Received 07/02/2026 10:18 PM Commonwealth Court of Pennsylvania

NOTICE OF PRESENTATION OF EMERGENCY APPLICATION FOR TEMPOMRARY RESTRAINING ORDER AND/OR PRELIMINARY INJUNCTION

TO: PENNSYLVANIA DEPARTMENT OF HEALTH and DEBRA L. BOGEN, M.D., FAAP, in her official capacity as SECRETARY OF THE DEPARTMENT OF HEALTH; PENNSYLVANIA DEPARTMENT OF STATE and AL SCHMIDT, in his official capacity as SECRETARY OF THE COMMONWEALTH; PENNSYLVANIA STATE BOARD OF MEDICINE and DONALD M. YEALY, M.D., in his official capacity as CHAIR OF THE PENNSYLVANIA STATE BOARD OF MEDICINE; and BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS and ARION CLAGGETT, in his official capacity as COMMISSIONER OF THE BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS; and their respective counsel of record, AND DAVID W. SUNDAY, JR., ATTORNEY GENERAL OF PENNSYLVANIA:

PLEASE TAKE NOTICE that Petitioners will present the attached Application for Emergency Relief and a Temporary Restraining Order, or in the alternative a Preliminary Injunction, to the Commonwealth Court of Pennsylvania, at the Courtroom designated below, on the date and time set forth below, or as soon thereafter as counsel may be heard:

Date of Hearing: _____

Time of Hearing: _____

Location/Courtroom: _____

Judge Assigned: _____

Petitioners face an imminent threat of irreparable harm – investigation, prosecution, and/or administrative action for practicing traditional midwifery – because the Commonwealth, through Respondents, has refused follow their legislatively-mandated duties under the Midwife Regulation Law of 1929, Act of April 4, 1929, P.L. 160, No. 155, 63 P.S. §§ 171–176 (“1929 Law”). Under the 1929 Law, traditional midwives, including Petitioners, must have a legal certificate from the Commonwealth to practice lawfully. But, though Petitioners have applied and paid the statutory fees, Respondents refuse to grant Petitioners the certificates – for which

they are highly qualified – or even act on their applications or those of other traditional midwives in any way.

Heightening the exigency, the Act of May 6, 2026, P.L. 196, No. 14, ("Act 14,") has an impending effective date of ***this <u>Monday, July 6, 2026</u>***. Act 14 does not amend the 1929 Law, and it creates no new prohibition or licensure requirement applicable to traditional midwives. But it is ***so*** facially unconstitutionally void for vagueness that, on information and belief it presents an imminent danger. *Because Respondents have been refusing to issue the required certificates*, those who wish to stifle or outlaw traditional midwifery and home births in the Commonwealth entirely – including the market competitors who lobbied to pass Act 14 in the first place – likely may take advantage of its implementation to do so through law enforcement officers and courts throughout Pennsylvania's 67 counties. This will create widespread confusion among law enforcement, traditional midwives and others. It will violate the rights of the Traditional Midwife Petitioners and also the Amish Family Client Petitioners, for whom, the ability to deliver children (1) in their homes and (2) with the assistance of lawfully-certified, traditional midwives – and not in a hospital or "birth center" as Act 14 requires – is an essential part of their strongly held and constitutionally-protected religious traditions and practice. ***Absent immediate injunctive relief, Petitioners will suffer immediate and irreparable harm.***

Respectfully submitted,

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IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JANE DOE #1, JANE DOE #2, JANE DOE #3, and JOHN DOE #1,	:	
Petitioners,	:	**No. ____ M.D. 2026**
v.	:	**(Original Jurisdiction)**
PENNSYLVANIA DEPARTMENT OF HEALTH and DEBRA L. BOGEN, M.D., FAAP, in her official capacity as SECRETARY OF THE PENNSYLVANIA DEPARTMENT OF HEALTH,	:	**APPLICATION FOR EMERGENCY RELIEF**
PENNSYLVANIA DEPARTMENT OF STATE and AL SCHMIDT, in his official capacity of SECRETARY OF THE COMMONWEALTH,	:	
PENNSYLVANIA STATE BOARD OF MEDICINE and DONALD M. YEALY, M.D., in his official capacity CHAIR OF THE PENNSYLVANIA STATE BOARD OF MEDICINE, and	:	
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS and ARION CLAGGETT, in his official capacity as ACTING COMMISSIONER OF THE BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS,	:	
Respondents.	:	

