

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

STATE OF TEXAS, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 2:21-CV-00229-Z
)	
XAVIER BECERRA, in his official capacity)	
as Secretary of the United States Department)	
of Health and Human Services, <i>et al.</i> ,)	
)	
Defendants.)	

DEFENDANTS' NOTICE OF PUBLICATIONS

Defendants respectfully submit this notice, in further response to the Court's questions at the hearing held yesterday on Plaintiffs' motion for temporary restraining order and preliminary injunction, ECF No. 6, and Defendants' motion to stay proceedings, ECF No. 35.

Defendants respectfully inform the Court that:

- The Centers for Medicare & Medicaid Services (CMS) has posted a notice regarding the preliminary injunctions currently in effect on its Public Health Emergency landing page (*see* <https://www.cms.gov/About-CMS/Agency-Information/Emergency/EPRO/Current-Emergencies/Current-Emergencies-page>).
- That page includes a link to the CMS Omnibus COVID-19 Health Care Staff Vaccination Interim Final Rule External FAQ, and that FAQ document also contains a notice to the same effect (*see* <https://www.cms.gov/files/document/cms-omnibus-covid-19-health-care-staff-vaccination-requirements-2021.pdf>).
- In addition, CMS has published on its website (*see* <https://www.cms.gov/medicareprovider-enrollment-and-certificationsurveycertificationgeninfopolicy-and-memos-states-and/vaccination-regulation-enforcement-rule-imposing-vaccine-requirement-health-care-staff-medicare-and>) a memorandum to State Survey Agency Directors regarding the preliminary injunctions (*available at* <https://www.cms.gov/files/document/qso-22-04-all.pdf>), which has also been transmitted to Accrediting Organizations.

Dated: December 3, 2021

Respectfully submitted,

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