# District Court Throws Out CMS' Medical Frailty Definition For 25 Democratic States

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In a win for the 25 Democratic-led states -- and physicians -- who challenged the administration's Medicaid work requirement rule, a federal district court is barring HHS from requiring that those states determine whether a Medicaid applicant's condition prohibits them from satisfying work requirements.

In his decision in *Commonwealth of Massachusetts, et al. v Mehmet Oz (1:26-cv-12962)* issued Thursday (Oct. 29), United States District Court of Massachusetts Judge Richard Stearns agreed with the plaintiffs that the second step in the medical frailty exemption for Medicaid work requirements in CMS' June Interim Final Rule goes beyond the statute in violation of the Administrative Procedure Act.

"It is well-recognized that there is an inherent public interest in ensuring that the government follows the law, and because enforcement of an unlawful definition of 'medically frail' may lead to the disenrollment of otherwise eligible vulnerable individuals relying on Medicaid coverage for continuity of care, the States (and public) face potential for great hardship in the absence of an injunction," Stearns said in the order for a permanent injunction.

**Stearns also issued a six-month stay of enforcement as to any determination that an individual does or does not qualify as "medically frail" within the scope of H.R. 1., "to accommodate any errors or delays which may arise given the short timeline under which the States must now change their verification systems."**

Physician lobbies that had raised concerns they'd be on the hook to provide the evidence consumers need to satisfy the work requirements quickly cheered the ruling.

**The decision is "a victory for patients as it strikes back against unnecessary barriers to care," the American Medical Association said in a statement.**

"The court rightly rejected a federal restriction that would have made it harder for people with serious or complex health conditions to qualify for an exemption from Medicaid work requirements," AMA President Willie Underwood III said. "Patients should not have to clear unnecessary bureaucratic hurdles to keep

their health coverage, especially hurdles that go beyond what Congress intended. The AMA will continue fighting to protect access to medically necessary care and ensure bureaucratic red tape doesn't stand in patients' way."

AMA joined a group of medical specialty societies in filing an amicus brief in the case in September and had filed an earlier brief in July **[/node/156946]** supporting the states' request for a preliminary injunction, which Stearns had rejected.

America's Physician Groups President Susan Dentzer called the ruling "a victory for the rule of law, medical ethics, and common sense."

Dentzer acknowledged the decision is likely to be appealed, but argued, "the ruling makes clear for now that a regulatory agency cannot go far beyond underlying statute with impunity and gives the body politic time and latitude to draft more sensible and humane regulations governing this highly controversial area of the 2025 reconciliation law."

Although the court agreed with the plaintiffs' argument that the additional step for satisfying the medical frailty exemption is contrary to law under the APA, Stearns sided with CMS in stating the one-year lookback period and self-attestation limit are not "arbitrary and capricious" under the law. Stearns said he did not consider the plaintiffs' second allegation that the definition violated constitutional limits on federal spending authority, as the APA violation is sufficient to strike down the definition.

**Patient advocates at Families USA applauded the court's decision to strike the medical frailty definition for the plaintiff states, but the organization is pushing CMS to let all states delay implementation of work requirements.**

"The court decision brings a welcome reprieve and further illustrates why the Trump administration should delay the start of Medicaid work reporting requirements set to begin two short months from now," Families USA Executive Director Anthony Wright said. "Training state workers to understand the post-ruling changes will take more than two months, let alone informing millions of medically frail patients and their providers. Anticipating these and other implementation challenges, Congress specifically included in the law a provision to allow the administration to grant waivers to delay the start of these new bureaucratic barriers for up to two years. As CMS's own rules have caused chaos and confusion for states, providers and patients, the administration must grant a blanket waiver for all states to delay implementation."

**The order prohibiting HHS from enforcing the medical frailty provision applies to the 25 states and Washington, D.C. that challenged the rule over the summer.** They include Massachusetts, California, Pennsylvania, New Jersey, Arizona, Colorado, Connecticut, Delaware, Illinois, Kentucky, Maine, Maryland, Michigan, Minnesota, Nevada, New Mexico, New York, North Carolina, Oregon, Rhode Island, Vermont, Virginia, Washington and Wisconsin. -- *Sigi Ris* (sris@iwpnews.com)