

**APPENDIX TO BRIEF OF INDIANA,
GEORGIA, IDAHO, LOUISIANA, MICHIGAN,
NEBRASKA, OHIO, OKLAHOMA, SOUTH
CAROLINA, SOUTH DAKOTA, TEXAS,
UTAH, WEST VIRGINIA, WISCONSIN AND
WYOMING AS AMICI CURIAE IN SUPPORT
OF
PETITIONER**

Table: Selected Decisions Demonstrating
Various Outcomes As To Private Enforce-
ability of 42 U.S.C. § 1396a(a) via 42
U.S.C. § 1983

Selected Decisions Demonstrating Various Outcomes as to Private Enforceability of 42 U.S.C. § 1396a(a) via 42 U.S.C. § 1983¹		
Subsection	Enforceable	Not Enforceable
1396a(a)(1)	<i>Antrican v. Buell</i> , 158 F. Supp. 2d 663, 670 (E.D. N.C. 2001), <i>aff'd</i> , 290 F.3d 178 (4th Cir. 2002)	<i>Boatman v. Hammons</i> , 164 F.3d 286, 290–92 (6th Cir. 1998); <i>Harris v. James</i> , 127 F.3d 993, 1011 (11th Cir. 1997)
1396a(a)(2)		<i>Methodist Hospitals, Inc. v. Indiana Family and Social Services Administration</i> , 860 F. Supp. 1309, 1334 (N.D. Ind. 1994)
1396a(a)(3)	<i>Davis v. Shah</i> , 821 F.3d 231, 254 (2d Cir. 2016); <i>Gean v. Hattaway</i> , 330 F.3d 758, 772–73 (6th Cir.	

¹ We have found no decisions about private enforceability for the following subsections: 1396a(a)(6)–(7), 1396a(a)(9), 1396a(a)(12), 1396a(a)(14)–(15), 1396a(a)(20)–(22), 1396a(a)(24), 1396a(a)(26)–(27), 1396a(a)(29), 1396a(a)(33), 1396a(a)(35)–(36), 1396a(a)(38), 1396a(a)(40)–(41), 1396a(a)(45)–(53), 1396a(a)(56)–(83).

Selected Decisions Demonstrating Various Outcomes as to Private Enforceability of 42 U.S.C. § 1396a(a) via 42 U.S.C. § 1983¹		
Subsection	Enforceable	Not Enforceable
	2003); <i>D. T.M. ex rel. McCartney v. Cansler</i> , 382, 338 Fed. Appx. 334, 336 (4th Cir. 2010)	
1396a(a)(4)	<i>Oklahoma Nursing Home Association v. Demps</i> , 792 F. Supp. 721, 724–28 (W.D. Okla. 1992)	<i>Harris v. James</i> , 127 F.3d 993, 1010 (11th Cir. 1997)
1396a(a)(5)	<i>McCartney v Cansler</i> , 608 F. Supp. 2d 694, 701 (E.D. N.C. 2009), <i>aff'd on other grds</i> , 382 Fed. Appx. 334 (4th Cir. 2010)	<i>San Lazaro Association, Inc. v. Connell</i> , 286 F.3d 1088, 1101 (9th Cir. 2002)
1396a(a)(8)	<i>Romano v. Greenstein</i> , 721 F.3d 373 (5th Cir. 2013); <i>Sabree ex rel. Sabree v. Richman</i> , 367 F.3d 180, 189–92 (3d Cir. 2004); <i>Bryson v. Shumway</i> , 308 F.3d 79, 88–89 (1st Cir. 2002); <i>Doe ex rel. Doe v. Chiles</i> , 136 F.3d	<i>Harris v. James</i> , 127 F.3d 993, 1011 (11th Cir. 1997)

Selected Decisions Demonstrating Various Outcomes as to Private Enforceability of 42 U.S.C. § 1396a(a) via 42 U.S.C. § 1983¹		
Subsection	Enforceable	Not Enforceable
	709, 713–19 (11th Cir. 1998); <i>Doe v. Kidd</i> , 501 F.3d 348, 356 (4th Cir. 2007); <i>Westside Mothers v. Olszewski</i> , 454 F.3d 532, 537, 544 (6th Cir. 2006)	
1396a(a)(10)	<i>Wheaton v. McCarthy</i> , 800 F.3d 282 (6th Cir. 2015); <i>Bontrager v. Indiana Family & Social Services Administration</i> , 697 F.3d 604, 606–07 (7th Cir. 2012) ((a)(10)(A)); <i>Watson v. Weeks</i> , 436 F.3d 1152, 1159–62 (9th Cir. 2006); <i>S.D. ex rel. Dickson v. Hood</i> , 391 F.3d 581, 602–07 (5th Cir. 2004) ((a)(10)(A)(i)); <i>Sabree ex rel. Sabree v. Richman</i> , 367 F.3d 180, 189–92 (3d Cir.	<i>Casillas v. Daines</i> , 580 F. Supp. 2d 235, 241–45 (S.D. N.Y. 2008) ((a)(10)(A) & (B)(i)); <i>Hobbs v. Zenderman</i> , 579 F.3d 1171, 1181 (10th Cir. 2009)((a)(10)(C))

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	2004); <i>Rehabilitation Association of Virginia, Inc. v. Kozlowski</i> , 42 F.3d 1444, 1449–50 (4th Cir. 1994) ((a)(10)(E)), <i>aff'd, Pediatric Specialty Care, Inc. v. Arkansas Dep't of Human Servs.</i> , 293 F.3d 472, 478–79 (8th Cir. 2002)	
1396a(a)(11)		<i>Belen Consolidated Schools v. Otten</i> , 259 F. Supp. 2d 1203, 1208–09 (D.N.M. 2003)
1396a(a)(13)	<i>BT Bourbonnais Care, LLC v. Norwood</i> , 866 F.3d 815 (7th Cir. 2017)	<i>Developmental Services Network v. Douglas</i> , 666 F.3d 540, 546–48 (9th Cir. 2011)
1396a(a)(16)		<i>West Virginia University Hospi-</i>

