



COLORADO
Department of Public
Health & Environment

May 16, 2020

John Noffske, Chair
Suzanne Bothell, Commissioner
Gene Glover, Commissioner
Rio Grande County Board of County Commissioners
Emily Brown
Rio Grande County Public Health

RE: Rio Grande County Variance Request from portions of **Executive Order D 20 044** and **Public Health Order 20-28**

Dear Commissioners and Ms. Brown:

Thank you for your application to the Colorado Department of Public Health and Environment (CDPHE) requesting a variance to portions of **Executive Order D 20 044 Safer at Home** and **Public Health Order 20-28 Safer at Home**. I have had an opportunity to review your request and consider the information provided, and determine that the request is approved, with some amendments, as explained further below. This variance approval is limited to the four functions for which you requested a variance; in all other respects, the requirements of the Safer at Home Executive Order and Public Health Order remain in effect for Rio Grande County.

You asked for a variance related to four specific functions, including Restaurants, Places of Worship, Gyms, and RV Parks. Your letter addresses particular requirements that you propose as an alternative to the Safer at Home model for each of these areas. The data and information included in your request demonstrates that Rio Grande County has reported 7 COVID-19 cases, and sufficient hospital capacity within Rio Grande County and the surrounding San Luis Valley region to care for COVID-19 positive patients.

With respect to the four areas that you requested receive a variance, each is authorized with the amendments described below to the COVID-19 Suppression Plan.

For all employment settings, the following requirements apply:

- Employees and contracted workers must wear face coverings that cover the nose and mouth at all times.
- Employers must provide accommodations to vulnerable employees who are required to follow the Stay at Home requirements.

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Regarding the conditions to determine if the variance is providing the necessary public health protections, we are concerned that your proposed threshold of positive tests at 15% is too high, and instead ask that you reset this threshold no higher than 10%, as the current state threshold is less than 10%. We agree with your positive case threshold of 10 or fewer, as well as the 60% utilization of available hospital beds in the San Luis Valley

This variance approval is granted based on the facts and circumstances today as you have described them in your request. If any of the County's thresholds of 10 more cases under investigation, 10% positivity rate, or 60% bed occupancy occurs, then this variance is automatically rescinded. Additionally, CDPHE reserves the right to modify or rescind this variance approval as circumstances warrant. This approval is in effect until the final expiration of PHO 20-28, which currently is set to expire on May 26, 2020 but may be extended.

I appreciate your thoughtful approach to these challenging issues, and wish you all the best in your continuing efforts to ensure that Rio Grande County residents are safe and healthy as we deal with this global pandemic. Rio Grande County is a valued partner, and we are available to answer any questions and work with you on these matters. Please give me a call if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Jill Hunsaker Ryan". The signature is written in a cursive, flowing style.

Jill Hunsaker Ryan, MPH
Executive Director