

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

CITY OF COLUMBUS ET AL.,

Plaintiffs,

v.

ROBERT F. KENNEDY, JR. ET AL.,

Defendants.

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Civil No. 25-2114-BAH

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**ORDER**

For the reasons stated in the Court’s memorandum opinion, ECF 73, and upon consideration of Plaintiffs’ motion for summary judgment, ECF 65, and Defendants’ cross-motion for summary judgment, ECF 68, it is, by the United States District Court for the District of Maryland, hereby **ORDERED** that Plaintiffs’ unopposed motion for clarification, ECF 75, is **GRANTED**, and this Court’s order of June 12, 2026, ECF 74, is amended as clarified to provide as follows:

- (1) Plaintiffs’ motion for summary judgment, ECF 65, is GRANTED in part and DENIED in part;
- (2) Defendants’ motion for summary judgment, ECF 68, is GRANTED in part and DENIED in part;
- (3) The following provisions of the final rule entitled “Patient Protection and Affordable Care Act; Marketplace Integrity and Affordability,” 90 Fed. Reg. 27074, are VACATED pursuant to 5 U.S.C. § 706:

- a. The imposition of a \$5 premium penalty on automatic re-enrollees, through the addition of 45 C.F.R. § 155.335(a)(3) and (n);
  - b. The revocation of guaranteed insurance coverage for individuals with past-due premiums, through revisions to 45 C.F.R. § 147.104(i);
  - c. The failure to reconcile policy in 45 C.F.R. § 155.305(f)(4), including the final rule's amendments to that policy through the addition of 45 C.F.R. § 155.305(f)(4)(iii);
  - d. The imposition of eligibility verification for the special enrollment period, through the revisions to 45 C.F.R. § 155.420(g);
  - e. The imposition of a shortened open enrollment period beginning in 2027, through revisions to 45 C.F.R. § 155.410(e) and (f);
  - f. The elimination of the 60-day extension of time to resolve inconsistencies in household income data, through the removal of 45 C.F.R. § 155.315(f)(7);
  - g. The imposition of a requirement that Exchanges verify household income inconsistencies when a tax filer's attested projected annual household income differs from "trusted data sources," through revisions to 45 C.F.R. § 155.320(c)(3)(iii) and the addition of 45 C.F.R. § 155.320(c)(3)(vi)(C)(2);
  - h. The changes to the de minimis ranges for actuarial value calculations, through revisions to 45 C.F.R. §§ 156.140(c), 156.200(b)(3), and 156.400;
  - i. The changes to the policy regarding self-attestation of projected income, through revisions to 45 C.F.R. § 155.320(c)(5); and
- (4) The following provision is not vacated by the Court's ruling and may take effect according to its terms:

