

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

THE ERISA INDUSTRY COMMITTEE,

Plaintiff,

v.

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

Defendants.

Civil Action No. 25-0136 (TJK)

JOINT STATUS REPORT

Pursuant to the Court’s Minute Order, dated May 12, 2025, Plaintiff the ERISA Industry Committee and Defendants U.S. Department of Health and Human Services, U.S. Department of the Treasury, and U.S. Department of Labor (hereinafter “Departments”), respectfully file this joint status report on the progress of Defendants’ reconsideration of the rule at issue in this litigation.

1. This appeal involves a challenge to a rule issued by the Departments that implements the requirements imposed by the Mental Health Parity and Addiction Equity Act (MHPAEA), as amended by the Consolidated Appropriations Act, 2021 (CAA, 2021). The rule at issue is Requirements Related to the Mental Health Parity and Addiction Equity Act, 89 Fed. Reg. 77586 (Sept. 23, 2024) (2024 Rule).

2. The Departments continue to consider whether to issue a notice of proposed rulemaking to revise or rescind the 2024 Rule and to determine when it would be appropriate to add a MHPAEA regulatory action to the agencies’ Semiannual Regulatory Agenda.

3. Pursuant to the Court's May 12, 2025, Minute Order, the parties will file another joint status report on or before November 5, 2025, to report on Defendants' progress.

Dated: August 7, 2025

/s/Eugene Scalia
Eugene Scalia
Matthew S. Rozen
Rebecca E. Smith
Robert A. Batista
Aaron Gyde
GIBSON, DUNN & CRUTCHER LLP
1700 M Street N.W.
Washington, D.C. 20036-4504
Telephone: (202) 955-8500
EScalia@gibsondunn.com
MRozen@gibsondunn.com
BSmith@gibsondunn.com
RBatista@gibsondunn.com

Counsel for Plaintiff

Respectfully submitted,

JEANINE FERRIS PIRRO
United States Attorney

By: /s/ Erika Oblea
ERIKA OBLEA, D.C. Bar # 1034393
Assistant United States Attorney
601 D Street, NW
Washington, DC 20530
(202) 252-2567
erika.oblea@usdoj.gov

Attorneys for the United States of America