

September 16, 2022

Honorable Members of the Salt Lake County Council,

By this letter and consistent with Utah Code § 26-23b-104(6)(a)(ii), on behalf of the Salt Lake County Health Department, and at the request of Mayor's Finance, I hereby seek an extension of Salt Lake County's public health emergency declaration regarding the COVID-19 pandemic beyond the declaration's current expiration date of September 27, 2022. I ask the Salt Lake County Council to extend the emergency declaration to a date that corresponds with the federal government's public health emergency declaration, which is currently set to expire October 13, 2022.

Nationally, the federal government's public health emergency declaration was first announced in January 2020, and since that time it has been extended in successive 90-day increments. As anticipated, the federal public health emergency declaration was extended on July 15, 2022, and is currently set to expire October 13, 2022, unless extended an additional 90 days.

Mayor Wilson and I believe it is fiscally wise for the County to align with the federal government's public health emergency declaration. The Salt Lake County emergency declaration aids in the eligibility justification required for ongoing pandemic-related expenditures that may be reimbursed through the Federal Emergency Management Agency's (FEMA) Public Assistance Program.

Further, if the emergency declaration is allowed to expire, state law prohibits the County 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 Public health efforts are still required to prevent COVID-related illness, hospitalization, and death, through vaccination administration, education, testing, and outbreak response.

The Council has indicated it would consider extending the emergency declaration if circumstances warranted. Accordingly, 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. I ask that you consider this extension during your September 27, 2022 meeting.

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).