
MEMBER ALERT

EXECUTIVE SUMMARY**JUDGE ISSUES TEMPORARY RESTRAINING ORDER REGARDING OHIO PRICE TRANSPARENCY LAW***Thursday, Dec. 22, 2016*

- This morning the Ohio Hospital Association and member hospital, Community Hospitals and Wellness Centers in Bryan, Ohio, joined by several other health care provider groups, filed a lawsuit against the State of Ohio seeking an injunction to enjoin the price transparency law from going into effect Jan. 1, 2017. **This afternoon, Judge J.T. Stelzer of the Common Pleas Court of Williams County, Ohio issued a 30-day temporary restraining order, upon the agreement of the parties, preventing the law from becoming effective on Jan. 1.** The Court has scheduled a hearing for Jan. 20, 2017 to decide whether to issue a preliminary injunction.
- **This is a significant development for hospitals and health care providers across the state. The flawed law invites confusion for all stakeholders and would result in provider non-compliance and delays in patient care. We are pleased with this outcome and are hopeful that stakeholders can come together in the next 30 days to continue a dialogue regarding meaningful price transparency policy.**
- OHA strongly recommends that you refer media inquiries regarding the litigation to OHA. If you feel compelled to speak with the media about the lawsuit, it would be helpful to express your organization's support.
- The sole purpose of filing this suit is to protect hospitals and other health care providers from being in the untenable position of violating a law with which it is impossible for them to comply. OHA and the other health care provider groups remain committed to working with policymakers on meaningful price transparency policy.
- Health care providers joining OHA and CHWC in this action include: Ohio State Medical Association, the Ohio Psychological Association, Ohio Physical Therapy Association, Ohio Chapter of the American Academy of Pediatrics, the Ohio Chapter of the American College of Surgeons and the Ohio Osteopathic Association.
- The Ohio legislature in June 2015 passed a very broad health care price transparency law scheduled to go into effect on Jan. 1, 2017. The law requires virtually all health care providers to provide certain price information to patients, prior to the delivery of services. Providers often cannot access this information. The law will result in delays in patient care.
- OHA and other health care provider groups have been working for the past 18 months to amend this unworkable law into a law with which hospitals and other health care providers can comply. However, those efforts have been unsuccessful resulting in the need to take this action to protect providers from violating the law, being subject to private litigation, running afoul of Medicare requirements, violating contractual requirements and bond covenants, and numerous other types of harm.

- Despite the law's requirement that regulations be passed by the Ohio Department of Medicaid to implement the law, no regulations have been created to clarify the law and assist providers in knowing how to implement the law. With no standards in place, patients will receive conflicting and confusing information from providers.
- Hospitals and other health care providers are committed to price transparency and to continuing to work with legislators to develop price transparency policy that yields meaningful information for patients. The health care market has changed dramatically and patients rightfully are asking for more information about the cost of their health care.

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