



Ohio Revised Code

Section 5165.081 Action against facility for breach of provider agreement or other duties.

Effective: September 29, 2013

Legislation: House Bill 59 - 130th General Assembly

A nursing facility resident has a cause of action against a nursing facility provider for breach of the provider agreement obligations or other duties imposed by section 5165.08 of the Revised Code. The action may be commenced by the resident, or on the resident's behalf by the resident's sponsor or a residents' rights advocate, by the filing of a civil action in the court of common pleas of the county in which the nursing facility is located, or in the court of common pleas of Franklin county.

If a court of common pleas finds that a provider has breached a provider agreement obligation or other duty imposed by section 5165.08 of the Revised Code, the court may do one or more of the following:

- (A) Enjoin the provider from engaging in the practice;
 - (B) Order such affirmative relief as may be necessary;
 - (C) Award to a resident and a sponsor or government entity that brings the action on behalf of a resident actual damages, costs, and reasonable attorney's fees.
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