Disability Rights OHIO

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Interested Party Testimony on House Bill 585
House Community Revitalization Committee
May 18, 2026

Chair Click, Vice Chair Mullins, Ranking Member Brewer, and members of the House Community Revitalization Committee, thank you for the opportunity to provide written-only interested party testimony on House Bill 585 (HB 585) regarding the use of capital assistance funds. Disability Rights Ohio (DRO) is the state's protection and advocacy (P&A) system that advocates for people with disabilities in Ohio.

DRO is a nonprofit corporation with a mission of empowering people with disabilities to advance rights, access, and equity. Our vision is voices elevated, people empowered, equity achieved. In alignment with this vision, we collaborate closely with advocates across Ohio to uplift their voices and lived experience.

We would like to highlight the letter below dated May 15, 2026, that was written by advocates regarding provisions of this legislation.

Dear Sponsors,

Thank you for agreeing to meet with us and discuss our concerns with HB 585, which seeks to increase the permittable size of housing developments under DODD rules for capital assistance funds.

We recognize and agree that Ohio is facing a significant housing shortage for people with developmental disabilities, and we support new housing development. We also understand that relaxing some rules may be necessary to increase the development of new community-based, accessible, supportive housing.

However, the language in HB 585 regarding community capital assistance funds raises serious concerns. Removing safeguards on the size of housing developments and excluding the federal settings rule without including additional safeguards risks the development of institutional settings. We are asking you to amend the current bill to include some of those safeguards, which we have enumerated below.

Our Concerns: Relaxing standards on housing size without the protections of the HCBS Settings Rule incentivizes developers to create institutional housing

People with disabilities have long had to push back against being routed into institutional settings that segregate and isolate people with disabilities from the greater community and limit their opportunities for a high quality of life. While the state of Ohio has adopted a policy of deinstitutionalization, there has not been a corresponding investment in home and community basedsettings. While housing choice is a core principal in disability policy, years of disinvestment have led to a lack of housing choices for people with disabilities in Ohio. The capital assistance funds affected by this bill are intended to invest in home and community based alternatives to institutionalization, and thus, should be protected.

By relaxing current standards, HB 585 risks:

- Creating system-controlled housing rather than truly independent housing
- Limiting tenant choice and control over living arrangements
- Blurring the line between service providers and landlords
- Permitting congregate and disability-specific housing models

This approach conflicts with best practices in disability policy and the integration mandate established in Olmstead v. L.C., as well as the requirements of the HCBS Settings Rule, both of which emphasize that people with disabilities have the right to live in the most integrated setting appropriate.

Our Proposed Amendments: Ensure that Capital Assistance Funds are being used to create integrated, home and community based housing

Ohio should be investing in housing solutions that expand independence, such as rental assistance, partnerships with private landlords, mandating accessibility in all new housing developments both market rate and subsidized, small supportive models such as scattered site housing and group homes, and models that give individuals direct control over their housing choices.

For this rule, we recommend the following proposed amendments:

- **Integrate the HCBS Settings Rule:** (D) All housing developed in accordance with Section (B) of wethis section shall comply with the Home and Community Based Settings Rule found in O.A.C. 5160-44-01, 42 CFR 441.530.

- **"Deconcentration" Clause:** Capital funds cannot be used to acquire or construct a building larger than four units if the development would concentrate a number ofindividuals with disabilities that exceeds no more than 20-25% of total units in a single development, ensuring it is not a "segregated facility".
- **Proximity Standards:** Sites must be located in mixed-income, residential, or mixed-use areas, with reasonable access to public transportation, community amenities, and services, rather than isolated areas.
- **"No Mandatory Services" Requirement:** Explicitly state that housing developed with these funds cannot be contingent upon the resident receiving services from a specific provider, ensuring the home is independent of the service system.
- **Meaningful Choice Language:** Strengthen the bill's current provision regarding participation in selection. The language should mandate that individuals are given at least two different options regarding where and with whom they live.
- **Tenant Rights:** Mandate that all residents must have a lease with full tenant rights under state and local law, ensuring it is not a "program setting" or facility.
- "**Invisible" Housing Requirement:** Require that all newly constructed or acquired housing must look and function like standard market-rate housing, adhering to Universal Design principles to allow individuals with and without disabilities to live together.

Thank you again for engaging with us on this issue, and we look forward to working with you to ensure that we are all accomplishing our goal of creating more home and community based housing options for people with disabilities.

Sincerely,
The Ohio Olmstead Task Force
Gahanna, Ohio

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DRO does not disagree that Ohio needs more accessible and affordable housing for people with disabilities. However, it is imperative that Ohio legislators listen to the disability community when making any changes to policy impacting them and it is particularly important here to ensure Ohio is upholding its Olmstead obligation and providing opportunities for true housing choice. We appreciate your time and consideration of this written-only interested party testimony for HB 585. If you have any questions or wish to discuss further, do not hesitate to reach out to Brittanie Maddox, Policy Director at bmaddox@disabilityrightsohio.org or (614) 466-7264 x113.