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**Ohio Poverty Law Center Written Testimony  
Ohio Senate Finance Committee  
Thursday, May 29, 2025**

Chair Cirino, Vice Chair Chavez, Ranking Member Hicks-Hudson, and members of the Ohio Senate Finance 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 allowing me to provide written interested party testimony on our priorities for HB 96, the biennial operating budget.

**Medicaid Trigger Language**

We 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. OPLC is asking for removal of these provisions or to enable flexibility and change the trigger language from "shall" to "may."

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. The primary objective of the Medicaid program is to enable low-income and underserved populations to secure healthcare. Medicaid expansion has built on that objective and continued reduction of the uninsured rate and improved health care access, with affordable health care that has helped build financial security among the low-income population. Ohio's Medicaid expansion population would be at-risk of losing access to services with the as-introduced version of the trigger language.

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. Applying this provision to health care services would continue to severely restrict access to health for all Ohioans and could result in further loss of coverage.

**Continuous Coverage children 0-3**

We are also asking for restoration of the continuous coverage requirement to enable ODM to continue to move forward in these efforts.

Implementation of this waiver would provide critical coverage for children and mitigate potential losses in care. Children who experience coverage gaps often miss treatments for chronic conditions, which leads to additional barriers, such as emergency room visits and hospitalizations.

Elimination of administrative burdens is a key gain from implementation of continuous eligibility. Procedural disenrollments and large amounts of churn in caseload lead to further inequity in health outcomes due to the delayed access to care. Ohio, like other states across the country, recently underwent a large-scale unwinding process from COVID-19 Public Health Emergency. The return to routine Medicaid operations leads to high numbers of disenrollment, with a large amount due to procedural circumstances, such as missing paperwork. Therefore, these disenrollment operations may have included children and families still eligible for Medicaid but still have been removed from the rolls.

These gaps in coverage also create significant financial hardship for families. Nearly half of all children insured by Medicaid are in families living below the poverty line. More than 60 percent of families earn less than 138 percent of the federal poverty level. By providing children with continuous coverage, families do not incur considerable medical debt, which allows them to build economic security and continue to provide a stable environment for their families.

### **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.

### **SNAP**

We also oppose changes made to the Supplemental Nutrition Assistance Program (SNAP) including the switch from simplified to change reporting and other barriers that will impact Ohioans' access to benefits. These provisions create new administrative burdens, both for the Ohio Job and Family

Services offices throughout the state, which already face many hurdles, leading to long waiting times and delays in processing individuals' benefits. These individuals then face gaps in care or benefits, impacting their ability to create stability for their families.

### **Earned Wage Access Services**

We ask for the removal of regulatory provisions for Earned Wage Access (EWA) service products under the Ohio Department of Commerce to allow the standalone legislation to receive a robust discussion during the committee process or advocate for the addition of substantial consumer protection to be added to the language.

These provisions are the subject of Senate Bill 117 and House Bill 152, both currently in the committee process in their respective chambers. The language of these bills allows these providers to operate in the state through an application and investigation process to receive a valid certificate of registration. These products are comprised of multiple models, including direct-to-consumer products and employer-integrated services. Providers are required to disclose terms and conditions, as well as any fees. Providers will be required to offer a no-cost option; however, consumers typically encounter optional fees or "tips" upon taking out an advance. The different models often utilize different fee structures, including, but not limited to monthly subscription fees, transaction fees, and expedite fees.

The as-introduced EWA provisions present several concerns. This language creates a regulatory carveout for these products to avoid applicable consumer lending law. The language does not include limits on fees or tips: Transparency in fees and tips are not the same as capped or nominal fees. In addition, the language allows these products to avoid being named as loans. Previous advice from the CFPB through an interpretative rule issued in July 2024, found that paycheck advance products are consumer loans subject to the Truth in Lending Act, which provides consumers with strong protection against predatory practices.

Many borrowers are trapped in a cycle of debt, which leads to repeat usage of these services. Over half of consumers use direct-to-consumer cash advance apps to pay for everyday expenses like food, transportation, housing costs, and bill and utility payments.

Consumers can also access multiple lenders simultaneously, leading to loan stacking and increased risk of overdraft fees. NCLC found nearly three in five advances were within two days or less of the prior loan.

Direct-to-consumer lenders receive access to a consumer's bank accounts and process transactions to recoup loan funds. This may result in multiple attempts, regardless of the balance of the account.

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

Sincerely,  
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