

Talking Points: Supreme Court Decision on Petition for Writ of Mandamus

September 11, 2025

This document is meant to provide LeadingAge Ohio members with background and talking points in the case that you receive questions from stakeholders or policymakers. If you need additional assistance in fielding questions, always feel free to reach out directly to Susan Wallace at swallace@leadingageohio.org or text (614) 581-4663.

Talking points for policymakers, stakeholders

- **This was not frivolous action.**
 - LeadingAge Ohio has not sued the Department in recent memory (ever?)
 - Ohio's nursing homes, via their associations, did not take this action lightly. Rather, we exhausted all other avenues (legislative, administrative) before resorting to this action.
- **Yes, it is a lot of funding. That's why we couldn't ignore it.**
 - The amount in question is of profound consequence to nursing homes, which have continued to operate without necessary funding for over two + years since the budget's passage.
- **Yes, it is messy. That's why we tried so hard to remedy without legal action.**
- **Ohio's nursing homes still need restoration:** Ohio's average nursing home Medicaid margin is (\$60) per resident, per day, a level of losses 50 percent higher than what it was pre-pandemic.

Talking points: Telling the Story

- During the FY24-25 state operating budget (House Bill 33, 135th), policymakers made significant investments to support healthcare providers emerging from dramatic inflation caused by the COVID-19 pandemic and subsequent workforce

shortage. While Medicaid pays below costs for most providers, the legislature made efforts to restore providers to previous levels of shortfalls.

- For nursing homes, this meant using 2022 cost data to determine the funding amount; the legislature opted to channel 60 percent of these funds into incentivizing quality care rather than rebasing.
- Medicaid provided an estimate to the legislature on the cost of the budget proposal but did not provide the rationale or formula it used to calculate the estimate; despite requests made by the associations, ODM did not provide its calculations until after the budget was passed.
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