



Senate Finance Committee  
Testimony on HB 166  
Superintendent Jason Umstot, Licking County Board of DD  
Ohio Association of County Boards of Developmental Disabilities  
5/28/19

Chairman Dolan, Vice Chairman Burke, Ranking Member Sykes, and members of the Finance Committee, thank you for the opportunity to testify today. My name is Jason Umstot and I am the Superintendent of the Licking County Board of Developmental Disabilities. Today, however, I am testifying on behalf of the Ohio Association of County Boards of Developmental Disabilities, which represents all 88 county boards of DD and the approximately 94,000 Ohioans they serve.

The budget before you provides needed spending on a number of priority initiatives. It includes policies that will protect public health and safety, ensure efficient and sustainable service delivery, and—with some changes—increase access to services in the community for people with developmental disabilities. Governor DeWine and the House of Representatives have both been extremely receptive to stakeholder input in this budget cycle, and we hope to continue this trend as the bill continues to be fine-tuned in the Senate. We have worked with a number of Senate offices on crafting amendments to address the issues outlined below, and ask that you support their inclusion in the forthcoming substitute bill.

**Direct Support Professionals**

Providers are currently unable to find direct support staff and retain them for any reasonable period of time because they cannot offer competitive wages. This high level of position vacancy and employee turnover is a key barrier to community integration for people with developmental disabilities across Ohio.

To address this issue, the as-introduced budget included a financial partnership between the Department of Developmental Disabilities and county boards of DD to increase the direct support provider (DSP) average wage to \$12.38 per hour. The House's version includes additional state funds to bolster the average DSP wage to \$13 per hour by 2021. This provision represents the first meaningful step toward addressing our state's ongoing DSP workforce shortage in more than a decade. Please maintain this critical investment in DSP wages so that people with developmental disabilities can safely live and work in their communities.

**Non-Medical Transportation**

The as-introduced budget provided \$5 million to fund a change to the state's NMT reimbursement rate structure intended to modernize DD Non-Medical Transportation (NMT). The new rate structure is designed to incentivize a transition from large vehicle transportation to and from a central location to more flexible transportation options that use smaller vehicles to offer more tailored, on-demand service. This type of service allows people to make meaningful choices about how to live their lives and opens up options for community employment and increased participation as full community members.

The proposal has the support of the vast majority of DD system stakeholders and is the product of more than two years of study in a workgroup and negotiations between the state, county boards, and DD service providers. Regrettably, the substitute version of the bill included a change that would prevent the implementation of this necessary update to the NMT rate structure until a new workgroup is formed to further study the issue and make a report over a year from now. This workgroup is needlessly duplicative and will delay badly needed updates to our transportation system for people with developmental disabilities. Please delete this provision and revert to the as-introduced version of the bill.

### **Early Intervention**

The as-introduced budget allocated \$24.7 million in new funds for early intervention services in Ohio. Early intervention supports, which help children from birth to age 5, are critical to setting people with developmental disabilities on the best path in life, and we applaud the commitment of the General Assembly to funding these programs. This is especially important given the number of children who are being or will be referred for EI services due to exposure to opioids or lead in the home.

However, the House's budget bill takes \$1.5 million of the aforementioned \$24.7 million and earmarks those funds to regional sight centers for the purpose of conducting EI services for children with blindness or low vision. 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. It is questionable whether there is any unmet need for this population, making this earmark an unwise allocation of taxpayer dollars. In addition, county boards cannot support the redirection of EI funds to specific designated subgroups when all qualifying individuals could otherwise benefit. This earmark decreases the efficiency of the state funding at a time when we need to make every dollar count. We ask that you remove this earmark so that all of Ohio's children with developmental disabilities and their families can enjoy the full benefit of this funding.

### **Securing County Board Finances**

The budget currently includes language requiring county boards to provide to the Department an updated five-year projection of revenues and expenditures each year. This provision reinforces an OACB-recommended "best practice" and promotes strong board finances, thereby reducing the frequency with which county boards of DD need to seek additional levy dollars or state funding assistance. OACB has been working with Director Davis to refine this provision to ensure that the penalties associated with non-compliance are justifiable in their severity. We ask that the Senate include an amendment to adjust the penalties prescribed by the bill accordingly.

In addition to the five-year projection language, our association is seeking an amendment to bolster county board finances in the form of public notice and public hearing requirements on certain county budget commission actions. In recent years, we have encountered numerous situations wherein local officials have misunderstood county board long-term financial planning needs. In some of these circumstances, the county budget commission has rolled back county board of DD funding streams without consulting the county board beforehand, placing critical services for people with developmental disabilities at serious risk. We ask that county budget commissions be statutorily required to notify a county board of DD that it is considering rolling back the board's voter-approved millage, and hold a public hearing prior to rolling back any voter-approved millage on a county board of DD tax levy to give voters, the county board of DD, and people served by the county board of DD an opportunity to have their voices heard.

### **County Board Cost Report Audits**

Under current law, county boards of DD are required to prepare annual cost reports and submit them to the Department of Developmental Disabilities. The Department is also required to audit each of these reports. The budget proposed by the Governor had made those audits discretionary, thereby reducing

the administrative burden on the State of Ohio and on county boards. While annual submission of the reports would still be required, a mandatory audit would not be required unless department officials determined that an audit was warranted. This common-sense change preserves necessary departmental oversight but ensures that DODD and county board staff can focus their time and resources on helping people with developmental disabilities. OACB requests that the language making this departmental audit authority permissive be reinstated.

### **Property Tax and Levy Issues**

Several provisions added by the House of Representatives incorporate changes to the way property taxes are computed, the way property values are challenged, and the timing when levy issues may be brought before voters. These provisions are each the subject of bills that are currently pending before the General Assembly. We ask that these issues continue to be considered on their own merits rather than as a part of the state operating budget.

### **DODD Innovative Pilot Projects**

Previous budgets have included uncodified language allowing the Department of Developmental Disabilities to authorize innovative pilot projects in consultation with stakeholders in the field. This authority has been utilized numerous times over the years to create helpful programs that lower costs, reduce administrative burdens, and/or improve services to people with developmental disabilities and their families.

This language permitting the creation of these valuable pilot projects was removed in the version of the budget passed by the House. Please reinsert this provision to allow the Department to continue to work with stakeholders to improve services to Ohioans.

### **Thank You**

House Bill 166 represents the fulfillment of many of Governor DeWine's promises to Ohio's families, children, and vulnerable populations like people with developmental disabilities. We are grateful for his leadership on these issues, and are pleased to offer our full support for the budget that has been put forth if the above-mentioned changes are implemented. Thank you once again for the opportunity to testify on behalf of the Ohio Association of County Boards of Developmental Disabilities. I am happy to answer any questions at this time.