



STATE OF HAWAI'I
KA MOKU 'ĀINA O HAWAI'I

DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA

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ATTORNEY GENERAL ANNE LOPEZ SUES HHS, SEC. ROBERT F. KENNEDY JR. TO OVERTURN PUBLIC HEALTH GRANT CUTS

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FOR IMMEDIATE RELEASE

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HONOLULU – Attorney General Anne Lopez today joined a coalition of 23 states and the District of Columbia in filing a lawsuit against the U.S. Department of Health and Human Services and HHS Secretary Robert F. Kennedy, Jr., for abruptly and illegally terminating nearly \$12 billion in critical public health grants to the states.

The grant terminations, which came with no warning or legally valid explanation, have quickly caused chaos for state health agencies that continue to rely on these critical funds for a wide range of urgent public health needs such as infectious disease management, fortifying emergency preparedness, providing mental health and substance abuse services, and modernizing public health infrastructure.

Hawai'i stands to lose more than \$89 million from these cancellations by HHS. The federal grants fund Hawai'i Department of Health contracts for data infrastructure and modernization, community support services, substance abuse prevention services, public health staff, and capital improvements and equipment upgrades for state labs on O'ahu and Kaua'i. If the funding is not restored, many of these contracts may have to be terminated.

“The HHS cuts threaten the urgent public health needs of Hawai‘i and other states around the country at a time when emerging disease threats—such as measles and bird flu—are on the rise,” Governor Josh Green warned.

Congress authorized and appropriated new and increased funding for these grants in COVID-19-related legislation to support critical public health needs. Many of these grants are from specific programs created by Congress, such as block grants to states for mental health and substance abuse and addiction services. Yet, with no legal authority or explanation, Secretary Kennedy’s HHS agencies on March 24 arbitrarily terminated these grants “for cause” effective immediately claiming that the pandemic is over and the grants are no longer necessary.

“Congress made wide-ranging public health investments that support and protect community health programs, prepare states for future health threats and fund local partnerships with community health providers,” said Attorney General Lopez. “Hawai‘i relied upon the federal government’s legally binding obligations. Terminating hundreds of millions of dollars in federal grants obligated to Hawai‘i that have already been appropriated by Congress, without notice, is unlawful and harms our most vulnerable and underserved communities,” said Attorney General Lopez.

In its lawsuit filed in U.S. District Court in Rhode Island, the coalition of attorneys general assert that the mass terminations violate federal law because the end of the pandemic is not a “for cause” basis for ending the grants, especially since none of the appropriated funds are tied to the end of the pandemic which occurred more than a year ago. HHS’ position, up until a few days ago, was that the end of the pandemic did not affect the availability of these grant funds. Moreover, for some of the grants, termination “for cause” is not a permissible basis for termination, yet the federal government unlawfully terminated them.

With this lawsuit, Attorney General Lopez and the coalition are seeking a temporary restraining order to invalidate Secretary Kennedy’s and HHS’ mass grant terminations in the suing states, arguing that the actions violate the Administrative Procedure Act. The states are also asking the court to prevent HHS from maintaining or reinstating the terminations and any agency actions implementing them.

The state of Hawai‘i is represented in this litigation by Special Assistant to the Attorney General Dave Day and Solicitor General Kaliko‘onālani Fernandes.

Attorney General Lopez is joined by the attorneys general from Arizona, California, Colorado, Connecticut, Delaware, the District of Columbia, Illinois, Maine, Maryland,

Massachusetts, Michigan, Minnesota, New Jersey, New Mexico, New York, Nevada, North Carolina, Oregon, Rhode Island, Washington, and Wisconsin, and the Governors of Kentucky and Pennsylvania.

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