

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

SPECIALTYCARE, INC., REMOTE
NEUROMONITORING PHYSICIANS, PC,
and SENTIENT PHYSICIANS, PC,

Plaintiffs,

v.

CIGNA HEALTHCARE, INC.,

Defendant.

Civil Action No. 24-1378-RGA

MEMORANDUM ORDER

WHEREAS, the Magistrate Judge issued an R&R (D.I. 26) recommending that I grant Defendant's motion to dismiss the complaint (D.I. 15) in this case;

WHEREAS, I have considered de novo the R&R, Plaintiffs' objections to the R&R (D.I. 27) and Defendant's response to the objections (D.I. 28);

WHEREAS, I agree with the R&R, the Court of Appeals for the Fifth Circuit,¹ and the numerous district courts² that have held that there is no private right of action to enforce the payment of an IDR determination, and thus that Counts I, II, and III should be dismissed for failure to state a claim;

¹ *Guardian Flight, L.L.C. v. Health Care Serv. Corp.*, 140 F.4th 271, 277 (5th Cir. 2025).

² See R&R, D.I. 26 at 7 n. 3 & 10 n. 6 (collecting cases). See also *Specialty Care Inc. v. Meritain Health, Inc.*, C.A. No. 25-198-MN, D.I. 42 (D. Del. Mar. 17, 2026).

WHEREAS, I agree with the R&R and the Court of Appeals for the Fifth Circuit³ that Plaintiffs do not have standing, for lack of a concrete injury, to sue under ERISA, and thus that Count IV should be dismissed for lack of standing;

WHEREAS, I agree with the R&R that I should not exercise supplemental jurisdiction over the state law claims, and thus that Counts V, VI, and VII should be dismissed;

NOW THEREFORE, I OVERRULE the objections, ADOPT the R&R (D.I. 26), and GRANT the motion to dismiss (D.I. 15); and

Counts I, II, and III are DISMISSED with prejudice and Counts IV, V, VI, and VII are DISMISSED without prejudice.

IT IS SO ORDERED this 26th day of March 2026.


United States District Judge

³ *Guardian Flight*, 140 F.4th at 278. I note that, despite the R&R's reliance on *Guardian* in connection with the ERISA recommendation, Plaintiffs do not mention the case in their objections to that recommendation. (D.I. 27 at 8-10).