Member