APPLICATION FOR EMERGENCY RELIEF

Petitioners, Jane Doe #1, Jane Doe #2, Jane Doe #3 (together, "Traditional Midwife Petitioners,") and John Doe #1 ("Amish Family Client Petitioners") (collectively, "Petitioners")[1] by and through their undersigned counsel, hereby file this Application for Emergency Relief seeking a Temporary Restraining Order, or in the alternative, a Preliminary Injunction, pursuant to Pa.R.A.P. 1532(a), against Respondents Pennsylvania Department of Health and Debra L. Bogen, M.D., FAAP, in her official capacity as Secretary of the Department of Health (together, "Department of Health"); Pennsylvania Department of State and

[1] Pending further order of this Court, Petitioners file under pseudonyms to protect them from the reasonable risk of severe retaliation from the Commonwealth of Pennsylvania, Office of Attorney General, various district attorneys, and others – including the risk of criminal charges. *See* Motion to Proceed Anonymously, filed contemporaneously herein and incorporated by reference. Pennsylvania law states that "it *shall be unlawful* for any person" other than a licensed physician or osteopath "to practice midwifery in this Commonwealth, ***before receiving a certificate from the [State Board of Medicine]*** of the Commonwealth of Pennsylvania authorizing such person or persons so to do" Midwife Regulation Law, Act of 1929, No. 155 at § 4. Petitioners file this suit, however, because Respondents are and have been refusing to follow the 1929 Law and issue the required certificates – not just to them, but to anyone.

In exercising their rights to seek civil justice and challenge the unlawful actions and inactions of Respondents, Petitioners should not be made to incriminate themselves under the law. This is especially true where, as here, the laws challenged relate to something so deeply personal, intimate and fundamental, as the right of Pennsylvanians to give birth in their own homes with the assistance of a traditional midwife, and the rights of traditional midwives to pursue their livelihoods by engaging in this holy work. These issues go to the core of our humanity, date back to biblical times, and strike at our most fundamental religious, personal and constitutional freedoms.

Because Respondents are government entities and public persons sued in their capacities as leaders of those entities, Respondents will suffer little, if any, prejudice or unfairness by not knowing Petitioners' names. Comparatively speaking, however, disclosure of Petitioners' names, as set forth above, could likely cause them to face immense public backlash, including direct government retaliation and potential criminal prosecution.

Al Schmidt, in his official capacity as Secretary of the Commonwealth (together, "Department of State"); Pennsylvania State Board of Medicine and Donald M. Yealy, M.D., in his official capacity as Chair of the Pennsylvania State Board of Medicine (together, "State Board of Medicine"); and Bureau of Professional and Occupational Affairs and Arion Claggett, in his official capacity as Commissioner of the Bureau of Professional and Occupational Affairs (together, "Bureau of Professional and Occupational Affairs")(all collectively, "Respondents"), and in support thereof aver as follows:

FACTUAL BACKGROUND

1. Immediately preceding their filing of this Application for Emergency Relief, Petitioners filed a Verified Petition for Review in the Nature of a Complaint in Mandamus, for Declaratory Judgment, and for Additional and Further Relief (the "Verified Petition") with this Court, the allegations of which are incorporated herein by reference as if set forth at length.

2. Among other things, the Verified Petition brings claims in Mandamus and seeks Declaratory Relief, alleging violations under Pennsylvania Law including that Act of May 6, 2026, P.L. 196, No. 14, ("Act 14,") "AN ACT Amending the act of December 20, 1985 (P.L.457, No.112)," i.e., the 1985 Act – *which has an impending effective date of this* ***Monday, July 6, 2026*** – is unconstitutional and void-for-vagueness on its face. *See* Pa. Const. art. I §§ 1 and 11.

3. For reasons set forth at length in the Verified Complaint, absent clarification from this Court, Act 14 is so unconstitutionally, facially vague on its face, that it is expected to create widespread confusion among Commonwealth law and regulatory enforcement (from the Office of Attorney General to the District Attorneys in any of Pennsylvania's 67 counties, to Commonwealth agencies,) as well as hospitals, and others who may misconstrue it as eliminating or calling into question the continuing requirements of the Midwife Regulation Law of 1929, Act of April 4, 1929, P.L. 160, No. 155, 63 P.S. §§ 171–176 (the "Midwife Regulation Law" or "1929 Law"), even though it plainly does not.

4. For this reason, Petitioners respectfully ask that this Court enjoin the implementation of Act 14 until this Court can make a declaration that Act 14 has no impact whatsoever on the 1929 Law or the traditional midwives governed by it. Petitioners are hopeful that the Court may be able to do so, at least temporarily, based on their filings.

