

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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**No. 19-5048**

**September Term, 2021**

FILED ON: AUGUST 3, 2022

AMERICAN HOSPITAL ASSOCIATION, ET AL.,  
APPELLEES

v.

XAVIER BECERRA, IN HIS OFFICIAL CAPACITY AS THE SECRETARY OF HEALTH AND HUMAN  
SERVICES AND UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES,  
APPELLANTS

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Consolidated with 19-5198

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On Remand from the Supreme Court of the United States

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Before: SRINIVASAN, *Chief Judge*, and MILLETT and PILLARD, *Circuit Judges*

**J U D G M E N T**

These causes came to be heard on remand from the Supreme Court of the United States, and upon appellees' unopposed motion for remand to the district court in light of the Supreme Court's judgment in American Hospital Ass'n v. Becerra, 142 S. Ct. 1896 (2022), which reversed this court's judgment, filed July 31, 2020, and remanded for further proceedings consistent with its opinion. Upon consideration of the foregoing, it is

**ORDERED** that the motion be granted. It is

**FURTHER ORDERED and ADJUDGED** that these cases be remanded to the district court for further proceedings consistent with the Supreme Court's opinion.

The Clerk is directed to issue the mandate forthwith to the district court.

**FOR THE COURT:**  
Mark J. Langer, Clerk

BY: /s/  
Daniel J. Reidy  
Deputy Clerk