PRESS RELEASES

Benesch Secures TRO Against New York State DOH, Protecting Client's $380M Home Healthcare Business

MARCH 4, 2025

Benesch is pleased to announce a significant victory on behalf of its client, Caring Professionals, Inc., in the Supreme Court of Nassau County. A team of Benesch litigators successfully secured a temporary restraining order (TRO) against the New York State Department of Health, protecting Caring Professionals' $380 million home healthcare business from an expulsion sanction from the Medicaid program. The sanction would have disrupted care for nearly 6,000 elderly and disabled individuals and impacted more than 10,000 employees.

For the past year, New York State has been working to restructure a Medicaid-funded home healthcare program, threatening the operations of more than 700 businesses across the state. In its challenge, Caring Professionals argued that the Governor's efforts unlawfully leveraged sanctions power to seize its consumer and personal assistant databases-violating HIPAA, the First and Fifth Amendments to the U.S. Constitution, and other local statutes.

Recognizing the immediate and severe consequences of this policy, Caring Professionals petitioned Justice Jerome Murphy of the Commercial Division to intervene. After four hours of oral argument, Justice Murphy ruled in favor of Caring Professionals, granting injunctive relief-something no other court in the state has done despite previous attempts. The ruling came over strong objections from the Attorney General's Office and Public Partnerships LLC, the company positioned to take over the program under the state's $9 billion contract.

"This was a hard-fought victory against an adversary determined to dismantle our client's business," said Edward Wipper, lead partner on the case. "We are incredibly proud of our team's dedication and skill in securing this win for Caring Professionals and the thousands of individuals who depend on its services."

The Benesch Litigation team was led by Partner Edward Wipper and also included Rachel Hold-Weiss, Deana Stein, Lauryn Robinson and Meghan Golden.