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SENIOR COMMUNITIES

House Bill 33, State Operating Budget
Ohio Senate Finance Committee

Interested Party Testimony
Karl Schneider, President, Continental Senior Communities

May 25, 2023

Chairman Dolan, Vice Chair Cirino, Ranking Member Sykes, and members of the Senate Finance Committee, thank you for the opportunity to provide testimony on House Bill 33. I am Karl Schneider, President of Continental Senior Communities. We are headquartered in Columbus and own seven senior communities across Ohio and five others in surrounding states.

We offer memory care, assisted living, and independent care services to our residents that allows them to live fulfilling lives with access to critical medical support.

I am here because we have encountered government regulations that diminish our ability to accomplish our mission. Specifically, we recently invested millions of dollars to renovate a historic property in an economically disadvantaged neighborhood on the near east side of Columbus about 10 minutes from here. You are all welcome to visit the facility which is called Oakwood and has capacity to house 74 residents. When we opened our doors, we welcomed some residents under the Medicaid waiver program to cover the monthly cost.

However, upon an inspection by the local Area Agency on Aging, we were informed that our community was ineligible for Medicaid residents due to the design of the living quarters. We learned that unlike some other states, Ohio's Department of Aging Medicaid waiver with the Centers for Medicare & Medicaid Services (CMS) does not allow for two separate private living units to share a single, lockable full bathroom – even though Ohio regulations allow this unit composition for private pay assisted living.

As a result, our Medicaid residents who had chosen to live in this new community were forced to leave and find accommodations elsewhere. We assisted in this transition of our residents and absent a change, Oakwood will only be able to accept private pay residents, which robs this neighborhood of a critically-needed option for affordable and accessible assisted living.

To address this issue and assure access to high quality assisted living communities for more Ohioans, we are seeking a budget amendment to allow for



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assisted living facilities using a shared bathroom for every two units to be eligible for Medicaid reimbursement. The amendment specifies the shared bathroom must be accessible from the living quarters of each resident, does not require a resident to pass through the living quarters of another resident, and allows each resident to prevent access to the other resident while it is in use.

The amendment also requires the assisted living facility to obtain the resident's written consent acknowledging their residence will utilize a shared bathroom, have at least one separate hallway bathroom available to the resident, and it requires the shared bathroom to meet all accessibility requirements of the ADA. These measures are consistent with those that have proven effective in other states.

These guardrails will assure residents continue to enjoy high levels of privacy and an accessible bathroom whenever needed. In addition, every resident will know of and consent to the shared bathroom prior to moving into the assisted living facility—just as with our private pay residents. This flexibility will create more access to assisted living for some of Ohio's most vulnerable elderly residents.

Finally, the Ohio Chamber of Commerce and the Ohio Assisted Living Association, which is the statewide trade association representing more than 600 assisted living communities across our state, have expressed their support for the amendment because they recognize its enactment will lead to greater access to assisted living communities for more Ohioans.

Thank you for the opportunity to testify, and I welcome any questions.