

**United States Court of Appeals**  
**FOR THE DISTRICT OF COLUMBIA CIRCUIT**

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**No. 19-5048**

**September Term, 2019**

FILED ON: JULY 31, 2020

AMERICAN HOSPITAL ASSOCIATION, ET AL.,  
APPELLEES

v.

ALEX MICHAEL AZAR, II, IN HIS OFFICIAL CAPACITY AS THE SECRETARY OF HEALTH AND HUMAN  
SERVICES AND UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES,  
APPELLANTS

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Consolidated with 19-5198

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Appeals from the United States District Court  
for the District of Columbia  
(No. 1:18-cv-02084)

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Before: SRINIVASAN, *Chief Judge*, and MILLETT and PILLARD, *Circuit Judges*

**J U D G M E N T**

These causes came on to be heard on the record on appeal from the United States District Court for the District of Columbia and were argued by counsel. On consideration thereof, it is

**ORDERED** and **ADJUDGED** that the judgment of the District Court appealed from in these causes be reversed, in accordance with the opinion of the court filed herein this date.

**Per Curiam**

**FOR THE COURT:**  
Mark J. Langer, Clerk

BY: /s/

Daniel J. Reidy  
Deputy Clerk

Date: July 31, 2020

Opinion for the court filed by Chief Judge Srinivasan.  
Opinion dissenting in part filed by Circuit Judge Pillard.