5. The Verified Petition also alleges violations of Pennsylvania law, including violations of Due Process, Pa. Const. art. I § 1; Equal Protection, Pa. Const. art. I §§ 3, 26; Unfair Competition; and Separation of Powers, Pa. Const. art. I § 12.

6. All of Petitioners' claims arise out of one simple fact: For decades, Respondents have been failing and/or refusing to follow their clear obligations, as the legislature instructed, in the Midwife Regulation Law of 1929.

7. This 1929 Law, among other things, requires Respondents to pass regulations and issue legal certificates to traditional midwives – and it requires that traditional midwives in Pennsylvania may not lawfully practice their profession (which for many is truly a holy and religious calling) without having one of the certificates Respondents are required to issue.

8. As this Court has held, the 1929 Law and the 1985 Act – which Act, alone, is amended by Act 14, govern *different types of midwives* ("[T]he 1985 Act and the 1929 Law do not relate to the same class of persons"). *Goslin*, 949 A.2d 372, 377 n.11 (Pa. Cmwlth. 2008). "Although both relate to midwifery, the 1985 Act relates to the licensing of registered nurses as nurse-midwives and the 1929 Law relates to the granting of certificates to *other persons who attend women in childbirth*."). *Id.* (Emphasis added). These "other persons" include traditional midwives.

9. Because Respondents will not issue the required certificates to traditional midwives, the Traditional Midwifery Petitioners cannot get them. Therefore, they cannot practice lawfully. As set forth more fully in the Verified Petition, for the Amish Family Client Petitioners, the inability to have their children delivered (1) in their homes and (2) with the assistance of traditional midwives is a violation of their sincerely held religious beliefs and spiritual practices.

EMERGENCY RELIEF SOUGHT AND WHY IT SATISFIES THE REQUIRED STANDARD

10. Pa. R.A.P. 1532(a) provides that, "At any time after the filing of a petition for review, the court may, on application, … issue a preliminary or special injunction, … or grant other interim or special relief required in the interest of justice and consistent with the usages and principles of law."

11. Based upon the allegations in the Verified Petition for Review, and as further set forth herein, Petitioners will suffer immediate and irreparable injury unless limited *ex parte* injunctive relief is granted by this Court as follows:

a. Ordering Respondents, before July 6, 2026, to grant Traditional Midwife Petitioners (and other traditional midwives who apply) the certificates required to practice traditional midwifery lawfully in the Commonwealth of Pennsylvania under the 1929 Law; ***and***

b. Declaring before July 6, 2026 that Act 14 has no impact whatsoever on the 1929 Law or the traditional midwives governed by it; ***or***

c. Declaring that no traditional midwife may be investigated or prosecuted – not just by Respondents, but also by the Office of Attorney General, *any* District Attorney or other regulatory or law enforcement body in the Commonwealth – for any claims related to the failure to hold a certificate under the 1929 Law; ***or***

d. Until this Court can take the above actions or rule on the merits:

    i. Enjoining the implementation of Act 14; ***and***

    ii. Enjoining Respondents and the Office of Attorney General, *any* District Attorney and any other regulatory or law enforcement body in the Commonwealth from investigating or referring for prosecution any claims made against

Petitioners or traditional midwives related to the failure to hold a certificate under the 1929 Law.

12. Petitioners believe this requested relief is necessary because, as described in the Verified Petition, Traditional Midwife Petitioners are traditional midwives within the Commonwealth of Pennsylvania who are undoubtedly qualified to practice traditional midwifery, yet have been unable to obtain certificates to practice their time-honored profession lawfully due to Respondents' unlawful and unconstitutional actions and inactions related to the 1929 Law.

13. Petitioners have attempted to apply for certificates, have contacted Respondents multiple times in an effort to obtain their certificates, and have tendered the ten-dollar fee for said certificates. *See* June 25, 2026 Letter and Enclosure Email from Petitioners to all Respondents Enclosing Applications Fees and Letters of May 1, 2026 and June 16, 2026 (the "June 25 Letter"), a true and correct copy of which is attached hereto as **Exhibit A**; Petitioners; Verified Petition; and 63 P.S. § 173 (requiring that an "applicant for a certificate to practice midwifery shall pay to the said Board . . . the sum of ten dollars ($10.00) at the time of making such application").