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Subsection	Enforceable	Not Enforceable
		<i>tals, Inc. v. Rendell</i> , No. 1:CV-06-0082, 2007 WL 3274409, at *4–6 (M.D. Pa. Nov. 5, 2007)
1396a(a)(17)	<i>Mendez v. Brown</i> , 311 F. Supp. 2d 134, 137–40 (D. Mass. 2004)	<i>Davis v. Shah</i> , 821 F.3d 231, 245–46 (2d Cir. 2016); <i>Watson v. Weeks</i> , 436 F.3d 1152, 1162–63 (9th Cir. 2006); <i>Hobbs v. Zenderman</i> , 579 F.3d 1171, 1181 (10th Cir. 2009); <i>Lankford v. Sherman</i> , 451 F.3d 496, 509 (8th Cir. 2006)
1396a(a)(18)	<i>Johnson v. Guhl</i> , 91 F. Supp. 2d 754, 768–70 (D.N.J. 2000)	
1396a(a)(19)		<i>Harris v. James</i> , 127 F.3d 993, 1010–11 (11th

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		Cir. 1997); <i>Freedman v. Shah</i> , 788 F.3d 341, 345 (2d Cir. 2015).
1396a(a)(23)	See brief	See brief
1396a(a)(25)	<i>Mallo v. Public Health Trust of Dade County, Florida</i> , 88 F. Supp. 2d 1376, 1379–91 (S.D. Fla. 2000)((a)(25)(C))	<i>Martes v. Chief Executive Officer of South Broward Hospital District</i> , 683 F.3d 1323, 1325–30 (11th Cir. 2012) ((a)(25)(C)); <i>Wesley Health Care Ctr., Inc. v. DeBuono</i> , 244 F.3d 280, 286 (2d Cir. 2001)
1396a(a)(28)	<i>Martin v. Voinovich</i> , 840 F. Supp. 1175, 1197–202 (S.D. Ohio 1993)	
1396a(a)(30)	<i>Pediatric Specialty Care, Inc. v. Arkansas Department of</i>	<i>John B. v. Goetz</i> , 626 F.3d 356, 362–63 (6th Cir.

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	<i>Human Services</i> , 443 F.3d 1005, 1013–16 (8th Cir. 2006) ((a)(30)(A)); <i>Antrican v. Buell</i> , 158 F. Supp. 2d 663, 669–70 (E.D. N.C. 2001), <i>aff'd</i> , 290 F.3d 178 (4th Cir. 2002)	2010); <i>Long Term Pharmacy Alliance v. Ferguson</i> , 362 F.3d 50, 59 (1st Cir. 2004); <i>Sanchez v. Johnson</i> , 416 F.3d 1051, 1062 (9th Cir. 2005)
1396a(a)(31)	<i>Martin v. Voinovich</i> , 840 F. Supp. 1175, 1195-98 (S.D. Ohio 1993)	<i>J.L. v. New Mexico Dept. of Health</i> , 165 F. Supp. 3d 1048 (D.N.M. 2016)
1396a(a)(32)	<i>AHS Tulsa Regional Medical Center, LLC v. Fogarty</i> , No. 07-CV-338-CVE-SAJ, 2007 WL 3046441, at *2 (N.D. Okla. Oct. 16, 2007)	<i>Traditional Servs. of N.Y. for Long Island, Inc. v. N.Y. State Office of Mental Health</i> , 91 F. Supp. 3d 438 (E.D.N.Y. 2015)
1396a(a)(34)	<i>Blanchard v. Forrest</i> , No. 93-3780, 1994 WL 495857, at *3–*7 (E.D. La. Sept. 6, 1994)	

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Subsection	Enforceable	Not Enforceable
1396a(a)(37)	<i>Appalachian Regional Healthcare v. Coventry Health & Life Ins. Co.</i> , 970 F. Supp. 2d 687 (E.D. Ky. 2013)	<i>Medevac Mid-Atlantic LLC v. Keystone Mercy Health Plan</i> , 817 F.Supp2d 515, 527 (E.D. Pa. 2011)
1396a(a)(39)		<i>Guzman v. Shewry</i> , 552 F.3d 941, 953 (9th Cir. 2009)
1396a(a)(42)	<i>Virginia Hosp. Ass'n v. Baliles</i> , 868 F.2d 653, 663 (4th Cir. 1989)	<i>San Lazaro Ass'n. Inc. v. Connell</i> , 286 F.3d 1088 (9th Cir. 2002)
1396a(a)(43)	<i>Westside Mothers v. Olszewski</i> , 454 F.3d 532, 543–44 (6th Cir. 2006)((a)(43)(A)); <i>Salazar v. District of Columbia</i> , 954 F. Supp. 278, 323–24, 328–31 (D.D.C. 1996) <i>John B. v. Emkes</i> , 852 F. Supp. 2d 944, 956 (M. D. Tenn. 2012), <i>aff'd</i>	

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	710 F.3d 394 (6th Cir. 2013) (a)(43)(B) and (C)	
1396a(a)(44)		<i>J.L. v. New Mexico Dept. of Health</i> , 165 F. Supp. 3d 1048, 1068 (D.N.M. 2016)
1396a(a)(54)		<i>Health Science Funding, LLC v. New Jersey Division of Human Services</i> , 2015 WL 9308254, at *3 (D.N.J. 2015)
1396a(a)(55)	<i>Wellington v. District of Columbia</i> , 851 F. Supp. 1, 4–5 (D.D.C. 1994)	