



Ohio Revised Code

Section 5168.22 Preliminary determination of assessment amount.

Effective: September 30, 2025

Legislation: House Bill 96 - 136th General Assembly

(A) Before or during each assessment program year, the department of medicaid shall issue to each hospital the preliminary determination of the amount that the hospital is assessed under section 5168.21 of the Revised Code for the assessment program year. Except as provided in division (B) of this section, the preliminary determination becomes the final determination for the assessment program year fifteen days after the preliminary determination is issued to the hospital.

(B) A hospital may request that the department reconsider the preliminary determination issued to the hospital under division (A) of this section by submitting to the department a written request for a reconsideration not later than fourteen days after the hospital's preliminary determination is issued to the hospital. The request must be accompanied by written materials setting forth the basis for the reconsideration, which may be delivered to the department by regular mail, electronic mail, or in-person delivery. On receipt of the timely request, the department shall reconsider the preliminary determination and may adjust the preliminary determination on the basis of the written materials accompanying the request. The result of the reconsideration is the final determination of the hospital's assessment under section 5168.21 of the Revised Code for the assessment program year.

(C) The department shall issue to each hospital a written notice of the final determination of its assessment for the assessment program year. A hospital may appeal the final determination to the court of common pleas of Franklin county, pursuant to Chapter 2505. of the Revised Code. The complete record of the proceedings shall include all documentation considered by the department in issuing the final determination. While a judicial appeal is pending, the hospital shall pay, in accordance with section 5168.23 of the Revised Code, any amount of its assessment that is not in dispute.
