

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *Koenig v. Dungey*, Slip Opinion No. 2015-Ohio-4538.]

NOTICE

This slip opinion is subject to formal revision before it is published in an advance sheet of the Ohio Official Reports. Readers are requested to promptly notify the Reporter of Decisions, Supreme Court of Ohio, 65 South Front Street, Columbus, Ohio 43215, of any typographical or other formal errors in the opinion, in order that corrections may be made before the opinion is published.

SLIP OPINION NO. 2015-OHIO-4538

KOENIG ET AL., APPELLEES, v. DUNGEY, DIR., ET AL., APPELLANTS.

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *Koenig v. Dungey*, Slip Opinion No. 2015-Ohio-4538.]

Medicaid—Court of appeals’ judgment reversed and cause remanded on the authority of Estate of Atkinson v. Ohio Dept. of Job & Family Servs.

(No. 2015-0034—Submitted September 2, 2015—Decided November 4, 2015.)

APPEAL from the Court of Appeals for Hamilton County, No. C-140111,
2014-Ohio-4646.

{¶ 1} The judgment of the court of appeals is reversed, and the cause is remanded to the trial court for further proceedings in light of *Estate of Atkinson v. Ohio Dept. of Job & Family Servs.*, Slip Opinion No. 2015-Ohio-3397.

O’CONNOR, C.J., and PFEIFER, O’DONNELL, KENNEDY, and FRENCH, JJ.,
concur.

LANZINGER and O’NEILL, JJ., dissent.

SUPREME COURT OF OHIO

Beckman Weil Shepardson, L.L.C., Janet E. Pequet, and Ashley Shannon Burke, for appellees.

Mike DeWine, Attorney General, Eric E. Murphy, State Solicitor, Michael J. Hendershot, Chief Deputy Solicitor, Stephen P. Carney, Deputy Solicitor, and Rebecca L. Thomas and Jeffery Jarosch, Assistant Attorneys General, for appellants.