14. Notwithstanding Petitioners' efforts, Respondents – who have admitted that traditional midwives may not apply for or receive the certificates required under the 1929 Law through the Pennsylvania Licensing System (PALS), the online portal through which all professional licenses and certificates are administratively

processed by the Commonwealth, or otherwise – have refused, without any explanation or any legal justification, to grant Traditional Midwife Petitioners the certificates to practice lawfully traditional midwifery or provided any response whatsoever to their requests that might be appealable to any legal body.

15. In sum, the can be no question that immediate and irreparable harm will occur without the entry of the requested relief. *See Greater Nanticoke Area Educ. Ass'n v. Greater Nanticoke Area School District*, 938 A.2d 1177, 1182 (Pa. Cmwlth. 2007) (finding trial court had authority to issue preliminary injunction where it appeared to the court's satisfaction, based on plaintiff's averments, that plaintiff would suffer immediate and irreparable injury before full hearing could be held.).

16. As such, and given the heightened and widespread sense of confusion that will be caused by the imminent implementation of Act 14, Petitioners have no choice but to apply to this Court for immediate, emergency relief.

PETITIONERS' APPLICATION ALSO SATISFIES THE STANDARD FOR RELIEF ON A PRELIMINARY INJUNCTION

17. Based on the facts described above and in the Verified Petition, Petitioners have also satisfied the six prerequisites required for the entry of a preliminary injunction.

18. As established in *Brayman Const. Corp. v. Dep't of Transp.*, 30 A.3d 560, 563 (Pa. 2011); *Summit Towne Ctr., Inc. v. Shoe Show of Rocky Mt., Inc.*, 828

A.2d 995, 1001 (Pa. 2003); *Albee Homes, Inc. v. Caddie Homes, Inc.*, 207 A.2d 768, 771- 73 (Pa. 1965),

> [T]he essential prerequisites for the issuance of a preliminary injunction are:
>
> (1) that it is necessary to prevent immediate and irreparable harm which could not be compensated by damages;
>
> (2) that greater injury would result by refusing it than by granting it, and, concomitantly, that issuance of an injunction will not substantially harm other interested parties in the proceedings;
>
> (3) that it properly restores the parties to their status as it existed immediately prior to the alleged wrongful conduct;
>
> (4) the party seeking an injunction must show that the activity it seeks to restrain is actionable, that its right to relief is clear, and that the wrong is manifest, or, in other words, must show that it is likely to prevail on the merits;
>
> (5) the party must show that the injunction it seeks is reasonably suited to abate the offending activity;
>
> (6) the party seeking an injunction must show that a preliminary injunction will not adversely affect the public interest.

Id.

19. The facts set forth above explain why the first prerequisite (that the injunction is necessary to prevent immediate and irreparable harm that cannot be adequately compensated by damages) and the second prerequisite (that greater injury

would result from refusing the requested injunction than from granting it and that issuance will not substantially harm Respondents) are met.

20. With respect to the third prerequisite, the parties can only be restored to the *status quo* as intended by the legislature when it enacted the 1929 Act if the injunction is issued. Only then will Respondents be required to perform their statutory obligations under the 1929 Law, 63 P.S. § 172, and Petitioners will be able to practice *lawfully* their chosen profession pursuant to 63 P.S. §§ 171, 176.

21. With regard to the fourth prerequisite, the likelihood that Petitioners will prevail on the merits is strong. Pennsylvania Rule of Appellate Procedure 1531(a) provides that "[i]n determining whether a preliminary or special injunction should be granted and whether notice or a hearing should be required, *the court may act on the basis of the averments of the pleadings or petition* and may consider affidavits of parties or third persons or any other proof which the court may require." The averments in the Verified Petition for Review clearly support Petitioners' right to relief. Petitioners have filed anonymously and filed verifications signed under the pseudonyms Jane Doe #1, Jane Doe #2, Jane Doe #3, and John Doe #1, respectively, to protect them from significant harm. *See* Petitioners' Motion to Proceed Anonymously, filed contemporaneously herewith.[2]

[2] Counsel for Petitioners has in his possession corresponding verifications signed by each Petitioner using their actual names and is happy to provide them to the Court to view *in camera* or file separately, under seal at the Court's direction.

22. The fifth prerequisite requires that the injunction is reasonably suited to abate the offending activity. Petitioners have satisfied this element by requesting an injunction that is narrowly tailored and limited in scope to allow Petitioners to lawfully practice their chosen profession and to protect the Petitioners from direct reputational and professional harm.

