

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

_____	)	
WHITMAN-WALKER	)	
CLINIC, INC., <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Case No. 1:20-cv-01630-JEB
	)	
U.S. DEPARTMENT OF HEALTH	)	
AND HUMAN SERVICES, <i>et al.</i> ,	)	
	)	
Defendants.	)	
_____	)	

**UPDATE ON STATUS OF PROPOSED RULEMAKING**

Pursuant to this Court’s Minute Order dated August 3, 2022, Defendants submit this update on the status of the proposed rulemaking. On August 4, 2022, a proposed regulation implementing Section 1557 of the Affordable Care Act was published in the Federal Register. Nondiscrimination in Health Programs and Activities, 87 Fed. Reg. 47,824 (Aug. 4, 2022). The United States Department of Health and Human Services is seeking comment on all issues raised by the proposed regulation. The comment period closes on October 3, 2022.

Dated: September 30, 2022

Respectfully submitted,

BRIAN M. BOYNTON  
Principal Deputy Assistant Attorney General

/s/ Liam C. Holland  
LIAM C. HOLLAND  
Trial Attorney  
United States Department of Justice  
Civil Division, Federal Programs Branch  
1100 L Street, N.W.  
Washington, DC 20005  
Tel: (202) 514-4964  
Fax: (202) 616-8470  
Email: Liam.C.Holland@usdoj.gov

MICHELLE R. BENNETT  
Assistant Director, Federal Programs Branch

*Attorneys for Defendants*