



## Suit Challenges Florida Over Illegal Medicaid Terminations, Marking First Lawsuit Amid Chaotic Nationwide Medicaid Unwinding

*Inadequate Notices from Florida Medicaid Violate Due Process Rights*

**Jacksonville, Florida** - Three Floridians, represented by the [Florida Health Justice Project](#) and the [National Health Law Program](#), have filed a lawsuit against the Florida Agency for Health Care Administration and the Department of Children and Families. At issue in the suit are the notices these agencies are using to alert people that their Medicaid coverage is ending. In just three months, more than 182,000 Floridians have been issued notices saying they are no longer eligible for coverage, and hundreds of thousands more will have their coverage reviewed in the coming year. As alleged in the Complaint, low-income individuals who are losing Medicaid coverage have no idea whether the State is making the right decision and whether (or how) to challenge their loss of coverage.

"The Florida Agency for Health Care Administration and Department of Children and Families have known since 2018 that their notices are confusing, difficult to read, and fail to adequately explain the reasons someone is losing Medicaid," said [Sarah Grusin](#), senior attorney at the National Health Law Program. "Nevertheless the State continues to use them. The people receiving these notices do not understand the action the State has taken or what to do next. This leaves many of them without coverage for critical care including prescriptions, vaccinations, and postpartum care. This is wrong. Fundamental due process requires the State to ensure that people receive adequate, meaningful notice of the State's decision and the opportunity to challenge it *before* coverage is terminated. This is not happening."

"As long-time advocates, we know that low-income [individuals and families in Florida](#) struggle against sometimes insurmountable barriers to healthcare," said [Miriam Harmatz](#), Director of Advocacy and Founder of the Florida Health Justice Project. "It is critical that people who have had Medicaid throughout the COVID-19 pandemic understand why DCF thinks they are no longer eligible and how to challenge their termination if it's incorrect. The current notices are incomprehensible to most recipients, and we hope that this lawsuit brings immediate relief to [those](#) who have been deprived of their due process rights."

“The scope of terminations in Florida and the State’s knowledge of inadequate notices are certainly egregious. Unfortunately, similar patterns are happening in states across the country,” said [Amanda Avery](#), senior attorney at the National Health Law Program. “For months, [advocates have been warning state and federal agencies](#) that the end of the COVID-19 public health emergency and the Medicaid unwinding process would lead to massive coverage losses for people who are still eligible for Medicaid. We are seeing that play out in real time. The National Health Law Program and our partners in states across the country, including [Health Law Partnerships](#), will continue to fight for the due process rights of Medicaid enrollees and ensure that eligible people maintain and regain their coverage.”

Nationwide, [nearly four million people have been cut from Medicaid](#) since states started reviewing their rolls following the end of pandemic-era protections this spring.

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Reporters interested in speaking with attorneys at the National Health Law Program or Florida Health Justice Project should contact Andy DiAntonio, Director of Communications, at [diantonio@healthlaw.org](mailto:diantonio@healthlaw.org).

Floridians who have lost coverage or are in danger of losing coverage can request an assessment and support from the Florida Health Justice Project [here](#).

### **About Health Law Partnerships**

For more than 50 years, the National Health Law Program has served as a vital resource, partner, and brain trust for state-based advocates, disability rights advocates, and legal aid organizations working to improve access to health care for low-income people. Over the last few years, we have developed a robust model for collaboration with Health Law Partnerships (HLP), which enables us to engage in effective litigation and enforcement efforts in states across the country.

We have Health Law Partnerships with highly experienced state-based legal advocacy organizations in over 20 states. Through each partnership, NHeLP funds these state-based organizations, empowering partners to dedicate significant time and resources to work closely with NHeLP on state-specific advocacy, enforcement, and litigation strategies.

Together, the National Health Law Program and our partners, like Florida Health Justice Project, create and execute strategies to address existing and emerging obstacles to health care access. We also work with partners to build and strengthen their capacity to engage in new and innovative advocacy projects.