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: [Signature]
Clerk/Deputy

John Noffsiker, Chairman
Suzanne Bothell, Member
Gene Glover, Member