

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

The ERISA Industry Committee,
Plaintiff,

v.

United States Department of Health and
Human Services, *et al.*,
Defendants.

Case No. 25-cv-136-TJK

JOINT STATUS REPORT

Pursuant to the Court’s Minute Order, dated May 12, 2025, Plaintiff The ERISA Industry Committee (“ERIC”) and Defendants U.S. Department of Health and Human Services, U.S. Department of the Treasury, and U.S. Department of Labor (“the Departments”) respectfully file this joint status report on the progress of the Departments’ reconsideration of the rule at issue in this litigation.

1. This action involves a challenge to a rule issued by the Departments purporting to implement the requirements of the Mental Health Parity and Addiction Equity Act (“MHPAEA”), as amended by the Consolidated Appropriations Act, 2021 (“CAA, 2021”). The challenged rule is *Requirements Related to the Mental Health Parity and Addiction Equity Act*, 89 Fed. Reg. 77,586 (Sept. 23, 2024) (“the Rule”).

2. Since the parties’ last joint status report on December 29, 2025, the Departments have further evaluated the Rule and ERIC’s challenge. The Departments have determined that, rather than defend the Rule in this proceeding, they will issue a new proposed rule, including anticipated significant revisions to the provisions of the Rule that ERIC has challenged in this lawsuit. The Departments intend to include a rulemaking on this topic on the 2026 Spring Regulatory Agenda, and to issue a notice of proposed rulemaking no later than December 31, 2026.

3. The Court's May 12, 2025 Minute Order stayed this case and directed the filing of status reports every 90 days. In light of the above, the parties request an adjustment of that period for the next status report. Specifically, to advise the Court of any developments related to the release of the 2026 Spring Regulatory Agenda, the parties propose that the next joint status report should be due on or before September 30, 2026.

Dated: March 30, 2026

/s/ Eugene Scalia

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Respectfully submitted,

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