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Committees:
Finance
Rules and Reference
JCARR
Financial Institutions, Insurance and Technology
Energy
Small Business and Economic Opportunity
Workforce Development

January 28th, 2026

Scott Partika
Director
Ohio Department of Medicaid
50 W. Town St., Suite 400
Columbus, Ohio, 43215

Re: Compliance With Supreme Court Ruling on Nursing Facility Quality Incentive Payments

CC: State Senators Bill Reineke, Tom Patton, Al Cutrona

Dear Director Partika:

We write to you today on behalf of Carespring and other long-term care providers in our districts who are facing significant financial hardship due to the Ohio Department of Medicaid's ongoing delay in complying with the September 2025 [ruling](#) from the Supreme Court of Ohio.

As you are aware, the Court ruled that ODM miscalculated nursing facility quality incentive payments and failed to follow the statutory formula enacted by the General Assembly. The Court issued a writ of mandamus ordering ODM to recalculate and distribute these payments in accordance with the law.

Despite the clarity of this judicial mandate and multiple attempts by providers to engage your department in constructive dialogue, ODM has not, to our knowledge, provided any timeline or indication of progress toward completing the required recalculation or issuing payments. This continued inaction is causing severe financial distress for providers who made the staffing, quality, and operational investments required under law in good faith.

We understand that nearly \$1 billion in payments remain unpaid statewide. While this figure appears substantial, it is important to note that approximately 64.6% of these payments are federally reimbursed through Medicaid matching funds, reducing the actual state share to roughly 35.4%. Compliance with the Court's order, therefore, requires significantly less state expenditure than what appears on the surface.

The circumstances facing providers like Carespring in my district are particularly concerning:

- These quality incentive payments are now more than two years past due
- Providers committed these anticipated funds to workforce development and employee wage increases in 2023
- Under accrual accounting principles, providers face the risk of recognizing unpaid amounts as taxable income despite never receiving the funds
- Medicaid reimbursement rates fall approximately \$60 per day below the actual cost of care, according to recent analysis from Plante Moran

- Providers are simultaneously absorbing substantial inflationary increases while struggling to recruit and retain qualified staff
- Many facilities have been forced to expand lines of credit simply to maintain operations, straining lender relationships

The General Assembly designed these quality incentive payments to reward high-performing providers and improve resident outcomes. The Supreme Court's ruling simply enforces the policy decisions already made by the legislature. Each day of continued delay ignores the legislature's position in our government and further challenges providers already operating under financial strain.

Governor DeWine has publicly stated that his administration intends to comply with the Court's ruling. It is now time to translate that stated intention into concrete action.

Thus, we respectfully request that ODM:

1. Complete the required recalculation of nursing facility quality incentive payments in accordance with the Supreme Court's ruling and statutory formula;
2. Provide a clear, specific timeline for completing this recalculation and distributing payments to affected providers;
3. Establish regular communication with providers regarding progress toward compliance; and
4. Distribute the quality incentive payments without further delay.

We kindly request a response within 10 business days outlining the specific steps ODM is taking to comply with the Court's order and the expected completion timeline. We stand ready to work alongside ODM in any way possible to ensure a swift resolution to this matter for our constituents.

Thank you for your attention to this critical issue affecting the long-term care providers and residents of Ohio.

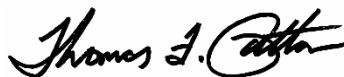
Sincerely,



State Senator George Lang
Senate Majority Whip
4th Senate District



State Senator Bill Reineke
Senate President Pro Tempore
26th Senate District



State Senator Tom Patton
24th Senate District



State Senator Al Cutrona
33rd Senate District