23. Finally, with respect to the sixth prerequisite, the relief sought herein will *benefit,* not harm, the public interest. Petitioners' clients, including, but not limited to, Amish and Mennonite women, will be able to exercise their strongly held religious beliefs and spiritual practices, giving birth (1) at home, (2) under the care of a lawfully certified traditional midwife. The requested injunctive relief promotes the public interest and is certainly not adverse to it.

WHEREFORE, Petitioners respectfully request that this Court grant their Application for Emergency Relief and enter an Order:

(a) Directing Respondents, before July 6, 2026, to grant Petitioners Jane Doe #1, Jane Doe #2, and Jane Doe #3 (and other traditional midwives who may apply) their certificates to practice lawfully traditional midwifery in the Commonwealth of Pennsylvania, pursuant to the 1929 Law, 63 P.S. §§ 171-176; *and*

(b) Declaring before July 6, 2026 that Act 14 has no impact whatsoever on the 1929 Law or the traditional midwives governed by it; *or*

(c) Declaring that no traditional midwife, including Jane Doe #1, Jane Doe #2, and Jane Doe #3, may be investigated or prosecuted by Respondents, by the Office of Attorney General, and/or by any District Attorney or other regulatory or law enforcement body in the Commonwealth for any claims related to the failure to hold a certificate under the 1929 Law, 63 P.S. §§ 171-176; or

(d) Enjoining Respondents and the Office of Attorney General, any District Attorney and any other regulatory or law enforcement body in the Commonwealth from investigating or referring for prosecution any claims made against Petitioners or traditional midwives related to the failure to hold a certificate under the 1929 Law up to and including the date on which Respondents ultimately grant Petitioners their certificates pursuant to 63 P.S. §§ 171-176 and are able to and do accept and process the applications of other traditional midwives who seek them; and

(e) Enjoining the implementation of Act 14 until such time a declaration is made by the Court that Act 14 has no impact whatsoever on the 1929 Law or the traditional midwives governed by it, or the merits of this action is ultimately determined by this Court on the merits; and

(f) Pursuant to Pa.R.C.P. 1531(d), setting a date certain, within five (5) days of entry of *an ex parte* injunction, on which to conduct a hearing to determine whether this order for injunctive relief should be dissolved or continued preliminarily until an ultimate disposition on the Petitioners' action is determined by

this Court, unless the parties can agree to the terms of a voluntary preliminary injunction on their own that this Court will approve and enter as an Order of the Court; and

(g) Ordering any additional and further equitable or other relief that this Court deems necessary, appropriate, or just.

Respectfully submitted,

July 2, 2026

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IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JANE DOE #1, JANE DOE #2, JANE DOE #3, and JOHN DOE #1,	:	
Petitioners,	:	**No. ____ M.D. 2026**
v.	:	**(Original Jurisdiction)**
PENNSYLVANIA DEPARTMENT OF HEALTH and DEBRA L. BOGEN, M.D., FAAP, in her official capacity as SECRETARY OF THE PENNSYLVANIA DEPARTMENT OF HEALTH,	:	**ORDER GRANTING APPLICATION FOR EMERGENCY RELIEF**
PENNSYLVANIA DEPARTMENT OF STATE and AL SCHMIDT, in his official capacity of SECRETARY OF THE COMMONWEALTH,	:	
PENNSYLVANIA STATE BOARD OF MEDICINE and DONALD M. YEALY, M.D., in his official capacity CHAIR OF THE PENNSYLVANIA STATE BOARD OF MEDICINE, and	:	
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS and ARION CLAGGETT, in his official capacity as ACTING COMMISSIONER OF THE BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS,	:	
Respondents.	:	

ORDER

AND NOW, this ____ day of _____, 2026, upon consideration of Petitioners' Application for Emergency Relief (the "Application"), any Response thereto, oral argument, if any, and for good cause shown, it is hereby ORDERED that the Application is GRANTED.

It is hereby further ORDERED that:

1. Respondents, before July 6, 2026, SHALL GRANT Jane Doe #1, Jane Doe #2, and Jane Doe #3 their certificates to practice traditional midwifery lawfully in the Commonwealth of Pennsylvania , pursuant to the 1929 Law, 63 P.S. §§ 171-176;
2. Respondents are hereby ENJOINED and PROHIBITED from investigating or referring for prosecution Petitioners including Jane Doe #1, Jane Doe #2, and Jane Doe #3, and any other traditional midwives, for any claims related to the failure to hold a certificate under the 1929 Law, 63 P.S. §§ 171-176 up to and including the date on which Respondents grant Petitioners their lawful traditional midwife certificates;
3. Any party or counsel who receives any information, from any means, that identifies any of Petitioners SHALL MAINTAIN such information in strict confidence.

