



**NINTH AMENDED PUBLIC HEALTH ORDER 20-20  
REQUIREMENTS FOR COLORADO SKILLED NURSING FACILITIES, ASSISTED LIVING  
RESIDENCES, INTERMEDIATE CARE FACILITIES, AND GROUP HOMES FOR  
COVID-19 PREVENTION AND RESPONSE  
October 11, 2022**

**PURPOSE OF THE ORDER**

The Colorado Department of Public Health and Environment (CDPHE) continues its work to prevent the spread of novel coronavirus 2019 (COVID-19). At this time, I find it necessary to implement emergency disease mitigation measures applicable to employees, residents, and visitors to skilled nursing facilities, assisted living residences, intermediate care facilities and group homes in Colorado to protect the health of the residents of these facilities. This Order is amended and restated to ensure all skilled nursing facilities, assisted living residences, intermediate care facilities, and group homes implement essential COVID-19 infection prevention and management strategies as outlined in the [CDPHE Nursing Home and Intermediate Care Facility COVID-19 Mitigation and Outbreak Guidance](#) and [CDPHE Assisted Living and Group Home COVID-19 Mitigation and Outbreak Guidance](#).

**FINDINGS**

1. COVID-19 was first detected in Wuhan, China in late 2019, and since then has spread to over 60 countries including the United States. As of October 10, 2020, there are 1,660,315 known cases of COVID-19 in Colorado, 68,969 Coloradans have been hospitalized and 14,049 Coloradans have died from COVID-19.
2. COVID-19 spreads from person to person and is thought to be transmitted mainly through respiratory droplets produced when an infected person coughs or sneezes, similar to how influenza and other respiratory viruses spread. It may be possible that a person can get COVID-19 by touching a surface or object that has the virus on it and then touching their own mouth, nose, or possibly their eyes, but this is not thought to be the main way the virus spreads. Persons infected with COVID-19 may become symptomatic anywhere from two to fourteen days after exposure. Symptoms include fever, cough, body aches, fatigue, chest

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tightness, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea or vomiting, diarrhea, or shortness of breath or difficulty breathing.

3. Individuals with serious chronic health conditions and older adults are most at risk for becoming very ill with this disease, and nursing facilities, assisted living residences, intermediate care facilities and group homes serve residents who are at this level of risk.
4. Pursuant to the authority in section 25-1.5-102(1), C.R.S., to mitigate the spread of COVID-19 in Colorado licensed or certified skilled nursing facilities, intermediate care facilities, assisted living residences, and group homes (**Facilities**), I am requiring **Facilities** to implement infection prevention and management strategies as well as provide ongoing reporting of resource availability.

### ORDER

In order to protect the public's health and to prevent further spread of the disease, all Colorado licensed or certified skilled nursing facilities, intermediate care facilities, assisted living residences, and group homes are required to implement the COVID-19 infection prevention and management strategies below and as outlined in the [CDPHE Nursing Home and Intermediate Care Facility COVID-19 Mitigation and Outbreak Guidance](#) and [CDPHE Assisted Living and Group Home COVID-19 Mitigation and Outbreak Guidance](#).

#### I. TESTING REQUIREMENTS

- A. All **Facilities** must implement COVID-19 SARS-Co-V-2 testing as defined in the [CDPHE Nursing Home and Intermediate Care Facility COVID-19 Mitigation and Outbreak Guidance](#) and [CDPHE Assisted Living and Group Home COVID-19 Mitigation and Outbreak Guidance](#).
- B. Repealed.

#### II. VISITATION REQUIREMENTS

- A. **Facilities** must allow for visitation at all times for all residents, regardless of vaccination status. Visitors that have any of the following: a positive viral test for SARS-CoV-2, symptoms of COVID-19 or close contact with someone with SARS-CoV-2 infection, should defer non-urgent in-person visitation until they have met healthcare

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criteria to end isolation. Public health should be contacted to assist with mitigation strategies that are necessary when a visit cannot be delayed.

