

IN THE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

TENNEIL SELNER, on her own behalf and on)
behalf of a class of those similarly situated,)
)
Plaintiff,)
)
v.) No. 1:15-cv-01874-SEB-MPB
)
SECRETARY OF THE INDIANA FAMILY)
AND SOCIAL SERVICES ADMINISTRATION,)
in her official capacity,)
)
Defendant.)

ORDER CERTIFYING CAUSE AS CLASS ACTION

The plaintiff having filed her Second Renewed Motion for Class Certification (Dkt. 143), and the parties having subsequently filed their Stipulation to Class Certification (“Stipulation”), and the Court having read and reviewed the same and being duly advised, the Court now finds that said Stipulation should be APPROVED and that this cause should be certified as a class action pursuant to Rule 23(a) and (b)(2) of the Federal Rules of Civil Procedure.

IT IS THEREFORE ORDERED that this cause is hereby certified as a class action pursuant to Rule 23(a) and (b)(2) of the Federal Rules of Civil Procedure.

IT IS FURTHER ORDERED that the certified class is hereby defined as follows:

Any and all adult Medicaid recipients in Indiana, current and future, with a diagnosis of chronic Hepatitis C, genotype 1, who have been prescribed one of the direct-acting antiviral medications enumerated in the 2016 Policy or 2018 Policy, by or in consultation with an Infectious Disease or GI specialist, but do not meet the medical requirements of such policy to receive Medicaid reimbursement for that prescribed medication.

The “2016 Policy” refers to the document attached to the parties’ Stipulation to Class Certification as Exhibit 1 and the “2018 Policy” refers to the document attached to the parties’ Stipulation to

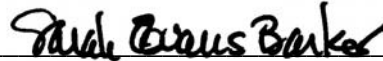
Class Certification as Exhibit 2.

IT IS FURTHER ORDERED that Gavin M. Rose and Kenneth J. Falk of the ACLU of Indiana are hereby appointed as class counsel pursuant to Rule 23(g) of the Federal Rules of Civil Procedure.

SO ORDERED.

11/9/2018

Date



SARAH EVANS BARKER, JUDGE
United States District Court
Southern District of Indiana

Distribution: All ECF-registered counsel of record