

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

WHITMAN-WALKER
CLINIC, INC., *et al.*,

Plaintiffs,

v.

U.S. DEPARTMENT OF HEALTH
AND HUMAN SERVICES, *et al.*,

Defendants.

Case No. 1:20-cv-01630-JEB

UPDATE ON STATUS OF PROPOSED RULEMAKING

Pursuant to this Court’s Minute Orders dated August 3, 2022, and November 30, 2022, Defendants submit this update on the status of the proposed rulemaking. The United States Department of Health and Human Services Office for Civil Rights is considering public comments on a proposed regulation implementing Section 1557 of the Affordable Care Act that was published in the Federal Register on August 4, 2022, Nondiscrimination in Health Programs and Activities, 87 Fed. Reg. 47,824 (Aug. 4, 2022). According to regulations.gov, HHS has received more than 85,000 comments on the proposed regulation.

Dated: May 31, 2023

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Respectfully submitted,

/s/ Liam C. Holland
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