

Federal Judge Gives Health Care Workers Reprieve From Tyranny

Health care workers in 10 states who don't want to take the COVID-19 shot will be pleased with a federal judge's ruling in a lawsuit brought by Missouri Attorney General Eric Schmitt. St. Louis-based U.S. District Judge Matthew Schelp halted implementation and enforcement of the Biden administration's COVID-19 shot mandate for thousands of affected health care workers.

Judge Schelp granted a preliminary injunction that applies to certified providers of Medicare and Medicaid suppliers in each of the suing states: Alaska, Arkansas, Iowa, Kansas, Missouri, Nebraska, New Hampshire, North Dakota, South Dakota and Wyoming.

The Centers for Medicare & Medicaid Services (CMS) is a federal agency in the U.S. Department of Health and Human Services (HHS) that administers the Medicare program and works in partnership with state governments to administer Medicaid, the Children's Health Insurance Program (CHIP) and health insurance portability standards.

"CMS seeks to overtake an area of traditional state authority by imposing an unprecedented demand to federally dictate the private medical decisions of millions of Americans," Schelp wrote in the order. "Such action challenges traditional notions of federalism."

The court indicated that Congress had not clearly authorized the Centers for Medicare & Medicaid to institute the mandate for Medicare and Medicaid providers.

"Congress did not clearly authorize CMS to enact this

politically and economically vast, federalism-altering, and boundary-pushing mandate,” Schelp wrote.

Similar lawsuits are pending in other states, including the 12-state lawsuit spearheaded by the Montana attorney general.

In response to this decision, Liberty Counsel Founder and Chairman Mat Staver said: “The health care workers in facilities that participate in the Medicare and Medicaid programs in these 10 states have had their burdens lifted by this exceptional court decision. Although Judge Schelp’s injunction applies only to 10 states for now, I suspect other states will intervene to extend the ruling, and other lawsuits are pending in 12 additional states. Moreover, it seems obvious that the legal reasoning will apply to all the states since it involves a nationwide rule.” {eo}

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