

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 (“HHS”) sought comment on all issues raised by the proposed regulation. The comment period recently closed, on October 3, 2022. According to regulations.gov, HHS has received more than 85,000 comments on the proposed regulation.

Dated: November 30, 2022

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*/s/ Liam C. Holland*  
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