



**MIKE DEWINE**  
GOVERNOR  
STATE OF OHIO

**Executive Order 2025-02D**

The Emergency Amendment of Rule 5160-2-30 of the  
Ohio Administrative Code by the Ohio Department of Medicaid

**WHEREAS**, the Ohio Department of Medicaid ("ODM") administers the Medicaid program in Ohio; and

**WHEREAS**, ODM is authorized by section 5168.26 of the Ohio Revised Code to adopt rules to implement hospital assessments under sections 5168.20 to 5168.28 of the Ohio Revised Code; and

**WHEREAS**, ODM must prepare for implementation of the state budget on July 1, 2025 by immediately amending an Ohio Administrative Code rule to establish hospital assessment amounts for state fiscal year 2026 and codify existing practice that assessments and other related hospital provider taxes will not exceed the indirect hold harmless guarantees prescribed by the United States Centers for Medicare and Medicaid Services under the Social Security Act, section 1903(w) and 42 C.F.R. 433.68; and

**WHEREAS**, Section 119.03 (G) of the Ohio Revised Code authorizes the Governor, on the request of a State agency, to suspend the normal rule making procedures with respect to specific rules when an emergency exists necessitating the immediate adoption, amendment, or rescission of such rules. When such a determination is made, the agency may immediately adopt, amend, or rescind such rules, but the rules are only valid for one hundred and twenty (120) days; and

**WHEREAS**, ODM has requested a determination whether an emergency exists that requires the amendment of rule 5160-2-30 of the Ohio Administrative Code on an emergency basis and that would therefore permit ODM, pursuant to section 5168.26 of the Ohio Revised Code, to immediately amend this rule.

**NOW THEREFORE**, I, Mike DeWine, Governor of the State of Ohio, have determined, upon the request of ODM, that an emergency exists requiring the immediate amendment of rule 5160-2-30 of the Ohio Administrative Code.

I hereby order that the procedures prescribed by section 119.03 of the Ohio Revised Code with respect to the adoption or amendment of the specified rule be suspended and that ODM be permitted to amend the rule immediately by filing it electronically with the Secretary of State, the Director of the Legislative Service Commission, and the Joint Committee on Agency Rule Review ("JCARR").

Furthermore, I hereby order that this Executive Order be filed in electronic form with ODM, the Secretary of State, the Director of the Legislative Service Commission, and JCARR.

I signed this Executive Order on June 16, 2025, in Columbus, Ohio, and it will expire one hundred and twenty (120) days from the effective date of the emergency rule, or upon the adoption of the rule through the normal JCARR process, whichever is sooner.



  
Mike DeWine, Governor

ATTEST:

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Frank LaRose, Secretary of State