



Tuesday, May 28, 2019

Senate Panel Examines DD Budget Issues

A proposed amendment requiring county boards of developmental disabilities to inform families about the option of intermediate care facilities is one of the topics representatives from the field brought to the Senate Tuesday.

Disability services stakeholders also raised the issues of staff pay raises, transportation and oversight in the budget (**HB 166**) before the Senate Finance Committee.

Caroline Lahrmann, a mother of children with disabilities, voiced support for the "informed choice amendment," which would require county boards of developmental disabilities to inform families about their right to care in an intermediate care facility rather than on a waiver. (See **Gongwer Ohio Report, April 8, 2019**)

She pointed to a **letter** sent to senators by **Rep. Mark Romanchuk** (R-Mansfield) noting the amendment included in the House version was the wrong version and "does not reflect the original intent of the policy and needs to be corrected."

The language in the House bill does not address the problem and would allow ICFs to "continue to be hidden from families," she said.

"It will just give the optics of reform an allow this practice to continue," Ms. Lahrmann said.

Families also submitted written testimony in support of the proposal.

Sen. John Eklund (R-Chardon) said the proposal seems to focus on transparency for care options.

Ms. Lahrmann said she believes it is a "fundamental right to know your health care choices."

Chairman **Sen. Matt Dolan** (R-Chagrin Falls) said there were some discrepancies in the language between the two amendment versions. One version requires the board to inform families, and another requires boards to assist families in finding an ICF.

Ms. Lahrmann said their proposal only requires boards to inform families and provide an educational pamphlet and a list of providers.

Erich Bittner, government relations director for the Ohio Association of County Boards of DD, said boards support language offered by the Department of Developmental Disabilities regarding the informed choice amendment.

"OACB opposes any additional changes beyond what the department has proposed," he said.

Michael Kirkman, executive director of Disability Rights Ohio, testified in opposition to language in the budget that would create an oversight committee to recommend whether his organization should maintain its federal designation.

Sen. Eklund said there has been discussion about undertaking "acts of critical self-evaluation."

"I would think you would welcome the opportunity to be reviewed and to be considered and to have the state legislature hear in more depth the story that you're trying to tell us in such a short period of time here today," he said.

Mr. Kirkman said DRO is happy to share information about the program, but the organization is designed to be independent of the state.

"Everybody wanted us out of state government when we were Ohio Legal Rights Service four budgets ago," he said. "But now, as a nonprofit, as an independent entity, the federal scheme is not supportive of that kind of review by a legislative body and it has a very specific process set out for when the governor can revisit the designation."

Michael Leiterman, representing the National Federation of the Blind of Ohio, also testified in support of DRO's request.

Several witnesses also backed proposed reimbursement increases for direct support professionals.

"The developmental disabilities services field is in agreement on the direction and actions to be taken to increase our support and positive outcomes for individuals with disabilities and their valued DSPs," or direct support professionals, wrote William Ullman, executive director of Independence of Portage County Inc.

Than Johnson, representing the Ohio Provider Resource Association, requested a handful of changes involving DSPs, including removing age restrictions and GED requirements for high school students seeking employment with supervision.

The group also supports programs to assist people receiving federal and state assistance moving into the DSP workforce.

OPRA has concerns about meeting federal electronic visit verification requirements, and Mr. Johnson said the group is working with the Department of Medicaid on that issue.

"OPRA is very optimistic about the initiatives of the current administration and stays united with other state associations and DODD in ensuring a positive, forward moving plan to meet the needs of Ohio citizens with disabilities and their DSPs," he said.

Sen. Peggy Lehner (R-Kettering) asked if anything in federal law would prohibit employing high school-aged staffers.

Mr. Johnson said they have not found that, but "it may be that there needs to be a buddy plan."

"We will be looking intently at that so it will not be a violation of federal law," he said.

Jason Umstot, testifying on behalf of the Ohio Association of County Boards of Developmental Disabilities, voiced support for maintaining the DSP increase, and said a workgroup on updating the state's non-medical transportation infrastructure would be duplicative.

He also voiced support for the removal of an earmark of \$1.5 million as part of \$24.7 million in new funds for early intervention services specifically for sight centers.

"Rather than having special access to EI funds, the sight centers should be required to comply with departmental policies in providing these services and access funding via the established system of payments mechanism," he said.

Other changes he suggested dealt with reporting requirements for county board finances and cost report audits.