

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
AMERICAN HOSPITAL)	
ASSOCIATION, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 18-2841 (RMC)
)	
ALEX M. AZAR II,)	
Secretary of the Department of Health)	
and Human Services,)	
)	
Defendant.)	
_____)	

ORDER

For the reasons articulated in the Memorandum Opinion issued contemporaneously with this Order, it is hereby

ORDERED that Plaintiffs’ Motion for Summary Judgment, Dkt. 14, is **GRANTED**; and it is

FURTHER ORDERED that the Secretary’s Cross-Motion for Summary Judgment, Dkt. 20, is **DENIED**; and it is

FUTHER ORDERED that the Secretary’s Method to Control for Unnecessary Increases in the Volume of Outpatient Services, 83 Fed. Reg. 58,818, 59,004-15 (Nov. 21, 2018) (Section X.B), is **VACATED** and this matter **REMANDED** to the Secretary for further proceedings consistent with the Memorandum Opinion; and it is

FURTHER ORDERED that the parties shall submit a joint status report by no later than October 1, 2019, discussing whether additional briefing regarding remedies is necessary.

Date: September 17, 2019

ROSEMARY M. COLLYER
United States District Judge