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**Ohio Poverty Law Center Written Testimony
Ohio House Children and Human Services Committee
Wednesday, March 5, 2025**

Chair White, Vice Chair Salvo, Ranking Member Lett, and members of the Ohio House Children and Human Services Committee, my name is Danielle DeLeon Spires, and I am a policy advocate at the Ohio Poverty Law Center. The Ohio Poverty Law Center advocates for evidence-based policies that protect and expand the rights of low-income Ohioans. We are a non-profit working closely with Ohio's legal aid community, serving Ohioans who are living, working, and raising their families in poverty. Thank you for the opportunity to provide written testimony regarding sections of House Bill 96 that will have an impact on legal aid organizations and clients.

Legal Aid Societies are nonprofit law firms that provide free civil legal services to eligible low-income Ohioans. Most Ohio legal aid firms receive Title III grants through the Ohio Department of Aging to provide legal services to older eligible Ohioans.

In November 2023, a rule change went into effect that impacted legal service providers receiving any amount of funding from the Ohio Department of Aging. The change removed an exemption for legal service providers from a required background check of any person having in-person contact or access to confidential information of seniors. The background check is intended to look for any disqualifying offenses that may impact that person's ability to serve in a "direct-care position."

The change in the rule means that most legal aid staff now must complete a background check because the staff *can* have in-person contact with or *can* access confidential information of seniors whose cases are billed to Title III. It applies broadly to all staff and not just those working on certain cases.

This is costly and time-consuming for legal aid, especially considering that legal aid staff rarely spend time in seniors' homes and do not handle seniors' financial affairs. The change did not come with funding to underwrite the cost of the background checks.

We understand the rule was changed to conform with the language in the Ohio Revised Code and that a legislative fix would be needed to restore the exemption. We are pleased that House Bill 29 includes language that would restore the exemption by excluding attorneys from the definition of a direct care position (Comp Doc AGECD5, HB 29 Sec. 173.38 at line 15009).

Attorneys complete background checks before being admitted to the practice of law and have ongoing ethics and professional responsibility requirements to maintain their licenses.

House Bill 96 also includes changes to unemployment compensation eligibility for temporary workers (Comp. Doc. JFSCD23, referring to R.C. 4141.29, Sections 801.10 and 830.10). These changes would require an individual to contact an employer, likely a temporary staffing agency, immediately after concluding an assignment, otherwise an individual will be considered to have quit work without just cause if suitable work is available. This disqualifies an individual from serving a waiting period or receiving unemployment benefits for the duration of the individual's unemployment. Under current law, this would disqualify an individual for just that one week.

This change in law would potentially restrict access to unemployment compensation benefits. Each applicant has a unique set of circumstances that may determine eligibility, and the broad language of these provisions will shift that significant burden onto individuals. This language would have a potentially cascading effect on applicants as individuals may exert their appeal rights and reach the hearing level, which would lead to weeks without benefits and have a severe economic impact.

Under the proposed provisions, an individual would be found to have quit for just cause without an evaluation of the facts. Individuals may have several valid reasons for not contacting an employer after the end of an assignment, including, but not limited to job interviews, illnesses, and other extenuating circumstances. Under the current law, these facts are all considered for evaluation. The language is also not clear that the temporary agency must be the most recent employer and not just one in the base period.

We are advocating for the removal of these sections as written or would request substantial changes to the language to allow for more flexibility in an applicant's response after completing temporary work assignments. Ohio's current unemployment system has the requirements necessary to ensure Ohioans are meeting eligibility standards for unemployment compensation benefits and the proposed language would restrict that access.

We appreciate the opportunity to advocate on behalf of legal aid organizations and the clients that they serve.

Sincerely,
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