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## WilmerHale Scores Win for DaVita, Preserves Insurance Access for Kidney Patients

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WilmerHale achieved a major victory when a federal district court in Texas issued a nationwide injunction protecting patients' access to health coverage during their final stage of chronic kidney disease in response to a legal challenge filed by the kidney care community. The preliminary injunction blocked the implementation of an interim rule by the Department of Health and Human Services and the Centers for Medicare and Medicaid Services that would have reduced these patients' ability to acquire private insurance coverage for treatment during end-stage renal disease (ESRD).

Judge Amos L. Mazzant of the Eastern District of Texas agreed that the patients and providers would be irreparably harmed by the rule—which would significantly limit ESRD patients' ability to use third-party assistance to pay for private health insurance premiums—and that the public interest weighed in favor of maintaining the status quo with respect to ESRD insurance coverage.

WilmerHale represented DaVita Inc., a kidney care provider in this legal challenge. Partner [David Ogden](#) argued the case in both hearings, and the litigation team included Partner [Kelly Dunbar](#), Counsel [Steve Carey](#), Senior Associates [John Byrnes](#), [Arpit Garg](#) and [Joshua Koppel](#), and Associate Sean Duddy. DaVita was also represented by Clyde Siebman and Elizabeth Forrest of Siebman, Burg, Phillips & Smith, LLP.