



Anthony Del Rio Discusses Medicare Wage Index Dispute with *Modern Healthcare*

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Partner and National Chair of the firm's Healthcare practice, Anthony Del Rio, was quoted in a *Modern Healthcare* article examining the expanding legal fight over the Medicare wage index, including a lawsuit in which 70 urban hospitals allege the US Department of Health and Human Services owes them millions of dollars after changing how it calculates Medicare payments based on local labor costs. The dispute centers on the wage index's rural floor provision, which prevents the Centers for Medicare and Medicaid Services from paying an urban hospital less than a rural provider in the same state, and on the hospitals' claim that CMS unlawfully calculated the rural floor and underpaid them from 2020 to 2022.

Regarding the potential financial stakes of the litigation, Anthony discussed how the outcome could reach well beyond the named plaintiffs and turn on how any remedy is structured. He noted that the reach of a favorable ruling would be the key driver of its ultimate cost to the government. "If the court rules in a way where remedy payments would apply to all urban hospitals affected by this change, not just those listed as plaintiffs, the sum would probably be in the billions," Anthony said.

["Medicare wage index dispute expands — what hospitals should know,"](#) *Modern Healthcare*, April 17, 2026

CONTACTS

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