



NEWS RELEASE

Attorney General Mike Hilgers

FOR IMMEDIATE RELEASE

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Attorney General Hilgers Announces Victory in Challenge to Biden-Era Nursing Home Rule

LINCOLN – Attorney General Hilgers announced today that a federal court in Iowa has vacated a rule promulgated by the Biden Administration that would have cost states hundreds of thousands of dollars and driven nursing homes out of business.

“Today’s victory will help ensure that Nebraska seniors receive the quality care that they deserve. The big government, one-size-fits-all rule promulgated by the Biden Administration would have threatened the viability of nursing homes doing their best to provide exceptional care to those who need it. Today’s decision is one more step in the right direction to undo the harmful policies that the Biden Administration put in place,” said Attorney General Hilgers.

The rule tripled onsite hours requirements and imposed a nursing staff ratio with which 97 percent of nursing homes would be out of compliance. The rule’s impossible targets would have driven care-first nursing homes out of business. The federal court agreed with arguments brought by 20 states that the Centers for Medicaid and Medicare Services exceeded its authority in promulgating the rule.

Attorney General Hilgers joined a coalition of attorneys general from Alabama, Alaska, Arkansas, Florida, Georgia, Idaho, Iowa, Indiana, Kansas, Kentucky, Missouri, Montana, North Dakota, Oklahoma, South Carolina, South Dakota, Utah, Virginia, and West Virginia in bringing the lawsuit. The state plaintiffs were joined by LeadingAge, an organization with numerous nursing home members, affiliates from 17 states.

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