

ORAL ARGUMENT NOT YET SCHEDULED**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

AMERICAN HOSPITAL
ASSOCIATION, ASSOCIATION OF
AMERICAN MEDICAL COLLEGES,
THE FEDERATION OF AMERICAN
HOSPITALS, NATIONAL
ASSOCIATION OF CHILDREN'S
HOSPITALS, INC., MEMORIAL
COMMUNITY HOSPITAL AND
HEALTH SYSTEM, PROVIDENCE
HEALTH SYSTEM – SOUTHERN
CALIFORNIA d/b/a PROVIDENCE
HOLY CROSS MEDICAL CENTER,
and BOTHWELL REGIONAL
HEALTH CENTER,

Plaintiffs-Appellants

v.

ALEX M. AZAR II,
in his official capacity as SECRETARY
OF HEALTH AND HUMAN
SERVICES

Defendant-Appellee

Case No. 20-5193

CERTIFICATE AS TO PARTIES, RULINGS, AND RELATED CASES

In accordance with this Court's procedural order issued July 2, 2020, in the above-captioned case, and pursuant to Circuit Rules 12(c) and 28(a)(1), Plaintiffs-Appellants provide the following information:

A. Parties and Amici

1. The following parties and amicus curiae appeared before the District Court:

Plaintiffs

The American Hospital Association
Association of American Medical Colleges
The Federation of American Hospitals
National Association of Children's Hospitals, Inc.
Memorial Community Hospital and Health System
Providence Health System – Southern California, d/b/a
Providence Holy Cross Medical Center
Bothwell Regional Health Center

Defendant

Alex M. Azar, II, in his official capacity as Secretary of Health and Human Services.

Amicus Curiae

Thirty-Seven State Hospital Associations:

Alaska State Hospital & Nursing Home Association
Arizona Hospital and Healthcare Association
Arkansas Hospital Association
California Hospital Association
Connecticut Hospital Association
District of Columbia Hospital Association
Georgia Hospital Association

Healthcare Association of Hawaii
Illinois Health and Hospital Association
Iowa Hospital Association
Kansas Hospital Association
Kentucky Hospital Association
Louisiana Hospital Association
Maine Hospital Association
Massachusetts Health and Hospital Association
Mississippi Hospital Association
Missouri Hospital Association
Montana Hospital Association
Nebraska Hospital Association
Nevada Hospital Association
New Hampshire Hospital Association
New Jersey Hospital Association
New Mexico Hospital Association
Healthcare Association of New York State
Greater New York Hospital Association
North Carolina Healthcare Association
North Dakota Hospital Association
Ohio Hospital Association
Oregon Association of Hospitals and Health Systems
Hospital and Healthsystem Association of Pennsylvania
South Carolina Hospital Association
South Dakota Association of Healthcare Organizations
Tennessee Hospital Association
Texas Hospital Association
Washington State Hospital Association
West Virginia Hospital Association
Wisconsin Hospital Association
The Chamber of Commerce of the United States of America
PatientRightsAdvocate.org
The Independent Women's Law Center
The Texas Public Policy Foundation
The Association of Mature American Citizens

2. The following parties currently appear before this Court:

Plaintiffs-Appellants

The American Hospital Association
Association of American Medical Colleges
The Federation of American Hospitals
National Association of Children's Hospitals, Inc.
Memorial Community Hospital and Health System
Providence Health System – Southern California, d/b/a
Providence Holy Cross Medical Center
Bothwell Regional Health Center

Defendant-Appellee

Alex M. Azar, II, in his official capacity as Secretary of Health and Human Services.

3. Plaintiffs-Appellants make the following disclosures:

Plaintiff-appellant American Hospital Association (AHA) is a national, not-for-profit organization that represents and serves nearly 5,000 hospitals, health care systems, and networks, plus 43,000 individual members. AHA has no parent corporation and no publicly held company owns a 10% or greater ownership interest.

Plaintiff-appellant Association of American Medical Colleges (AAMC) is a national, not-for-profit association that serves all 154 accredited U.S. medical schools, nearly 400 major teaching hospitals and health systems, and more than 80 academic societies. AAMC has no parent corporation and no publicly held company has a 10% or greater ownership interest.

Plaintiff-appellant The Federation of American Hospitals represents more than 1,000 investor-owned or managed community hospitals and health systems nationwide. FAH has no parent corporation and no publicly held company has a 10% or greater ownership interest.

Plaintiff-appellant National Association of Children's Hospitals, Inc. represents more than 220 children's hospitals nationwide. NACH has no parent corporation and no publicly held company has a 10% or greater ownership interest.

Plaintiff-appellant Memorial Community Hospital and Health System is a 501(c)(3) not-for-profit organization that serves a population of approximately 20,000 residents throughout its primary service area in Nebraska. Memorial Community has no parent corporation, and Alegent Health, 1010 N. 96th Street, Omaha, NE 68114, has 40% minority ownership of Memorial Community Hospital and Health System.

Plaintiff-appellant Providence Health System – Southern California d/b/a Providence Holy Cross Medical Center Hospitals is a 377-bed, not-for-profit Catholic hospital offering both inpatient and outpatient health services in the San Fernando, Santa Clarita, and Simi Valleys in Southern California.

Providence has no parent corporation and no publicly held company has a 10% or greater ownership interest.

Plaintiff-appellant Bothwell Regional Health Center is a city-chartered health center that provides diagnostic, medical, and surgical services across 12 locations in central Missouri. Bothwell has no parent corporation and no publicly held company has a 10% or greater ownership interest.

B. Rulings Under Review

The ruling under review was entered in *American Hospital Association v. Azar*, No. 1:19-cv-03619 (CJN) on June 23, 2020, as ECF No. 35, by the Honorable Carl J. Nichols.

C. Related Cases

None.

DATED: July 3, 2020

Respectfully submitted,

/s/ Lisa S. Blatt

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CERTIFICATE OF SERVICE

I hereby certify that on July 3, 2020, a true and accurate copy of the foregoing Certificate as to Parties, Rulings, and Related Cases was filed electronically with the Clerk of Court using the CM/ECF system, which sent notification of such filing to all counsel of record.

/s/ Lisa S. Blatt

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