



Attorney General Doug Peterson

News Release

FOR IMMEDIATE RELEASE

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On November 17th, Wednesday of this week, Judge Matthew T. Schelp of the United States District Court for the Eastern District of Missouri issued an order requiring the federal government to respond by Monday, November 22nd to Nebraska's (and joining states') lawsuit challenging the Biden Administration's vaccine mandate for healthcare workers. The judge is expected to rule about a week or so after that response. The lawsuit was first filed on November 10th, and this expedited process recognizes the urgency of the deadlines created by this vaccine mandate.

"We believe the healthcare worker mandate exceeds the Biden Administration's powers and violates both the U.S. Constitution and other federal laws," states Attorney General Peterson. "One-size-fits-all mandates on important healthcare issues like these should not be imposed by the federal authorities, unraveling local ability to serve Nebraskans." The Attorney General believes state health officials and local hospital administrators, not federal officials at CMS, are in the best position to address appropriate COVID-19 issues in Nebraska healthcare facilities.

Numerous healthcare facilities throughout Nebraska, especially in rural communities, continue to express their dire warnings of harms that will arise if the mandate is implemented. The mandate will particularly harm many of Nebraska's 64 "Critical Access Hospitals" and their associated 139 rural health clinics that provide healthcare to more than half a million rural Nebraskans across tens of thousands of square miles. Created by Congress in 1997, the Critical Access Hospital designation given by CMS is designed to reduce the financial vulnerability of rural hospitals and improve access to healthcare by keeping essential services in rural communities. With devastating irony, the CMS vaccine mandate will undermine this purpose by forcing healthcare providers to fire essential clinical employees, including a significant number of registered nurses who are already in incredibly short supply. All this will severely limit services, reduce the number of staffed hospital beds, and force patients to travel potentially hundreds of miles farther for medical care.

"We hope to avoid the detrimental impacts that currently threaten our healthcare services in Nebraska and are working tirelessly to stop the implementation of this mandate," said Peterson.

The Attorney General's Office continues to receive urgent phone calls from Nebraskans across the state asking about the federal vaccine mandates created by the Biden administration. Nebraskans want to know whether the federal mandates are enforceable. This is understandable since they are facing the upcoming holidays with uncertainty and the threat of losing their livelihood and because they desire to maintain employment without being required to take one of the vaccines.

The Attorney General is on record stating he believes all the federal vaccine mandates are unlawful, and he has filed three lawsuits—one against each of the three Biden Administration vaccine mandates.

To field inquiries regarding the lawsuits, the Attorney General's Office has created a [webpage](#) that is updated as new information is available on the separate lawsuits.

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