



# Jonathan Skrmetti Attorney General & Reporter

FOR IMMEDIATE RELEASE  
November 17, 2022  
#22-46

CONTACT: Elizabeth Lane  
[elizabeth.lane@ag.tn.gov](mailto:elizabeth.lane@ag.tn.gov)

## TN ATTORNEY GENERAL'S OFFICE FILES PETITION TO WITHDRAW FEDERAL VACCINE MANDATE FOR HEALTHCARE WORKERS

**Nashville-** Attorney General Jonathan Skrmetti joined a coalition of 21 states in filing a Petition for Rulemaking, requesting that the Department of Health and Human Services (HHS) and the Centers for Medicare & Medicaid Services (CMS) repeal the unlawful federal vaccine mandate for healthcare workers and withdraw related guidance.

“Evidence continues to mount that the ongoing mandate is an unprecedented overreach of the Federal government and has exacerbated shortages of healthcare workers in Tennessee and other states,” said General Skrmetti. “This office will relentlessly protect Tennesseans from federal overreach.”

The petition asks HHS and CMS to repeal the vaccine mandate and withdraw any related guidance. The mandate was designed to work in tandem with other federal vaccine mandates. Tennessee successfully challenged those other mandates, and various federal courts struck them down or set them aside. As a result, the remaining CMS mandate only serves to exacerbate the shortage of healthcare workers and put vulnerable Tennesseans at risk.

Additionally, CMS relied on the spread of the Delta variant to sidestep both notice-and-comment rulemaking and its obligation to consult with appropriate State agencies when announcing the unprecedented vaccine requirement for millions of healthcare workers. After nearly a year, CMS still has not consulted with the States about the vaccine mandate.

As the petition explains, “by encroaching upon States’ traditional police power, particularly without clear congressional authorization or an intelligible principle to guide its discretion, the agency has exceeded its authority.” Accordingly, the multistate coalition now asks HHS and CMS to repeal the regulation and withdraw the related guidance immediately.

In addition to General Skrmetti, attorneys general from Montana, Louisiana, and Arizona led the effort with attorneys general joining from Alabama, Alaska, Arkansas, Florida, Indiana, Kansas, Kentucky, Mississippi, Missouri, Nebraska, New Hampshire, Ohio, Oklahoma, South Carolina, Texas, Utah, Virginia, and Wyoming.