

Sizzling Topics in Litigating Medicaid and ADA Cases

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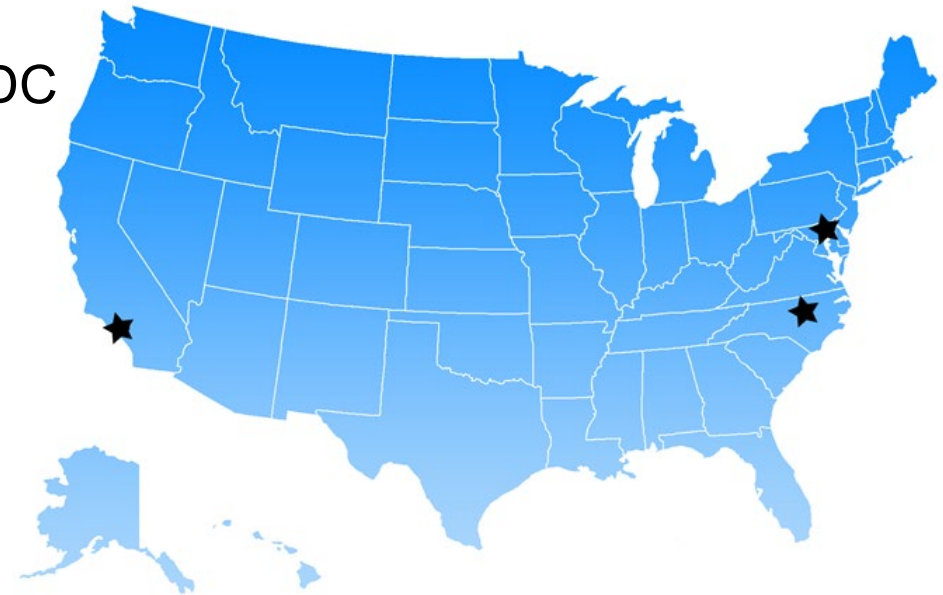


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About the National Health Law Program

- National non-profit law firm committed to improving health care access, equity, and quality for underserved individuals and families
- [NHeLP's Litigation and Enforcement Work](#)
- State & Local Partners:
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 - Disability rights advocates – 50 states + DC
 - Poverty & legal aid advocates – 50 states + DC
- National Partners
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NHeLP's Equity Stance

Health equity is achieved when a person's characteristics and circumstances — including race and ethnicity, sex, gender identity, sexual orientation, age, income, class, disability, health, immigration status, nationality, religious beliefs, language proficiency, or geographic location — do not predict their health outcomes.

<https://healthlaw.org/equity-stance/>

Goals of the Webinar

At the end of this webinar, attendees will appreciate:

- how recent court decisions can affect Medicaid and ADA claims
- caution is needed at each step in framing cases
- avoiding a “kitchen sink” approach
- emerging class certification challenges

Litigating Medicaid Act Claims

- Deference after [Loper Bright](#) and [W. Va. v. EPA](#)
- [Naming Defendants](#) – Sovereign Immunity and Qualified Immunity
- [Abstention](#)
- [Class certification](#) challenges
- Section 1983 enforcement after [Talevski](#)
- ... and a bit about standing

Litigating ADA Claims

- “At risk” claims after [*U.S. v. Mississippi* \(5th Cir. 9/20/2023\)](#)
- The integration mandate after [*Loper Bright*](#) and [*Corner Post*](#)
- Standing challenges as merits disputes
- Naming Defendant(s)
- Emerging class certification challenges
- Abstention in systemic cases

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