



State of Utah

SPENCER J. COX  
Governor

DEIDRE M. HENDERSON  
Lieutenant Governor

Utah Department of Health  
Executive Director's Office

Richard G. Saunders  
Executive Director

Heather R. Borski, M.P.H., M.C.H.E.S.  
Deputy Director

## State Public Health Order 2021-1

### *Extending the Declaration of a Statewide Public Health Emergency*

**WHEREAS**, Novel Coronavirus Disease 2019 (COVID-19) has been characterized by the World Health Organization as a worldwide pandemic caused by Severe Acute Respiratory Syndrome Coronavirus 2 (SARS-CoV-2), a virus that spreads easily from person to person and can cause serious illness or death;

**WHEREAS**, on March 13, 2020, Donald J. Trump, President of the United States, issued the Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak;

**WHEREAS**, on October 2, 2020, the United States Department of Health and Human Services renewed its January 31, 2020, determination that a nationwide public health emergency exists and has existed since January 27, 2020;

**WHEREAS**, COVID-19 has and continues to spread and cause serious illness and death to Utah residents, threatening public health and wellness throughout the state;

**WHEREAS**, on October 14, 2020, I issued State Public Health Order 2020-17 declaring a public health emergency for Utah;

**WHEREAS**, Utah Code § 26-1-30(3) requires and authorizes the Utah Department of Health (the "Department") to promote and protect the health and wellness of the people within the state;

**WHEREAS**, Utah Code §§ 26-1-30-(5) and 26-6-3 require and authorize the Department to investigate and control the causes of epidemic, infectious, communicable and other disease to control the causes of epidemic, infectious, communicable, and other diseases affecting the public health;

**WHEREAS**, Utah Code §§ 26-1-30(6) and 26-6-3 require and authorize the Department to prevent and control communicable infectious, acute, chronic, or any other disease or health hazard that the Department considers to be dangerous, important, or likely to affect the public health;

**WHEREAS**, Utah Code § 26-1-10 authorizes the executive director of the Department to issue public health orders to enforce state laws, including Utah Code §§ 26-1-30 and 26-6-3;

**WHEREAS**, Utah Code § 26-23b-104(3)(a) authorizes the executive director of the Department, with the concurrence of the Governor, to issue a public health emergency order if the Department determines that a public health emergency exists;

**WHEREAS**, Utah Code § 26-23b-102(6) provides that a “public health emergency” means an occurrence or imminent credible threat of an illness or health condition caused by, among other things, an epidemic or pandemic disease that poses a substantial risk of a significant number of human fatalities or incidents of permanent or long-term disability;

**WHEREAS**, Utah Code § 26-23b-102(4) provides that an “epidemic or pandemic disease” means the occurrence in a community or region of cases of an illness clearly in excess of normal expectancy and includes diseases designated by the Department which have the potential to cause serious illness or death;

**WHEREAS**, the Utah Department of Health has reported 314,817 total cases of COVID-19 and 12,160 COVID-19-related hospitalizations as of January 13, 2021;

**WHEREAS**, the Utah Department of Health has reported 1,449 COVID-19-related deaths as of January 13, 2021;

**WHEREAS**, the rate and number of reported COVID-19 cases are increasing, and on January 13, 2021, the Utah Department of Health reported 2,899 new cases and a seven-day average of 2,840 cases per day;

**WHEREAS**, the number of COVID-19 cases continues to increase;

**WHEREAS**, Utah continues to experience a significant use of medical resources towards treatment of patients diagnosed with COVID-19;

**WHEREAS**, COVID-19 is a new disease caused by a virus for which vaccines are being developed or have not been widely distributed;

**WHEREAS**, the Department finds and Governor Spencer J. Cox concurs that a public health emergency exists and that the continuation of the declaration of a statewide public health emergency is appropriate to protect public health and wellness and control the causes of the COVID-19 pandemic.

Based on the foregoing, in accordance with the authority vested in me as the Interim Executive Director of the Utah Department of Health by Utah Code §§ 26-1-10, 26-1-30, 26-6-3, and 26-

23b-104, and being fully advised and finding the factual basis and legal requirements have been established;

**NOW, THEREFORE**, I, Richard Saunders, Interim Executive Director of the Utah Department of Health, hereby declare a statewide public health emergency due to the COVID-19 pandemic.

This Order is effective immediately and shall remain in effect until otherwise modified, amended, rescinded, or superseded.

Made at 4:00 p.m. the 13th day of January 2021.



Richard G. Saunders  
Interim Executive Director  
Utah Department of Health