

FILED: May 9, 2023

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 22-1927
(3:20-cv-00740)

CHRISTOPHER FAIN; SHAUNTAE ANDERSON, individually and on behalf
of all others similarly situated

Plaintiffs - Appellees

v.

WILLIAM CROUCH, in his official capacity as Cabinet Secretary of the West
Virginia Department of Health and Human Resources; CYNTHIA BEANE, in her
official capacity as Commissioner for the West Virginia Bureau for Medical
Services; WEST VIRGINIA DEPARTMENT OF HEALTH AND HUMAN
RESOURCES, Bureau for Medical Services

Defendants - Appellants

STATE OF WEST VIRGINIA

Amicus Supporting Appellants

COLORADO; DELAWARE; DISTRICT OF COLUMBIA; FAIRNESS WEST
VIRGINIA; MOUNTAIN STATE JUSTICE, INC.; NATIONAL HEALTH LAW
PROGRAM; CENTER FOR MEDICARE ADVOCACY; CONSTITUTIONAL
LAW PROFESSORS; AMERICAN MEDICAL ASSOCIATION; ENDOCRINE
SOCIETY; NATIONAL ASSOCIATION OF NURSE PRACTITIONERS IN

WOMEN'S HEALTH; AMERICAN PSYCHIATRIC ASSOCIATION;
SOCIETY OF OB/GYN HOSPITALISTS; ILLINOIS; MAINE; MARYLAND;
MASSACHUSETTS; MINNESOTA; NEVADA; NEW JERSEY; NEW
MEXICO; NEW YORK; OREGON; RHODE ISLAND; VERMONT;
WASHINGTON

Amici Supporting Appellees

ORDER

Upon consideration of the motion of the State of West Virginia for leave to participate in oral argument as amicus curiae by dividing time with appellants, the court grants the motion.

For the Court

/s/ Patricia S. Connor, Clerk