

On January 7, 2013, Judge Charles J. Siragusa certified Davis v. Shah as a class action lawsuit on behalf of “All current and future New York State Medicaid recipients for whom Defendant has directly or indirectly failed to provide coverage for medically necessary orthopedic footwear and compression stockings as a result of New York Soc. Serv. Law § 365-a(2)(g)(iii) and (iv) and regulations and policies promulgated thereto.” Judge Siragusa appointed the Empire Justice Center and the National Health Law Program as legal counsel for the class. The case alleges that the New York State Department of Health is violating the Medicaid Act when it denies coverage of orthopedic footwear and compression stockings to Medicaid recipients whose doctors have prescribed these services as medically necessary for their health conditions. The class notice is [here](#) .