

**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 (“HHS”) Office for Civil Rights published a proposed rule implementing Section 1557 of the Affordable Care Act in the Federal Register on August 4, 2022. Nondiscrimination in Health Programs and Activities, 87 Fed. Reg. 47,824 (Aug. 4, 2022). HHS has submitted a draft of the final rule to the Office of Management and Budget Office of Information and Regulatory Affairs (“OIRA”). OIRA received the draft final rule on December 21, 2023. The status of the draft final rule is available at this website: <https://www.reginfo.gov/public/do/eoDetails?rrid=354213>.

Dated: January 31, 2024

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Respectfully submitted,

/s/ Liam C. Holland
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