

Chair Johnson, Vice Chair Learn and ranking members of the Commerce and Labor Committee. and members of the Commerce and Labor Committee, thank you for another opportunity to testify. The reason I am back today, I want to lay out the specifics of what we had reported in the bill.

Let me begin by addressing a common concern: House Bill 225 does **not** eliminate choice. It does **not** close day programs. It does **not** force anyone into employment they do not want. It does not decide how and where they spend their day. Most importantly, this bill does not condemn individuals to a lifetime of sitting on a couch in a parent's or group home, watching television. That myth has resurfaced time and again—most notably during the rollout of Employment First—often fueled by fear and misinformation from some providers and families. But those fears never came to pass. Let's learn from that history and move forward with facts, not fear

In reality, this bill strengthens Ohio's commitment to informed choice rather than weakening it.

Ohio's developmental disabilities system is grounded in **person-centered, informed choice**, as required by:

- **Ohio Administrative Code 5123-9-11**, which ensures individuals have real opportunities to make choices about their services and supports, and
- **Federal "Freedom of Choice" regulations** for individuals residing in Intermediate Care Facilities.

According to 2023 data from the Ohio Department of Developmental Disabilities there are 3,884 individuals still earn subminimum wage:

- **3,289 people** earned between **\$0.00 and \$4.00 per hour**
- **401 individuals** earned between **\$5.00 and \$8.54 per hour**
- **226 individuals** earned between **\$8.81 and \$9.29 per hour**
- Only **45 people** earned between **\$9.31 and \$10.08 per hour**

You do not need a severe disability to earn less than \$4.00/hour. Don't let the numbers sway you

Some people say that eliminating subminimum wage will "leave people behind." But for decades, many continue to run programs that already do just that. Where is the concern when individuals are earning **pennies per hour**? **Based on 1099s, some CEO's salaries are upwards to \$200,000 a year—almost \$100 an hour?**

Direct Support Professionals—DSPs— who do the hard, essential work, are currently earning an average of \$17 an hour, based on budget testimony. Many thanks to Ohio's advocacy and legislative investment.

But the individuals with disabilities who are also considered these employers, "employees", saw their average wages rise by just **\$1.72/hour** between 2019 and 2023, according to data reported by the Department of Developmental Disabilities.

That's not a wage gap. That's a wage canyon.

There are two very real questions often raised in this debate:

What happens to people with the most significant disabilities? And, is it fair to require an employer to pay full minimum wage to someone who isn't working at full productivity?

We've heard testimony suggesting that some individuals, due to the severity of their disabilities, simply cannot meet typical productivity standards and therefore shouldn't be paid minimum wage. Others have said that raising wages across the board will force providers to shut their doors.

I simply do not accept either of these as truths.

Across the country, we're seeing a different story unfold. Employment rates for people with disabilities are rising. Former 14(c) participants are now earning at least minimum wage. And there are no widespread reports of provider closures. Even here in Ohio, several organizations have already transitioned away from subminimum wages—some with nothing more than a notification letter, others through a gradual, phased approach. In every case, individuals were supported. No one was left behind. No one was relegated to a couch in a parent's or group home.

I've seen what's truly possible. I've worked directly with individuals who have tracheostomies, feeding tubes, complex medical, behavioral, and intellectual disabilities—people with highly significant support needs—who have successfully secured jobs in the community.

So, the real question we must ask is this:

Do we continue to justify subminimum wages simply because of fear and change?

Because if we're honest, this isn't just about fear—it's also about money. Subminimum wage programs are often tied to Medicaid funding streams, and for some, keeping people in sheltered work or paying them subminimum wage is as much about protecting that revenue as it is about supporting individuals. Accepting fear and financial self-preservation as the foundation of policy sets a dangerous precedent—one that reinforces low expectations and underestimates the value and contributions of people with disabilities. We can—and must—do better.

Currently, approximately 10% of individuals with developmental disabilities have the most significant support needs. Applying this estimate to Ohio's data, out of the 3,884 individuals earning subminimum wages, roughly 384 likely fall into this high-support category. These individuals already qualify for the highest levels of Medicaid-funded support. The state's investment in care is substantial. Depending on the county, daily reimbursement rates range from \$169.75 to \$182.25, resulting in annual budgets per individual between \$44,153 and \$47,385. Ohio is already making significant commitments to support its residents with disabilities. Instead of creating a new system, efforts should focus on maximizing the efficiency of existing resources outlined in the bills and the transition plan. House Bill 225 emphasizes targeted planning to effectively support even those with the most significant disabilities.

Representative Jarrells has made concerted efforts to engage with providers in shaping this transition. He held six interested party meetings, hosted one-on-one consultations, and directly asked for their input on what support and timeline would make this legislation workable. In response, he received silence, vague objections, and concrete suggestion... And yet, now that progress is on the table, we're being told it's moving too fast.

Thank you for your time and careful consideration to House Bill 225.

Jan Dougherty,