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July 30, 2026

RE: Council Resolution Concerning Closure of Grady Memorial Hospital Maternity Unit and Enforcement of Affiliation Agreement

Dear Members of the Delaware City Council,

Thank you for your Resolution 26-49, expressing concern regarding OhioHealth's decision to close the maternity unit at Grady Memorial Hospital and for your commitment to safeguarding the health and well-being of Delaware County residents. We recognize the significance of this issue for families, healthcare professionals, and the broader community.

Your resolution requests that the Attorney General's Office enforce the Affiliation Agreement between OhioHealth Corporation, Grady Memorial Hospital, and the Delaware Community, specifically regarding the maintenance of core services such as obstetrics. We understand and appreciate your desire to ensure continued access to essential healthcare services.

After careful review, we must advise that the Ohio Attorney General's Office does not possess express statutory authority to enforce post-closing contractual obligations such as this, regarding affiliation agreements between healthcare entities and community organizations. The enforcement of such agreements typically falls within the purview of the parties to the contract and may be pursued through civil remedies in the courts if a breach is alleged. Our office's authority is limited to statutory and regulatory matters as defined by Ohio law and does not expressly extend to compelling compliance with private contractual obligations unless a specific statute provides such enforcement power.

We encourage all parties to engage in constructive dialogue and explore collaborative solutions that prioritize the health and safety of Delaware County residents. We remain committed to supporting public health and ensuring that Ohioans have access to safe and timely healthcare.

Thank you for your dedication to your community and for bringing this matter to our attention.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Erik Clark'.

Erik Clark
Deputy Attorney General
Office of Andy Wilson, Ohio Attorney General