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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

Planned Parenthood Arizona, Inc.; Jane Doe #1; Jane Doe #2; Jane Doe #3; Eric Reuss, M.D.,

Plaintiffs,

v.

Tom Betlach, Director, Arizona Health Care Cost Containment System; Tom Horne, Attorney General,

Defendants.

No. CV-12-01533-PHX-NVW

**FINAL JUDGMENT AND  
PERMANENT INJUNCTION**

The Court having granted summary judgment in favor of Plaintiffs (Doc. 103),  
IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Ariz. Rev. Stat. § 35-196.05(B) violates the freedom of choice provision of the Medicaid Act, 42 U.S.C. § 1396a(a)(23), as a matter of law.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendants Tom Betlach, Director, Arizona Health Care Cost Containment System, and Tom Horne, Attorney General, their officers, agents, servants, employees, successors, attorneys, and other persons who are in active concert or participation with any of them, are permanently enjoined from taking any action to implement or enforce Ariz. Rev. Stat. § 35-196.05(B) against Plaintiffs and all entities or persons acting by and/or through them.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendants  
2 are permanently enjoined from disqualifying otherwise qualified providers from  
3 receiving Medicaid reimbursement for medical services covered by Medicaid on the basis  
4 that these providers provide otherwise legal abortions.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendants  
6 are permanently enjoined from requiring providers to sign the attestation form issued by  
7 the Arizona Health Care Cost Containment System in furtherance of Ariz. Rev. Stat.  
8 § 35-196.05(B), and are enjoined from enforcing any previously signed attestation forms.

9 Dated this 21st day of February, 2013.

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13 Neil V. Wake  
14 United States District Judge  
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