

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

TEXAS MEDICAL ASSOCIATION, et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, et al.,

Defendants.

Case No. 6:22-cv-372-JDK

LIFENET, INC.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, et al.,

Defendants.

Case No. 6:22-cv-373-JDK

FINAL JUDGMENT

Pursuant to the Court’s Memorandum Opinion and Order (Docket No. 99) granting Plaintiffs’ Motions for Summary Judgment and denying Defendants’ Cross-Motions for Summary Judgment, and for the reasons stated therein, the Court hereby enters Final Judgment in favor of Plaintiffs Texas Medical Association, Dr. Adam Corley, Tyler Regional Hospital, LLC, LifeNet, Inc., and East Texas Air One and against Defendants United States Department of Health and Human Services,

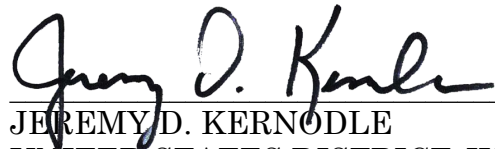
United States Department of Labor, United States Department of the Treasury, United States Office of Personnel Management, and current heads of those agencies in their official capacities, Xavier Becerra, Janet Yellen, Martin J. Walsh, and Kiran Ahuja as follows:

The Court **ORDERS** that the following provisions of the Final Rule are **VACATED** and **REMANDED** for further consideration:

- (1) The word “then” in 45 C.F.R. § 149.510(c)(4)(iii)(B); the entirety of 45 C.F.R. §§ 149.510(c)(4)(iii)(E) and (c)(4)(iv); and the final sentence of 45 C.F.R. § 149.510(c)(4)(vi)(B);
- (2) The word “then” in 26 C.F.R. § 54.9816-8(c)(4)(iii)(B); the entirety of 26 C.F.R. § 54.9816-8(c)(4)(iii)(E) and (c)(4)(iv); and the final sentence of 26 C.F.R. § 54.9816-8(c)(4)(vi)(B);
- (3) The word “then” in 29 C.F.R. § 2590-716-8(c)(4)(iii)(B); the entirety of 29 C.F.R. § 2590-716-8(c)(4)(iii)(E) and (c)(4)(iv); and the final sentence of 29 C.F.R. § 2590-716-8(c)(4)(vi)(B);
- (4) The entirety of 45 C.F.R. § 149.520(b)(3);
- (5) The entirety of 26 C.F.R. § 54.9817-2(b)(3); and
- (6) The entirety of 29 C.F.R. § 2590-717-2(b)(3).

All relief not expressly granted herein is **DENIED**. Any pending motions are **DENIED** as **MOOT**. The Clerk of Court is instructed to close these consolidated cases.

So **ORDERED** and **SIGNED** this **6th** day of **February, 2023**.



JEREMY D. KERNODLE
UNITED STATES DISTRICT JUDGE