



STATE OF HAWAII
KA MOKU 'ĀINA O HAWAII

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA

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

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**COURT RULING BLOCKS HHS, SEC. ROBERT F. KENNEDY JR. FROM
CUTTING BILLIONS IN PUBLIC HEALTH FUNDING**

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HONOLULU – A federal district court ruled today to block U.S. Department of Health and Human Services and HHS Secretary Robert F. Kennedy, Jr. from illegally terminating \$11 billion in critical public health funding. The preliminary injunction, issued by the U.S. District Court for the District of Rhode Island, prevents HHS from implementing or reinstating the funding terminations in the plaintiff states and orders the defendants to file a status report showing proof of compliance by May 20.

Congress authorized and appropriated new and increased funding 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 this funding "for cause," effective immediately, claiming that the pandemic is over and the grants are no longer necessary.

Hawai'i stood to lose more than \$89 million from these terminations by HHS. The federal money funds Hawai'i Department of Health (DOH) contracts for immunization and vaccines for children, community mental health support services, substance abuse prevention services, public health staff, health data infrastructure and modernization and capital improvements and equipment upgrades for state labs on O'ahu and Kaua'i. In addition, the federal money funds 86 DOH employees, ranging from infection preventionists, microbiologists and data scientists to information specialists and procurement and supply specialists.

In its lawsuit, 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. Moreover, for some of the grants, termination "for cause" is not a permissible basis for termination, yet the federal government unlawfully terminated them.

"There is real concern in the medical community about the spread of highly infectious diseases such as measles and bird flu across the country. Funding cuts by HHS and Secretary Kennedy would be catastrophic for Hawai'i," said Governor Josh Green, M.D. "I am grateful to Attorney General Lopez and the attorneys general across the nation who are fighting to maintain the funding that supports our critical public health needs."

"We are encouraged by the court's decision and will review it to determine its impact on DOH programs. We remain committed to protecting the health and well-being of Hawai'i and all who live here," said DOH Deputy Director Valerie Kato.

Attorney General Anne Lopez issued the following statement: "I am pleased the court agreed that HHS and Secretary Kennedy cannot arbitrarily defund public health and behavioral health programs. On top of being an illegal action, terminating hundreds of millions of dollars in federal funds that have already been appropriated by Congress, without notice jeopardizes critical community health programs that serve our most vulnerable and underserved communities."

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

Attorney General Lopez is joined in this lawsuit 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.

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