
VIA ELECTRONIC MAIL

February 6, 2023

William Gui Woolston
Director
Connecticut Department of Social Services
55 Farmington Avenue, 9th Floor
Hartford, Connecticut 06105-3730

Dear State Medicaid Director:

I am writing to inform you of an order (attached along with this letter) issued on January 31, 2023, in *Carr v. Becerra*, No. 22-cv-0098 (D. Conn.). The case concerns part of an interim final rule (IFR) published on November 6, 2020, in which the United States Department of Health and Human Services (HHS) interpreted section 6008(b)(3) of the Families First Coronavirus Response Act. 42 C.F.R. § 433.400. In the January 31, 2023 order, the Court certified the following class:

All individuals who were enrolled in Medicaid in any state on March 18, 2020 or later and, as a result of the adoption of the IFR on November 6, 2020, either had their Medicaid eligibility reduced to a lower level of benefits and were determined to be eligible for a Medicare Savings program or will have their Medicaid eligibility reduced to a lower level of benefits and be determined to be eligible for a Medicare Savings Program prior to a redetermination conducted after March 31, 2023.

In the January 31, 2023 order, the Court also directed HHS to refrain from enforcing the challenged portion of the IFR with respect to the members of the certified class through the close of business on March 31, 2023, and to reinstate its previous guidance with respect to these individuals. HHS was also “ordered to inform (within 7 days of this order) the relevant state agencies of this revised position as to the class members.” The Court further provided that, in light of the Consolidated Appropriations Act, 2023, which provides an end date (March 31, 2023) for section 6008(b)(3) of the Families First Coronavirus Response Act, its injunction will expire at the close of business Eastern Time on March 31, 2023.

Please consider this letter notification that HHS is fulfilling the requirements of the Court’s order. HHS will refrain from enforcing the challenged portion of the IFR with respect to the members of the certified class, through the close of business on March 31, 2023, and HHS reinstates its previous guidance with respect to the class members.

Sincerely,



Daniel Tsai
Deputy Administrator and Director