- B.** Access to the services listed here cannot be denied within any **Facilities** regardless of vaccination or facility outbreak status.
1. Essential health care service providers, who must also be tested in accordance with the testing frequency described in this order before allowing for entry into the **Facility**
  2. Religious exercise
  3. Adult Protective Services
  4. Long Term Care Ombudsman
  5. Designated Support Persons as defined in this Order
  6. Compassionate Care Visitation
  7. Emergency medical and service personnel.
  8. State Case Managers
- C.** **Facility** residents with disabilities, which may include, but not be limited to, altered mental status, physical, intellectual or cognitive disability, communication barriers or behavioral concerns, who need assistance due to the specifics of their disability, cannot be denied access to their designated support people regardless of vaccination or facility outbreak status. <sup>1</sup> **Facilities** may not restrict visitation of support personnel without a reasonable clinical or safety cause.
- D.** Repealed.
- E.** Repealed.

### III. COVID-19 MITIGATION PLANS

- A. Infection Prevention and Mitigation.**
1. **Facilities** must assign at least one individual to complete training in infection prevention and control and provide on-site management of infectious disease prevention and response activities and general infection prevention duties as outlined in the [CDPHE Nursing Home and Intermediate Care Facility COVID-19 Mitigation and Outbreak Guidance](#) and [CDPHE Assisted Living and Group Home COVID-19 Mitigation and Outbreak Guidance](#).

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<sup>1</sup>Guidance on civil rights requirements for places of public accommodation can be found here: <https://docs.google.com/document/d/14DNDIBBr8guROAjywtfplxio24qbexF6xatv2t7bpRU/edit>

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2. **Facilities** shall ensure that the person(s) responsible for onsite facility infection prevention and response activities maintain adequate supplies to control infectious disease within the facility, including hand hygiene supplies, personal protective equipment, and surface disinfectants.

**B. COVID-19 Vaccination and Treatment Plans.** Each **Facility** shall maintain a COVID-19 vaccination and treatment plan as outlined in the [CDPHE Nursing Home and Intermediate Care Facility COVID-19 Mitigation and Outbreak Guidance](#) and [CDPHE Assisted Living and Group Home COVID-19 Mitigation and Outbreak Guidance](#). The plan must be readily available for review by county and state disease control staff and state health facility inspectors.

**C.** Repealed.

**D.** Repealed.

### IV. REPORTING REQUIREMENTS

**A.** All **Facilities** in Colorado shall report to CDPHE information pertaining to their available resources to respond to the COVID-19 pandemic. Items that may be reported include, but are not limited to, **Facility** bed capacity, supply of PPE, and available staffing for the facilities. CDPHE will provide the reporting platforms and the form and format for submission of the required information, which may be modified as the response to this pandemic evolves. **Facilities** must adhere to reporting requirements as specified in the [CDPHE Nursing Home and Intermediate Care Facility COVID-19 Mitigation and Outbreak Guidance](#) and [CDPHE Assisted Living and Group Home COVID-19 Mitigation and Outbreak Guidance](#)

**B.** Reporting of resource information to CDPHE is required by each **Facility** type in the form and format as determined by CDPHE.

### V. ENFORCEMENT

CDPHE is tasked with protecting the health and welfare of the citizens of Colorado by investigating and controlling the causes of epidemic and communicable disease. This Public Health Order is necessary to control any potential transmission of disease to others. Section 25-1.5-102(1), C.R.S. This Order will be enforced by all appropriate legal means. Local authorities are encouraged to determine the best course of action to encourage maximum compliance. Failure to comply with this order could result in penalties, including jail time,

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and fines, and may also be subject to discipline on a professional license based upon the applicable practice act.

**VI. SEVERABILITY**

If any provision of this Order or the application thereof to any person or circumstance is held to be invalid, the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

**VII. DURATION**

This Ninth Amended Order is effective on October 11, 2022 and will continue to be in effect until further amended or rescinded.

  
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Jill Hunsaker Ryan, MPH  
Executive Director

October 11, 2022  
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Date