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Ohio Statewide Independent Living Council

Ohio Disability Vote Coalition

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The Center for Disability Empowerment

The Ohio Association of Area Agencies on Aging

People with Disabilities, Family Members and Other Interested Individuals

***“Advocating for People with Disabilities regardless of Age, to Live, Work and Participate in Community Life”***

June 13, 2019

Renee Wood

Testimony on HB 166

Finance Committee

Friday June 14, 2019

Chairman Dolan, Vice Chairman Burke, Ranking Member Sykes, and members of the committee, thank you for taking the opportunity to review this testimony on HB 166. My name is Renee Wood, I am the Chair of the Ohio Olmstead Task Force, Governor appointee to the Ohio Statewide Independent Living Council, board member of the Ability Center of Greater Toledo, and an individual that was born with a developmental disability. I am submitting this testimony today to ask that you remove the provision that mandates County Board of Developmental Disabilities to repeatedly present information on ICF/IDD to individuals and their families.

While this language seems innocuous enough to some people, in my opinion and professional knowledge, I find this language sets the DD system back by thirty years. As you know, the Americans with Disabilities Act (ADA) as well as the Olmstead decision requires that people with disabilities be given the most integrated setting as the first option. This does not mean that community based services and institutional care are equivalent options. It means that community based services are the expected option for people with disabilities because that is the way typical people live.

However, when community based services are not possible, or are rejected, then institutionalization is the option of last resort. The proposed ICF language in HB 166 goes against these two federal rules and will be struck down when they are inevitably challenged in court. The reason the ADA and the Olmstead Decision came about is because people with disabilities and their families wanted a community option rather than only an institutional option. People with developmental disabilities should not have to hear about Intermediate Care facilities (ICFs), especially when they have clearly requested Home and Community Based Services.

When someone first engages with their local county board, all options are open. Obviously, getting to know the individual and their families assists the county board in knowing the needs of the individual. Knowing the needs and the wants of the person with DD helps determine the services needed by that individual to fulfill their potential in life. ICFs are just not the right fit for everyone so, therefore, even talking about ICFs indiscriminately to every individual with DD would be like requiring the offering of an appendectomy, when someone clearly only needs an antacid.

To assume that everyone with DD needs the same level of care is intellectually unaware. Nowadays most people with DD, and their families, do not want, or need, institutional (ICF) placement. Therefore it would be harassment for the county board to repeatedly bring up ICFs. It might even mislead some families into thinking that this is what the county board believes is the “right” option for their loved one, when, in truth, their county board would only be repeating the information about ICFs because it was mandated by this current language.

It is said that this language is being driven by certain parents within the DD system who believe ICFs are equivalent to community placement and therefore they want to promote the use of ICFs indiscriminately. In my own personal life, when I was born institutions were the only form of care outside the family unit. The doctor told my mom that where I belonged was in an institution, because she would not be able to care for me at home. Of course, my mom chose not to put me there but I remember all my life how offended she was that the doctor told her that I should be in an institution. Had she been repeatedly pressured, and placed me in an institution as a result, I promise you that I would not be the successful woman before you today. My point is that there are an equal number or more of parents who are on the opposite side, who do not want to hear over and over again about ICFs or institutions.

For the above reasons and many more, I implore you to not include the ICF language in sub. HB 166.

Sincerely,

Renee Wood

Chair, Ohio Olmstead Task Force