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HB 96 Interested Party Testimony
Ohio House Finance Committee
Tim Johnson, Senior Policy Advocate
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Chair Stewart, Vice Chair Dovilla, Ranking Member Sweeney, and members of the Ohio House Committee, my name is Tim Johnson, and I am a senior policy advisor with The Ohio Poverty Law Center. Thank you for allowing me to offer interested party testimony on our priorities for HB 96, the biennial operating budget.

Lead Poisoning Prevention

Lead is a powerful neurotoxin that has devastating lifelong effects on young children. There is no safe level of lead in a child's blood and there is no cure for lead poisoning. Over two-thirds of Ohio homes were built before 1980 which means they have potential lead hazards, and Ohio has the second highest number of children testing positive for elevated blooded lead levels in the country.

Over the last several operating budgets both the Governor and the legislature have made key investments in lead poisoning prevention including an innovative grant program via the Lead Safe Home Fund. We are disappointed that, after years of progress, that the lead abatement line item, which supports lead testing, lead investigations, and the lead safe home fund program is reduced by nearly half a million dollars in FY 26. The number of children testing positive for elevated levels of lead is going up, not down. Over the five years since I have been working on lead poisoning prevention, Ohio has been bold and increased its investment in lead poisoning prevention. Now is not the time to pull back; we urge you to fund the lead abatement line item at \$12 million in FY 26 & FY 27 so that ODH can continue to do the important work of protecting kids while also expanding the reach of the Lead Safe Home Fund.

One of the state's most important primary prevention tools is the SCHIP Lead Abatement Program. Currently the Director of OBM can transfer up to \$5 million dollars each fiscal at the request of the Medicaid Director to be used for the SCHIP Lead Abatement Program. We are asking that the General Assembly increase the spending authority to allow for up to \$10 million each fiscal year to be requested and transferred. Additional funding will allow the program to expand its reach to more communities and allow the state to focus on

primary prevention so that we are no longer waiting for kids to become lead poisoned before we act.

Another important step Ohio should take toward primary prevention is through the enforcement of the Renovation, Repair, and Painting rule (RRP). RRP is a U.S. Environmental Protection Agency (US EPA) rule that has been in effect since 2010. It requires contracting firms (including sole proprietors) to take common sense lead-safe precautions when performing work that would disturb lead paint. actor should be RRP certified and following the rules--but unfortunately that is not the case. The US EPA's enforcement of RRP is haphazard at best; it rarely enforces the rules. Fortunately, the US EPA allows states to take control of the enforcement and administration of RRP. To date, 15 states have done so, and we believe that Ohio should be next on that list. Ohio is in the best position to look after its businesses and the safety of its children, and we urge the General Assembly to allow Ohio to enforce RRP so we can keep kids safe.

Medicaid Trigger Language

We also urge the committee to reconsider the language related to the Ohio Medicaid's expansion population that could have significant impacts on Ohioans' access to health care. Approximately 770,000 Ohioans are covered under Medicaid expansion. An adult eligible under expansion can earn an income up to 138 percent of the Federal Poverty Level, which is approximately \$21,597 under the 2025 guidelines. While Medicaid "trigger" language is a discussion across all states that have adopted expansion, only nine have laws similar to House Bill 96's proposed language and would have an automatic elimination of expansion if the FMAP drops.

In addition, House Bill 96 contains additional language that could significantly impact health care access or other services provided to Ohioans. This language allows Ohio to mirror any actions by the federal government to reduce, discontinue, pause, or suspend programs for which Ohio has a corresponding state program receiving federal funding. This provision is exceedingly vague as to the impact that it could have on specific programs. Proposed Sections 126.70 and 126.10 would both have significant impact on Ohioans and the health and well-being of individuals and families. 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 timelines for the Ohio Department of Medicaid's response to changes in federal funding.

SNAP Skimming

We support bipartisan efforts to require Ohio to make security upgrades to EBT cards used by SNAP recipients for their benefits. Ohio currently uses cards with magnetic stripes,

which leads to significant vulnerability to fraud. An upgrade cards with embedded security chips would protect Ohioans from loss of benefits and allow them to continue to provide for their families. Currently, Ohioans who experience skimming have no way to reclaim lost benefits. This has impacted at least 27,000 Ohioans at the cost of an estimated \$14 million. By implementing this crucial technology upgrade, families will have additional security that their benefits will be protected

Unemployment Compensation

House Bill 96 also includes changes to unemployment compensation eligibility for temporary workers. 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. 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. 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.

Department of Aging Background Checks

OPLC supports language in HB 96 that would allow for legal aid attorneys to serve elderly Ohioans without needless administrative burden and cost. 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 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. We are pleased that House Bill 96 includes language that would restore the exemption by excluding attorneys from the definition of a direct care position.

Legal Aid Funding

Ohio's regional legal aid offices served more than 135,875 Ohioans last year including 59,000 children, 18,000 seniors, and 3,700 veterans. Legal Aid helped 2,700 Ohioans seal

or expunge their criminal records and 765 Ohioans reinstate driver's licenses, removing barriers to employment. Legal Aid helped nearly 5,000 domestic violence survivors achieve safety and helped thousands of Ohioans with housing stability through eviction and foreclosure assistance. Despite the important work performed by Ohio's legal aid offices, they turn away approximately one out of every two requests due to inadequate resources. Ohio is far behind most of its neighboring states when it comes to supporting legal aid with general revenue dollars; we ask that you support an amendment that would appropriate \$10 million annually to support legal aid services in every part of the state. These funds will help Legal Aid continue to provide critical services to your constituents and address specific community needs.

Kinship Care

Lastly, we would ask you to support an amendment that would make it easier for kinship caregivers to address the needs of the children in their care by expanding who may use power of attorney (POA) and the caregiver authorization affidavit (CAA). Currently, only grandparents may utilize these tools to do important tasks such as enrolling a child in school or consenting to their healthcare. There is an amendment that would expand the use of POA and CAA to all kinship caregivers as defined by the Ohio Revised Code. Kinship caregivers who are not grandparents should not be put at a disadvantage nor forced to file for custody because they chose to take care of their loved ones. Please support Ohio's kinship caregivers by making this commonsense change.

Ohio's operating budget reflects the state's collective priorities. The Ohio General Assembly has the opportunity to pass a budget that uplifts low-income Ohioans, we hope you will consider our requests for HB 96. Thank you for the opportunity to testify, I am happy to answer questions at this time.