



We have the legal right of way.

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Interested Party Testimony on House Bill 110  
House Finance Committee  
April 15, 2021

Chair Oelslager, Ranking Member Crawley, and members of the Ohio House Finance Committee, thank you for the opportunity to provide interested party testimony in consideration of House Bill 110 (HB 110). Disability Rights Ohio (DRO) is the state designated protection and advocacy system and client assistance program with the mission to advocate for the human, legal, and civil rights of people with disabilities.

DRO appreciates members of the House Finance Committee taking into consideration the needs of people with disabilities in Ohio and maintaining investments in care coordination for adults with mental health labels and funding for multisystem youth preventing custody relinquishment. This testimony will focus on the changes made by the House Finance committee in the substitute version of HB 110. The home and community-based service (HCBS) system has been historically underfunded and now more than ever there is a critical need to ensure individuals can access care in their homes and transition out of or avoid risk of admission to long-term care facilities. Although this budget provides additional supports, more can be done to ensure a stable provider workforce for people with disabilities.

This testimony will address six (6) components of the budget and the impact they will have on Ohioans with disabilities:

- 1) Investments to support direct support provider wages;**
- 2) Reestablishing the Student Wellness and Success Funding as a targeted program**
- 3) Reestablishing the nursing home bed reduction program;**
- 4) Ensuring Ohio draws entire federal funding for vocational rehabilitation services;**
- 5) Maintaining additional oversight of hospitals;**

## **I. Direct Support Provider Wages**

DRO appreciates the additional investments to the HCBS system; however, the substitute version of HB 110 does not make clear if additional investments are being made to provider rates and wages. The budget overview indicates increase in rates but there is no reference to the exact percentage increase. Although there is additional funding in the budget line items, the committee should include language making clear the provider rate increases over the two years of the biennium, specifically, 5% in rate increases each year of the biennium. Additionally, provisions should be included to ensure the increases make it to the actual workers. Direct care workers and their agencies have been underfunded for far too long, ensuring providers and their agencies are fully supported through the state budget can build out a system capacity that allows individuals to receive care in their home.

If we do not support this workforce, people with disabilities will continue to have unmet needs in their community. Although wages are one aspect of supporting this workforce, consideration should be made to ensuring access to healthcare, transportation, nutrition, and housing are all available. And to continue to meet the needs of people with disabilities ongoing paid training should be provided to ensure quality care for Ohioans.

## **II. Student Wellness and Success Funding**

The House substitute version of HB 110 incorporates House Bill 1 (school funding) and shifts funding from the student wellness and success funding into the disadvantaged pupil impact calculation for the foundation formula. The House Finance Committee should reestablish this funding as an independent targeted program and not include it into the foundation formula. By shifting these resources into the disadvantaged pupil impact calculation, it remains unclear if the same level of financial support would be distributed to schools to provide these targeted services to students with disabilities.

According to the Student Wellness and Success Fund: Survey Data Report released in December of 2020, 66% of school districts reported implementing or planning an initiative for mental health services. Folding this funding into the school funding formula could impact a school's ability to provide these kinds of services. This program is essential, especially as COVID-19 continues to impact on students with disabilities and their access to services in schools. Keeping the Student Wellness and Success funding as a targeted program is necessary to support students with disabilities long-term.

## **III. Nursing Home Bed Reduction Program**

The House substitute version of HB 110 removes the nursing home bed reduction program, which provided \$50 million to reduce nursing home capacity by up to 11,000 beds or 20%. COVID-19 has had a devastating impact on residents of long-term care facilities accounting for 48% of confirmed COVID-19 deaths in the state. This pandemic has shown the need to make investments in our home and community-based service systems and this budget should focus on expanding

transitions out of institutions, reducing nursing home capacity, and ensuring increased investments in homes and community-based services and supports. The House Finance Committee should consider adding this language back to HB 110.

#### **IV. Drawing the Entire Federal Match for Vocational Rehabilitation Services**

The House substitute bill does not include additional GRF funding to pull the entire federal match. The House Finance Committee should consider spending an additional \$6 million of GRF in each year of the biennium to draw a total of \$114 million in FY 22 and FY 23. This increase would mean additional support to help individuals attain and maintain employment in their communities in an economy where the unemployment rate has disproportionately impacted people with disabilities

COVID-19 has had a devastating impact on Ohio's employment rate and a disproportionate impact on employment for people with disabilities. Since March of 2020, 1 in 5 people with disabilities have lost their jobs compared to 1 in 7 in the general population.<sup>1</sup> Supporting workers with disabilities is essential to supporting Ohio's economy and ensuring integration into an individual's community. However, this budget does not draw down the entire federal match for vocational rehabilitation (VR) services that provide support to attain and maintain employment for people with disabilities in the state.

#### **V. Hospital Oversight**

HB 110 establishes a licensure program for hospitals in the state, which is necessary to ensure the rights of people with disabilities are protected. DRO applauds the House Finance Committee for maintaining this initiative; however, it is unclear the reason for removing health maintenance organizations (HMO) from this requirement and if this would mean certain hospitals would be exempt from the licensure requirement. The House Finance Committee should ensure this licensure requirement applies to all hospitals. This program provides the ability for Ohio to address issues with care rationing and equitable access to healthcare. The COVID pandemic revealed that a lack of oversight from the Ohio Department of Health creates difficulties advocating for the rights of people with disabilities and ensuring access to care. Specifically, at the height of the pandemic when hospital capacity was reaching its max, there was no clear enforceable oversight to ensure hospitals were not discriminatorily rationing care for people with disabilities.

#### **VI. Conclusion**

Disability Rights Ohio thanks you for the opportunity to provide interested party testimony in consideration of HB 110. This budget proposal makes needed investments to support Ohioans

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<sup>1</sup> US Department of Labor: Office of Disability Employment Policy. "Employment for Persons with a Disability: Analysis of Trends During the COVID-19 Pandemic." November 2020.  
[https://www.dol.gov/sites/dolgov/files/OASP/evaluation/pdf/ODEP\\_Employment-for-PWD-AnalysisofTrendsDuringCOVID\\_Feb-Sept.pdf](https://www.dol.gov/sites/dolgov/files/OASP/evaluation/pdf/ODEP_Employment-for-PWD-AnalysisofTrendsDuringCOVID_Feb-Sept.pdf)

with disabilities; however, more can be done to ensure a robust system capacity for home and community-based services and support. DRO looks forward to working with this committee and members of the Ohio General Assembly during the budget process to ensure people with disabilities can live and work independently in their communities.

If you have any questions or wish to discuss these issues more please feel free to reach out to Jordan Ballinger, Policy Director at [jballinger@disabilityrightsohio.org](mailto:jballinger@disabilityrightsohio.org) or 614-466-7264 x135.