



Serving critical needs, one person at a time

HB 96 Interested Party Testimony
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Ohio Senate Medicaid Committee
Chair Mark Romanchuk
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Chair Romanchuk, Vice Chair Huffman, Ranking Member Liston, and members of the Senate Medicaid Committee, my name is Kristen Henry, and I am the Executive Director of Advocacy & Protective Services, Inc. (APSI). I am here today to provide interested party testimony on HB 96. APSI is a not-for-profit organization that provides guardianship and other advocacy services for nearly 3,000 adults with developmental disabilities across Ohio. **APSI specializes in serving individuals with the highest level of needs in the least restrictive manner possible.**

As I testify today, please consider these examples of two of our clients—one who will always need APSI or another guardian to advocate for him, and one who currently needs APSI but would benefit from Ohio recognizing supported decision-making in statute.

Ralph is 72 years old. He lives in Ottawa County and has been served by APSI for the entirety of our 40+ year existence. Ralph is retired and loves to play cards at his day program. His house manager prints off baseball and football schedules so he can follow his favorite teams. Ralph isn't able to make complex decisions for himself, so APSI ensures that he gets the health care and residential services that he needs to be healthy and to live his best life.

Joe is 24 years old and lives in Lucas County. APSI became his guardian when he was 21 years old because his family wasn't able to provide the support he needed. At first, he had a lot of conflict with his housemates and care providers, but with APSI's assistance he has demonstrated tremendous growth. He works and volunteers in his community, and he opened a savings account for his goal of visiting all 50 states. We believe that one day he will be ready to make decisions without a guardian.

With these clients and nearly 3,000 others in mind, APSI requests support for two amendments that are important to our clients and other adults with developmental disabilities who need assistance with decision-making. The first (SC0766) increases the funding for ALI 320412 DD Protective Services by \$500,000 in FY26 and FY27. The flat funding in the as-introduced and House-passed versions of HB 96 would erode APSI's capacity to continue serving clients like Ralph

and Joe, as well as the over 150 new clients we are asked to serve each year despite our waiting list of Ohioans in need of our services.

The funds proposed in this amendment will support competitive wages for the recruitment and retention of staff, which will lead to lower caseloads, higher quality services, and the elimination of our waitlist. This funding level will bring more parity to similar services within Ohio and in comparable states like Kentucky and Tennessee, which currently spend 50-100% more per person on these vitally important services.

Additionally, APSI requests support for an amendment (SC1002) to restore language from the as-introduced bill to recognize supported decision-making in Ohio law. Supported decision-making is a nationally-recognized way for competent adults with developmental disabilities to make their own decisions with some help from trusted family members and friends who assist them in understanding, communicating, and implementing their decisions. At least 26 states recognize supported decision-making in law, including Indiana, Illinois, Texas, and Missouri.

Prior testimony on this bill has raised concerns that these supported decision-making provisions would have a negative impact on individuals with developmental disabilities who need a guardian to make decisions for them. Based on our extensive experience serving people like Ralph and Joe with a wide range of abilities and needs, we know that supported decision-making can benefit people like Joe who have the capacity to make decisions without reducing the effectiveness of the guardianship supports that people like Ralph need. Although current law does not prevent people from getting help to make decisions, these provisions would ensure that their decisions are respected when they have not been found incompetent and in need of a guardian. By contrast, guardianship remains an option for anyone who meets the current legal requirements.

Chair Romanchuk and members of the committee, thank you for allowing me to testify as an interested party on HB 96. I will be happy to answer any questions at this time.