

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

|                         |             |   |                      |
|-------------------------|-------------|---|----------------------|
| <hr/>                   |             | ) |                      |
| RONNIE STEWART, et al., |             | ) |                      |
|                         | Plaintiffs, | ) |                      |
|                         |             | ) |                      |
| v.                      |             | ) | No. 1:18-cv-0152-JEB |
|                         |             | ) |                      |
| ALEX M. AZAR, et al.    |             | ) |                      |
|                         | Defendants. | ) |                      |
| <hr/>                   |             | ) |                      |

**JOINT STATUS REPORT**

In accordance with the Court’s minute order on August 30, 2018, plaintiffs Ronnie Maurice Stewart, et al., federal defendants Alex M. Azar, et al., and intervenor-defendant the Commonwealth of Kentucky (collectively, the “parties”) respectfully submit the following joint status report.

1. On July 19, 2018, in light of this Court’s remand order, the Centers for Medicare & Medicaid Services (“CMS”) opened another 30-day federal public comment period so that the public could submit comments regarding (1) Kentucky's original August 24, 2016, demonstration project proposal under 42 U.S.C. § 1315; (2) Kentucky’s July 3, 2017, revised proposal; and (3) the special terms and conditions (“STCs”) that CMS approved on January 12, 2018, in connection with Kentucky’s proposals.
2. The federal comment period closed on August 18, 2018.
3. On November 20, 2018, CMS approved Kentucky HEALTH subject to certain limitations. *See* Kentucky HEALTH Approval Package, available at <https://www.medicaid.gov/Medicaid-CHIP-Program-Information/By-Topics/Waivers/1115/downloads/ky/ky-health-ca.pdf> (last accessed Dec. 12, 2018).

4. The parties proposed, and the Court granted, a briefing schedule in connection with Plaintiffs' impending challenge to CMS's November 20 approval. *See* Joint Motion for a Briefing Schedule, ECF No. 83; *see also* Dec. 6, 2018, Minute Order.
5. In light of the Court's order on the parties' joint motion for a briefing schedule, the parties respectfully request that the Court enter a further order excusing them from filing monthly joint status reports. *See* Aug. 30, 2018, Minute Order (ordering the parties to submit joint status reports on the 15th of each month "until further Order of the Court").

Dated: December 14, 2018

Respectfully submitted,

JOSEPH H. HUNT  
Assistant Attorney General

MICHELLE BENNETT  
Assistant Director  
Federal Programs Branch

/s/ Vinita B. Andrapalliyal  
VINITA ANDRAPALLIYAL  
MATTHEW SKRUNIK  
Trial Attorneys  
U.S. Department of Justice  
Civil Division, Federal Programs Branch  
20 Massachusetts Avenue, N.W.  
Washington, D.C. 20530  
(202) 305-0845 (telephone)  
vinita.b.andrapalliyal@usdoj.gov

*Counsel for the Federal Defendants*

/s/ Jane Perkins  
Jane Perkins  
Catherine McKee  
Sarah Somers  
National Health Law Program  
200 N. Greensboro Street, Suite D-13  
Carrboro, NC 27510  
Phone: 919-968-6308 (x101)

perkins@healthlaw.org  
mckee@healthlaw.org

*Counsel for Plaintiffs*

/s/ Matthew F. Kuhn

M. STEPHEN PITT  
S. CHAD MEREDITH  
MATTHEW F. KUHN  
Office of the Governor  
700 Capital Avenue, Suite 101  
Frankfort, Kentucky 40601  
(502) 564-2611 (telephone)  
Steve.Pitt@ky.gov  
Chad.Meredith@ky.gov  
Matt.Kuhn@ky.gov

*Counsel for the Commonwealth of Kentucky*