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Remittance Advice (RA) Message

Title: **CMS Vaccine Mandate: Preliminary Injunction Ordered**

Issue Date: 11/29/2021

Run Length: 6 weeks

Provider Type(s): All

Message: The CMS Vaccine Mandate has had a preliminary injunction ordered. The injunction is not nationwide, but it **does** apply to Alaska.

"IT IS HEREBY ORDERED that Defendants are preliminarily enjoined from the implementation and enforcement of 86 Fed. Reg. 61,555 (Nov. 5, 2021), the Interim Final Rule with Comment Period entitled "Medicare and Medicaid Programs; Omnibus COVID-19 Health Care Staff Vaccination," against any and all Medicare- and Medicaid-certified providers and suppliers within the States of Alaska, Arkansas, Iowa, Kansas, Missouri, Nebraska, New Hampshire, North Dakota, South Dakota, and Wyoming pending a trial on the merits of this action or until further order of this Court. Defendants shall immediately cease all implementation or enforcement of the Interim Final Rule with Comment Period as to any Medicare- and Medicaid-certified providers and suppliers within the States of Alaska, Arkansas, Iowa, Kansas, Missouri, Nebraska, New Hampshire, North Dakota, South Dakota, and Wyoming."

DHSS will provide updates as the case moves through the court process.