September 3, 2013

Kristin Helling, Employment First

Ohio Department of Developmental Disabilities

30 E Broad Street, 12th Floor

Columbus Ohio, 43215

Re: OPRA Feedback – Proposed Employment First Rule

Dear Ms. Helling:

Thank you for the opportunity to comment on the proposed Employment First Rule. As the stated purpose of the rule is to implement the Employment First Policy please allow us latitude to offer a few observations on Employment First **as** policy.

OPRA and its membership fully support the philosophy behind Employment First and we applaud the efforts and the urgency with which the Department is moving towards implementation. OPRA pledges its collective resources to assist in ensuring success. Indeed it is likely that some of the best emerging models in preparing individuals for competitive employment and assisting individuals in accessing gainful employment are being provided by OPRA members.

OPRA suggests that the next step immediately following successful promulgation of the proposed rule is for DODD to begin a comprehensive review of the current reimbursement structure and rates under the existing DODD work rules with a view towards incentivizing desired outcomes. There are some innovative approaches in other states that merit discussion. The review should include interested stakeholders.

While the language in statute and proposed administrative rule that all individuals with developmental disabilities are presumed capable of community employment is laudatory and serves well as strategic direction, in reality it is arguably unrealistic. A percentage of individuals our system serves will never experience community employment or will experience it only part time.

As such it remains vitally important to incorporate discussions on our other support models to determine how they might best compliment community employment efforts. For example some of our system’s newest and most creative pre-employment services that comprehensively prepare individuals for community employment are currently reimbursed under a combination of ADS and Voc Hab. Yet the proposed rule is conspicuously silent on those particular services. For example, are individuals currently served exclusively through ADS subject to the requirements of the Employment First Rule?

The proposed rule includes new reporting mandates for providers. Reliable data collection specific to the topic of employment makes sense. The Department has verbally committed their intent to make submission as user-friendly as possible. As a general observation our system today is heavy on compliance. It is easy for government entities to view reporting requirements as necessary and unobtrusive to the provider. Adding a new requirement in and of itself might not seem onerous to the regulating entity. Collectively, however, a system can suffocate itself through over regulation at the expense of nurturing productive living and working environments. OPRA is inclined to believe that we are perilously close to that reality.

Thank you for your consideration and we look forward to our continued work on this important issue.

Sincerely,

Jeff Davis

Director of Government Relations

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cc: John Martin, Director, DODD

Kate Haller, Deputy Director, DODD

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