

UNITED STATES DISTRICT COURT
DISTRICT OF THE DISTRICT OF COLUMBIA

MONTE A. ROSE, JR., <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	
)	No. 1:19-cv-02848-JEB
XAVIER BECERRA, <i>et al.</i> ,)	
)	
Defendants.)	

JOINT STATUS REPORT

Pursuant to the Court's minute orders of August 5 and August 8, 2024, the parties submit this updated status report. The parties have reached agreement on the following with respect to the motion for stay pending appeal filed by the Indiana Family and Social Services Administration (ECF #73):

1. The parties jointly request that the Court STAY its opinion and order vacating the Healthy Indiana Plan (HIP) 2.0 Demonstration Project pending appeal, except for those portions related to payment or non-payment of POWER account contributions, pending resolution of the appeal, issuance of the mandate, and disposition of any timely filed petition for certiorari.
2. In light of the limited vacatur, Defendant-Intervenor Indiana will suspend the invoicing and collection of contributions to HIP POWER accounts by HIP members for the duration of the stay. HIP members currently enrolled in HIP Plus will continue to be enrolled in HIP Plus, and new members who under the 2020 approval would have been eligible for HIP

Plus if they made POWER account contributions will be enrolled in HIP Plus, for the duration of the stay as long as they continue to meet all applicable eligibility requirements other than contributions to POWER accounts.

3. The Centers for Medicare & Medicaid Services (“CMS”) agrees that it will not find Indiana out of compliance with the terms of the Demonstration Project for suspending premiums and maintaining enrollees in HIP Plus pursuant to Paragraph 2.
4. The parties’ agreement is without prejudice to any argument the parties might make regarding the underlying merits, and the parties’ agreement should not be construed to prevent any party from seeking relief from the limited stay for good cause shown.

Dated: August 15, 2024

Respectfully submitted,

/s/ Jane Perkins (with permission)

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