

September 1, 2021

## ORDER

WHEREAS, on March 12, 2020, the Mayor of the City and County of Denver declared a state of local disaster emergency pursuant to C.R.S. § 24-33.5-701, *et seq.*, due to the risk of spread of the COVID-19 virus.

WHEREAS, according to the federal Centers for Disease Control (“CDC”), COVID-19 continues to pose a serious risk, especially to individuals who are not fully vaccinated, and certain safety measures remain necessary to protect against COVID-19 cases and deaths.

WHEREAS, vaccination is the most effective way to prevent transmission and limit COVID-19 hospitalizations and deaths.

WHEREAS, this Order is based upon evidence of continued community transmission of COVID-19, in particular the rise of Delta variant cases, within the City and County of Denver.

WHEREAS, the primary intent of this Order is to continue to protect the community from COVID-19 and to increase vaccination rates to reduce transmission of COVID-19 long-term, so that the community is safer and the COVID-19 pandemic can come to an end. All provisions of this Order shall be interpreted to effectuate this intent.

Due to the recent surge of Delta variant COVID-19 cases and epidemiological evidence that shows low rates of vaccination fuel increased rates of community transmission, this Order hereby requires personnel of the following entities, or types of entities, to be fully vaccinated by September 30, 2021:

- the City and County of Denver;
- care facilities;
- hospitals;
- clinical settings;
- limited healthcare settings;
- shelters for people experiencing homelessness, including day and overnight shelters;
- correctional facilities, including jails, detention centers and community corrections sites and residences;
- schools, including post-secondary and higher education;
- childcare centers and services;
- any entity providing home care to patients; and
- any entity providing first responder services.

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This Order further requires the entities or types of entities listed above, as well as any entities (including contractors and subcontractors at any level) providing services by contract to above entities and types of entities, to ensure that all personnel are fully vaccinated by September 30, 2021, and to ensure that all personnel hired thereafter are vaccinated. Until a person's vaccination status is ascertained, that person must be treated as not fully vaccinated. Personnel who decline to provide vaccination status must also be treated as unvaccinated. The entities, or types of entities listed above, as well as any entities (including contractors and subcontractors at any level) providing services by contract to above entities and types of entities, with the exception of hospitals, must complete their initial ascertainment of full vaccination status for all personnel by September 30, 2021 and must maintain corresponding records that are available to the health authority upon request. Hospitals may meet their ascertainment of full vaccination status in conjunction with meeting their flu and other vaccination requirements.

“Personnel” means employees of the entities or types of entities listed above who provide services onsite and/or in the field, as well as individuals who provide services onsite and/or in the field to or on behalf of the entities or types of entities listed above on a contractual or volunteer basis. Notwithstanding the above, “personnel” for the City and County of Denver shall include all employees as defined below, as well as individuals who provide services onsite and/or in the field to or on behalf of the City and County of Denver on a contractual or volunteer basis. Entities and individuals who provide onsite services to or on behalf of the Denver International Airport on a contractual basis shall not be considered “personnel” for purposes of this Order. Employers shall provide reasonable accommodations for any personnel who have medical or religious exemptions from the COVID-19 vaccination.

“Employees” of the City and County of Denver shall mean all persons in the employ of the City and County of Denver, including on-call employees; interns (paid or unpaid); volunteers; appointed officers, board members and commissioners; elected officials; at-will appointees of elected officials and the Department of Aviation; hearing officers appointed by the Career Service Board; and employees of the Independent Monitor's Office, City Council, Library Commission, the Denver Public Library, and the Civil Service Commission. Notwithstanding the above, “employees” for purposes of this Order shall not include Denver County Court employees, judges, or magistrates.

“Care facilities” means nursing facilities, assisted living residences, intermediate care facilities and group homes.

“Childcare centers and services” does not include foster care.

“Clinical settings” means ambulance service centers, urgent care centers, non-ambulatory surgical structures, clinics, dentist offices, doctor offices, and non-urgent care medical structures.

“Fully vaccinated” means two weeks after a person's second dose in a two-dose series and two weeks after a single-dose vaccine.

“Limited healthcare settings” means those locations where healthcare services are provided including but not limited to acupuncture, audiology services, services by hearing aid providers,

chiropractic care, massage therapy, naturopathic care, occupational therapy services, optometry, ophthalmology, physical therapy, and speech language pathology services.

This Order shall be effective immediately and shall remain in effect until rescinded, superseded, or amended in writing by the Executive Director of DDPHE.

Issued by:

*Robert McDonald*

Robert M. McDonald

Public Health Administrator, City & County of Denver

Executive Director, Denver Dept of Public Health & Environment