

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

**Specialtycare Inc., Remote Neuromonitoring Physicians, PC, and
Sentient Physicians, PC v. Meritain Health, Inc.**

Specialtycare · No. C.A. No. 25-198 (MN) · Decided March 17, 2026

SUMMARY

The United States District Court for the District of Delaware overruled Plaintiffs’ objections to a magistrate judge’s Report and Recommendation and adopted the Report. The court held that the No Surprises Act does not create a private right of action and that Plaintiffs could not circumvent that omission by asserting a state-law theory, granting Defendant’s motion to dismiss and denying its motion to stay as moot.

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE
SPECIALTYCARE INC., REMOTE) NEUROMONITORING PHYSICIANS, PC,) and
SENTIENT PHYSICIANS, PC,)) Plaintiffs,)) C.A. No. 25-198 (MN) v.)) MERITAIN
HEALTH, INC.,)) Defendant.) MEMORANDUM ORDER At Wilmington, this 17th day of
March 2026; WHEREAS, on February 9, 2026, Magistrate Judge Hatcher issued a 14-page Report
and Recommendation (D.I.

39) (“the Report”) recommending that Defendant’s motion to dismiss (D.I. 19) be granted and
Defendant’s motion to stay this action pending resolution of the motion to dismiss (D.I. 25) be
denied as moot; WHEREAS, on February 23, 2026, Plaintiffs timely filed objections to the Report
(D.I. 40) and Defendant responded (D.I. 41); WHEREAS, the Court has reviewed the objections
(D.I.

40) and the response thereto (D.I. 41), and considered de novo the objected-to portions of the
Report, the amended complaint (D.I. 15), the underlying motions and supporting documentation
as well as the responses and replies thereto (D.I. 19, 20, 25, 26, 27, 29, 30, 31); and also afforded
reasoned consideration to any unobjected-to portions of the Report (EEOC v. City of Long
Branch, 866 F.3d 93, 99-100 (3d Cir.

2017)); and WHEREAS, having done so, the Court agrees with the careful and thorough
reasoning of Report, in particular the determinations (1) to follow the majority in finding the No
Surprises Act (“NSA”), 42 U.S.C. §§ 300gg-111, does not create a private right of action for the
reasons articulated in the Fifth Circuit’s decision in Guardian Flight Guardian Flight, L.L.C. v.
Health Care Serv.

Corp., 140 F.4th 271, 277 (Sth Cir. 2025), and (2) that Plaintiffs may not circumvent Congress' omission of a private right of action in the NSA by seeking to enforce a federal right under a state law theory. THEREFORE, IT IS HEREBY ORDERED that Plaintiffs' objections are overruled and the Report and Recommendation (D.I. 39) is ADOPTED. Defendant's motion to dismiss (D.I. 19) is GRANTED and Defendant's motion to stay is DENIED as MOOT. Plaintiffs' Amended Complaint (D.I. 15) is dismissed. Maal Noracko Thte Honorable Maryellen Noreika United States District Judge