

# OPRA Policy Committee

Possible Paths Forward

01.14.26

# Today

- How we got here (where “here” is)
- Review & Discuss Two Legislative Paths
  - Review both before discussion
  - Pros/cons...of each individual bill as well as the bills as a package
  - Likelihood of passage/what introduction accomplishes
  - Where system stakeholders might be, where opposition or fear might be
  - Messaging
- Other options (or pre-legislative paths)

# Two Bills

## Bill # 1: DD Reform Act

- Drafted first
- Intended to lay the groundwork for OPRA's Modernization Plan
- Includes items DODD could take immediate action on/wouldn't require legislation
- Includes items that would require statute change and appropriations - impacting likelihood of passage
- Does not include more "controversial" items and/or set up pilots, studies to gather more data first
- Sets us up for budget conversations

## Bill # 2: Securing the Future Act

- Drafted second – after reviewing DD Reform Act w/DODD
- DODD could work on some things in DD Reform Act, but indicated they don't have resources for most of the rest (i.e., money, people) and would have to say that when asked by GA.
- Conversation w/DODD centered around CBs – finances, eligibility decisions (i.e., OEDI before LOC)
- We drafted a bill to address the state's financial risk/liability – and the threat that poses to services, providers, people
- Intent is not to "dismantle" or "take on" County Boards – intent is to ensure fiscal sustainability of HCBS services.

# Bill # 1: DD Reform Act

- **Intent:** Long-term system modernization. Addresses how Ohio's DD system is structured for the future.
- **Key message:** This bill is about where the DD system needs to go.
- **Focuses on:**
  - Quality and outcomes
  - Workforce and sustainability
  - Reducing administrative burden
  - Aligning services, rates, and oversight with need
- **Looks at system design:**
  - Statewide consistency
  - Data-driven planning
  - Modern quality and accountability frameworks
  - Not about immediate crisis response
  - Sets the vision and roadmap for a more stable, equitable DD system

# Bill #1: DD Reform Act

## **Immediate Actions**

- Compliance modernization
- Risk based oversight
- Independent providers
- Professional Registry
- Dashboards

## **Groundwork for Future State**

- Statewide Needs Assessment
- Pilots
- Quality Improvement Project w/ODM
- Report
- Reinvestment

# Bill #2: Securing the Future Act

## Medicaid Local Admin Authority

- County Boards act as the State's delegated administrator for DD Medicaid waivers.
- Responsibilities include:
  - Eligibility- and level-of-care–related determinations
  - Service authorization and waiver administration
  - Targeted Case Management (TCM)
- County Boards do not provide Medicaid services, but control access to them.
- MLAA is exercised locally, with significant variation by county.

## Current Law

- Under ORC 5126.056, the State may assume a County Board's Medicaid Local Administrative Authority only in very limited circumstances.
- Today, the State may intervene only when:
  - A County Board fails to comply with federal or state Medicaid requirements, *or*
  - A County Board fails to perform its required administrative duties.
- These triggers are:
  - Reactive, not preventive
  - Focused on compliance failure after harm has occurred
  - Silent on fiscal distress, service reductions, or match failure

# Bill #2: Securing the Future Act

- **Intent:** Preventing a service cliff now. Addresses immediate fiscal risk in the DD Medicaid waiver system.
- **Key message:** This bill is about preventing disruption and protecting people and providers.
- **Focuses on:**
  - Medicaid Local Administrative Authority (MLAA)
  - County Boards' ability to sustain Medicaid administration
  - Protection of Medicaid services and federal funding
- **Creates tools for the State to:**
  - Intervene early when warning signs appear
  - Ensure waiver enrollments and services don't stop
  - Maintain provider payment and service continuity
  - Explicitly does not expand Medicaid eligibility or services
  - Preserves County Board authority over locally funded, non-Medicaid services

# Other Options (Pre or Non-Legislative)

- “Family Meeting” (CBs, OPRA, DODD)
- Governor’s Office
- Legislature-hosted Town Halls, RFI, and/or Hearings
- County Commissioners Association

# Considerations

- Initial reactions/thoughts?
- What are the implications of legislative and/or non/pre-legislative routes?
- What's our strategy if CBs won't come to the table?
- Do we need stabilization first (Securing the Future) before transformation (DD Reform Act), or can they move together?
- What is the political coalition for each strategy—and who needs to be brought in early to avoid surprise opposition?
- How do we message this without triggering fear (takeover, cuts, expansion) while still conveying urgency?
- What else?