

# Federal Judge Halts Biden's COVID Vaccine Mandate for Healthcare Workers in 10 States



Following a lawsuit filed by Eric Schmitt, Missouri's Attorney General, the U.S. District Court in the Eastern District of Missouri, [issued a preliminary injunction](#), halting the Biden Administration from enforcing its COVID vaccine mandate on healthcare workers in Missouri and nine other states.

"It is [hereby ordered](#) that Defendants are preliminarily enjoined from the **implementation and enforcement** of 86 Fed. Reg. 61,555 (Nov. 5, 2021), [...] against any and all Medicare- and Medicaid-certified providers and suppliers within the States of **Alaska, Arkansas, Iowa, Kansas, Missouri, Nebraska, New Hampshire, North Dakota, South Dakota and Wyoming** pending a trial on the merits of this action or until further order of this Court. Defendants shall immediately cease all implementation or enforcement of the Interim Final Rule [...]."

Judge Matthew Schelp [wrote in his ruling](#) that regulations handed down by the Centers for Medicare & Medicaid (CMS) earlier this month were issued improperly, as Congress did not grant CMS the authority to mandate vaccines, which he argued was necessary given the mandate's "vast economic and political significance."

In addition, Schelp said the mandate was issued improperly – bypassing notice and comment requirements, and the agency's justification for doing so was not suitable.

*GOOD NEWS: Today, the [@USCourtsMOED](#) issued a preliminary injunction halting the Biden Administration from enforcing its vaccine mandate on healthcare workers in Missouri.*

*View the ruling: <https://t.co/j9NmMyGV7m>*

*– Governor Mike Parson (@GovParsonMO) [November 29, 2021](#)*

"Truly, the impact of this mandate reaches far beyond COVID," Schelp wrote. "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. Such action challenges traditional notions of federalism."

Schelp also [called the mandate](#) "arbitrary and capricious," arguing that CMS "lacks evidence showing that vaccination status has a direct impact on spreading COVID" in the covered health care facilities. CMS also admitted the continued efficacy of the vaccine is uncertain.

"No one questions that protecting patients and health care workers from contracting COVID is a laudable objective," [Shelp wrote](#). "But the court cannot, in good faith, allow CMS to enact an unprecedented mandate that lacks a 'rational connection between the facts found and the choice made.'"

The court concluded the public would benefit from the preliminary injunction because it would ensure that federal agencies do not extend their power beyond the express delegation from Congress. And while “it is indisputable that the public has a strong interest in combating the spread of COVID-19, our system does not permit agencies to act unlawfully even in pursuit of desirable ends.”