This Court further DECLARES as binding law of this Commonwealth that:

4. Act of May 6, 2026, P.L. 196, No. 14, ("Act 14,") "AN ACT Amending [the Medical Practice Act of 1985, Act of Dec. 20, 1985, P.L. 457, No. 112, codified at 63 P.S. § 422.1 et seq. (the "Medical Practice Act of 1985")]" has no impact whatsoever on the Midwife Regulation Law of 1929, Act of April 4, 1929, P.L. 160, No. 155, 63 P.S. §§ 171–176 (the "Midwife Regulation Law of 1929") or the traditional midwives governed by it.
5. No traditional midwife, including Jane Doe #1, Jane Doe #2, and Jane Doe #3, may be investigated or prosecuted by Respondents, by the Office of Attorney General, and/or by any District Attorney or other regulatory or law enforcement body in the Commonwealth for any claims related to the failure to hold a certificate under the Midwife Regulation Law of 1929, 63 P.S. §§ 171-176

This Court further ENJOINS:

6. The implementation of Act 14 until such time as this Court may rule on the merits of this action is ultimately determined by this Court on the merits of its impact, if any, on the Midwife Regulation Law of 1929 and the traditional midwives governed by it;

It is additionally ORDERED that:

7. Pursuant to Pa.R.C.P. 1531(d), this Court hereby sets a date certain of July __, 2026 at ___:___ AM/PM, within five (5) days of the entry of this *ex parte* injunction, on which the Court will conduct a hearing to determine whether the injunctive relief contained in this Order should be dissolved or continued preliminarily until an ultimate dispostion on the Commonwealth's action is determine by this Court, unless the parties can agree to the terms of a voluntary preliminary injunction on their own that this Court will approve and enter as an Order of the Court.

BY THE COURT:

_____, J.

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JANE DOE #1, JANE DOE #2, JANE DOE #3, and JOHN DOE #1,	:	
Petitioners,	:	**No. ____ M.D. 2026**
v.	:	**(Original Jurisdiction)**
PENNSYLVANIA DEPARTMENT OF HEALTH and DEBRA L. BOGEN, M.D., FAAP, in her official capacity as SECRETARY OF THE PENNSYLVANIA DEPARTMENT OF HEALTH,	:	**CERTIFICATE OF NOTICE AND COMPLIANCE REGARDING *EX PARTE* RELIEF**
PENNSYLVANIA DEPARTMENT OF STATE and AL SCHMIDT, in his official capacity of SECRETARY OF THE COMMONWEALTH,	:	
PENNSYLVANIA STATE BOARD OF MEDICINE and DONALD M. YEALY, M.D., in his official capacity CHAIR OF THE PENNSYLVANIA STATE BOARD OF MEDICINE, and	:	
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS and ARION CLAGGETT, in his official capacity as ACTING COMMISSIONER OF THE BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS,	:	
Respondents.	:	

CERTIFICATE OF NOTICE AND COMPLIANCE
REGARDING EX PARTE RELIEF

Pursuant to Pa.R.C.P. No. 1531(a), as incorporated in proceedings before this Court by Pa.R.A.P. 106, and Pa.R.A.P. 1532(a), counsel for Petitioners hereby certifies as follows:

1. Petitioners file this foregoing Application for Emergency Relief seeking a preliminary injunction.

2. Petitioners request that the Court act on the Application without prior notice to Respondents, on the ground that immediate and irreparable injury will result before notice can be given and a hearing held in the ordinary course, in that Act of May 6, 2026, P.L. 196, No. 14, ("Act 14"), will take effect on ***Monday, July 6, 2026***, before a noticed hearing can reasonably be convened, given the July 4 holiday.

3. A true and correct copy of this Application for Emergency Relief and all supporting papers and additional filings made in this matter will be provided to all Respondents contemporaneously with this filing by serving them or their counsel on this date with all filings by PDF email, with paper copies to follow by certified mail, return receipt requested.

4. No prior application for this or similar relief has been made to this or any other court.

5. Petitioners will promptly additionally serve all in the same manner with the Court's disposition of the Application, consistent with Pa.R.A.P. 1532(a) and the interests of justice.

The undersigned certifies that the foregoing statements are true and correct to the best of counsel's knowledge, information, and belief, and are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: July 2, 2026

Respectfully submitted,

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