

April 5, 2022

Honorable Members of the Salt Lake County Council,

As required by Utah Code § 26-23b-104(6)(a)(ii), this letter provides notice that the Salt Lake County Health Department is requesting an extension of Salt Lake County's emergency declaration to the COVID-19 pandemic beyond the current expiration date of April 15, 2022. I am seeking an extension to July 1, 2022, to correspond with the Federal Emergency Management Agency's (FEMA) updated reimbursement deadline. I request consideration of this extension during your April 12, 2022 meeting.

As noted above, FEMA's Public Assistance Program for 100% reimbursement for eligible costs associated with ongoing COVID-19 recovery efforts and vaccine initiatives has been extended to July 1, 2022. While Mayor Wilson and I expected the current extension of the emergency declaration to be the last based on FEMA's previous deadline of April 15, 2022, we were not certain. It makes fiscal sense for Salt Lake County to align with FEMA deadlines. Because the county continues to spend approximately \$400,000 per month for ongoing pandemic-related expenditures, extending the current declaration to match FEMA's deadline would allow the county to continue to recoup these costs.

Furthermore, if the emergency declaration is allowed to expire, the county would be prohibited under state law from issuing a new emergency declaration related to COVID-19, should a new, more deadly variant emerge. Under Utah Code § 26A-1-114(8)(c) and (d), "if a public health emergency declared by a local health department expires . . . , the local health department may not declare a public health emergency for the same illness or occurrence that precipitated the previous public health emergency declaration" absent "exigent circumstances."¹ Although we are currently experiencing a decline in cases and hospitalizations due to COVID-19, we cannot rule out another surge due to a more deadly variant in the near future. Europe and states on the East Coast have seen an increase in COVID-19 cases in recent weeks; and Salt Lake County has typically followed trends from Europe and the East Coast several weeks later.

The Council indicated that it would consider extending the emergency declaration if circumstances warranted. As stated in the Council's Resolution for the Seventeenth Extension of the Public Health Emergency, "absent new or extenuating circumstances related to the epidemiology of the COVID-19 pandemic or to *the federal government's reimbursement process*, the Council does not currently intend to extend the state of emergency beyond April 15, 2022." Because FEMA's extension constitutes a new circumstance related to the federal government's reimbursement process, I respectfully request this additional extension to allow continued activities related to Salt Lake County's response to the COVID-19 pandemic to be eligible for cost recovery from FEMA.

Thank you for considering this request to protect our ability to maximize the recovery of funds for the citizens of Salt Lake County.

Sincerely,



Angela C. Dunn, MD MPH
Executive Director
Salt Lake County Health Department

¹ "Exigent circumstances" means a significant change in circumstances following the expiration of a public health emergency declared in accordance with this title that:
(a) substantially increases the threat to public safety or health relative to the circumstances in existence when the public health emergency expired;
(b) poses an imminent threat to public safety or health; and
(c) was not known or foreseen and could not have been known or foreseen at the time the public health emergency expired." Utah Code § 26-23b-102(5).