

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

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THE AMERICAN HOSPITAL ASSOCIATION, )  
ASSOCIATION OF AMERICAN MEDICAL )  
COLLEGES, MERCY HEALTH MUSKEGON, )  
CLALLAM COUNTY PUBLIC HOSPITAL )  
NO. 2 d/b/a/ OLYMPIC MEDICAL CENTER, )  
and YORK HOSPITAL, )  
*Plaintiffs,* )  
  
v. ) Civil Action No. 1:18-cv-2841  
  
ALEX M. AZAR II, )  
in his official capacity as SECRETARY OF )  
HEALTH AND HUMAN SERVICES, )  
*Defendant.* )

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**PLAINTIFFS’ REQUEST FOR STATUS CONFERENCE IN LIGHT OF  
DEFENDANTS’ RECENT ANNOUNCEMENT OF CY 2020 PROPOSED RULE**

On July 29, 2019, the Centers for Medicare & Medicaid Services (CMS) announced its Proposed Rule for revisions to the Medicare hospital outpatient prospective payment system (OPPS) for Calendar Year (CY) 2020. See <https://s3.amazonaws.com/public-inspection.federalregister.gov/2019-16107.pdf>.

The Proposed Rule for CY 2020 would further reduce Medicare payment rates for certain clinic visit services provided at specified off-campus provider based departments (PBDs) by completing the phase-in period for the rate reductions that are challenged in the First Amended Complaint filed in this lawsuit.

Plaintiffs respectfully request a status conference on the pending motions for summary judgment in light of this development.

Respectfully submitted,

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