



The
Legal Aid Society
of Cleveland
Since 1905

**Ohio Senate
Government Oversight and Reform Committee
S.B. 17 Testimony of The Legal Aid Society of Cleveland
February 24, 2021**

Good morning Chair Roegner, Vice Chair McColley, Ranking Member Craig and members of the Committee. Thank you to Senator Thomas for the opportunity to provide testimony on Senate Bill 17, and the negative impact it would have on Ohioans. My name is Jennifer Kinsley and I am a senior attorney with the Legal Aid Society of Cleveland.

The Legal Aid Society of Cleveland is a non-profit law firm providing free legal services to vulnerable, low income individuals in five Northeast Ohio counties: Cuyahoga, Lorain, Ashtabula, Lake and Geauga. I am an attorney in the Health and Opportunity Practice Group which advocates for the meaningful access to safety net programs, such as SNAP and Medicaid for individuals at or below 200% of the Federal Poverty Guidelines.

In the past year, increased applications for service to The Legal Aid Society of Cleveland highlight the financial struggles within our community. Intakes related to unemployment compensation increased 469% while other public benefits related intakes increased 27.5%, indicative of economic hardship and increased reliance on public benefits in our service area. According to data published by the Ohio Department of Job and Family Services (ODJFS) in November of 2020, Cuyahoga County had the largest number of households enrolled in SNAP statewide at 114,890 households, including 86,873 children¹.

“Change Reporting” increases barriers for SNAP households, results in increased “churn,” and increases administrative costs and workload.

The proposed changes to the SNAP program under S.B. 17 will result in unnecessary barriers to Ohioans struggling with food insecurity. S.B. 17 proposes a return to “change reporting” instead of the current “simplified reporting” which reduces administrative costs and payment errors. “Change reporting” will require SNAP households to report, and county JFS offices to process, every household change, including small fluctuations in wages *even though the household remains eligible for SNAP*. Ohioans already face obstacles in reporting changes, such as limited access to on-line reporting and no transportation access to provide verifications to county offices. Change reporting will create tremendous barriers to benefits and will most affect those working for inconsistent wages, with no demonstrated program benefit. These small change reporting requirements will result in lost benefits because of increased “churn” which occurs when SNAP households are terminated from SNAP and then reapply within a very short period, creating additional administrative cost.

Elimination of Broad-Based Categorical Eligibility and imposition of asset tests creates barriers for seniors and discourages economic stability.

¹ <http://jfs.ohio.gov/pams/Caseload-Summary-Report-November-2020.stm>

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S.B. 17 proposes to eliminate broad-based categorical eligibility (BBCE). For categorically eligible groups, Ohio would impose asset limitations, mandating all SNAP applicants submit bank statements, vehicle valuations, and provide proof of other assets. This asset requirement would deter many senior citizens from program participation. In its recent Annual Report, the Division of Senior and Adult Services in Cuyahoga County noted that their agency assisted in providing 30,000 meals through SNAP², connecting older adults and adults with disabilities with funds to safely purchase groceries through new curbside and home delivery programs. The SNAP program helps seniors age in place, keeping them in the community rather than in costly nursing or long-term care facilities. If seniors must submit additional asset verifications, many will be denied SNAP benefits.

The elimination of BBCE will also increase the demand upon JFS staff and resources needed to complete asset verification during the application process. Asset limits can have complicated rules governing the exclusion of some resources, such as dedicated retirement accounts and other sources of funds. Asset limits also force many to deplete even minimal savings and sell assets to qualify for assistance. The elimination of BBCE indirectly discourages the savings and work habits necessary to achieve financial stability, avoid debt, and weather unexpected financial disruptions.

Child Support cooperation requirements in SNAP fail to recognize the beneficial and informal support arrangements of parents and puts families at risk.

S.B. 17 mandates child support cooperation. This mandate fails to recognize that often parents elect to have informal child support arrangements. This mandate also fails to recognize the impact of domestic violence. In 2018, Cuyahoga County reported to the Ohio Bureau of Criminal Identification and Investigation a total of 2,690 domestic violence calls which resulted in the alleged perpetrator being charged.³ Many victims of domestic violence live in fear long after the perpetrator is removed from the household and do not seek child support in order to maintain safety. A parent should not have to choose between food security or safety.

Elimination of post enrollment verification will result in the denial of needed care.

As of December 2020, our service area is home to 517,124 Medicaid recipients⁴. S.B. 17 would create unnecessary barriers and exacerbate health disparities for this population. Eliminating the ability of an individual to complete the verification process post enrollment means that even in emergency situations, verification delays from third parties can prevent access to healthcare. Submitting verifying documents is an increasingly disparate activity. A large section of our client population is without access to technology or transportation and will be denied access to healthcare because of inability to provide documents in advance of needed care.

Requiring Medicaid redetermination every six months without pre-populated forms will result in disruptions in medical care.

The Legal Aid Society of Cleveland regularly assists clients who have been terminated from, or denied access to, Medicaid. Terminations most often occur during the redetermination process. During this process, our clients rely on pre-populated redetermination forms. For many clients with low or no literacy levels or other disabilities, pre-populated forms are the most dignified way for them to engage in this process. The Literacy

² <https://hhs.cuyahogacounty.us/docs/default-source/default-document-library/2020-dsas-abm-annual-report-accessible.pdf> (page 6)

³ 2018-Domestic-Violence-Incidents-by-County-and-Age.ohioattorneygeneral.gov

⁴ <https://analytics.das.ohio.gov/t/ODMPUB/views/MedicaidDemographicandExpenditure/WhoWeServe?%3AisGuestRedirectFromVizportal=y&%3Aembed=y>

Cooperative reports that 55% of Cuyahoga County residents are less than proficient in literacy.⁵ For people who require reasonable accommodations to effectively communicate, the redetermination process already takes months and is difficult to navigate. Further complicating this process will undoubtedly result in termination of vital Medicaid coverage based on disability, not lack of eligibility for the program.

Six-month ban on Medicaid enrollment unfairly penalizes delayed change reporting and jeopardizes health.

As of December 2020, our service area is home to 147,688 Group VIII Medicaid recipients.⁶ A majority (110,531) reside in Cuyahoga County.⁷ These individuals are often transient, living in shelters, or with friends and do not have access to computers, phones, or community resources. Their primary concern in the ten days following a major life event is usually finding safe shelter, clothing, and a meal. Termination of medical coverage during this time is a punishment that perpetuates instability and health disparity. The population likely to be most affected by this legislation is low-wage workers with inconsistent wages who will be discouraged from maintaining employment due to the dangers these reporting requirements and punishments will create for their Medicaid access.

Conclusion

The Legal Aid Society of Cleveland opposes S.B. 17 based on its detrimental impact to low income Ohioans. Many in Northeast Ohio rely on Medicaid and on SNAP to meet basic life needs. Long after the national health emergency has ended, this population will continue to battle poverty, hunger, and economic disparity. Ohio must strengthen these critical programs rather than dismantle them. Thank you.

⁵ <https://www.literacycooperative.org/literacy-facts/literacy-statistics/>

⁶ <https://analytics.das.ohio.gov/t/ODMPUB/views/MedicaidDemographicandExpenditure/WhoWeServe?%3AisGuestRedirectFromVizportal=y&%3Aembed=y>

⁷ *Id.*