

# Empowering People Inc.

Senate Health Committee

Testimony of Kurt A. Miller

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Chairperson Huffman, ranking member Antonio and esteemed members of the health committee, my name is Kurt Miller and I am the President/CEO of Empowering People Inc. I would like to thank you all for your time and consideration today. Empowering People is a provider of services to Ohioans with intellectual and developmental disabilities. We provide ICF services to over 700 Ohioans with disabilities, home and community based waiver services to over 125 Ohioans with disabilities, and day array services to over 500 Ohioans with disabilities. This is only possible through the hard work and dedication of the over 1200 wonderful employees we are fortunate to employ within our organization. Their sacrifice, selflessness and commitment to the people we serve was monumental in surviving the Covid-19 pandemic. They placed the health and welfare of the people we serve over their own, sacrificing time with their own families to serve Ohioans with disabilities. There are no words that can truly express my gratitude for the dedication they displayed. It was inspiring to see the best the human spirit has to offer.

I would like to ask you all to take a moment and picture a ship floating on the water. The ship begins to take on water and flounder. Immediately, the people in the boat grab their buckets,

work together, and begin to bail the water. Days pass, weeks, months and eventually years. As time passes, the people begin to tire, the people cannot continue at the same pace, and others jump ship altogether. Unfortunately, the water eventually becomes too great a burden and the ship sinks.

This picture is an accurate illustration of the intellectual and developmental disabilities field. For years, providers have found a way to bail the water and stay afloat. Yes, providers may have tired, yes people may have jumped ship, but providers have always found a way. However, the day is fast approaching with the added weight of Covid-19, the enhanced unemployment benefits, and the child tax credit that will take effect in July that the burden will be too much to bare and the ship will sink.

The workforce crisis has been discussed by many in your committee. I can honestly say that the crisis is not just a crisis, it is an emergency. Our agency is one of the larger providers in the state and we provide a wide array of the services available in Ohio. Currently, we have over 170 full and part time direct support professional positions available in our various locations. When you include other positions, such as front-line supervisors who directly support the DSPs, the numbers grow even more. We are losing employees faster than we can replace them. In the past 18 months we have provided 2 wage increases in addition to annual increases that have had minimal effect with recruitment and retention

These openings are driving our organization to make difficult decisions. We have not been able to expand our services in any of the areas we currently operate. Unfortunately, it is causing us to look at the services we currently offer and evaluate the need to consolidate, meaning we may have to ask people currently being served independently to move into homes with other people or our agency will provide notice to the county that we are unable to continue to provide

services. This will allow our organization to maximize our most valuable resource, the direct support professionals. Many of these counties, such as Preble, Clermont, Stark, Summit, Richland, and Hamilton are represented by all of you that sit on this committee.

I am typically an optimistic person, finding and leading through the hope and belief that upside is always just around the corner. Recently, that optimism has turned to fear. Fear of a system that substantially lacks the workforce to support people with disabilities. Fear of a lack of awareness at how grave the workforce issue is and how quickly it continues to worsen. Fear that it will take a group of people losing their provider overnight, placing those people served at risk before the workforce emergency truly resonates with those that can truly make a difference.

It is imperative that while combating the workforce issue that we invest uniformly in the full spectrum of services, not just community based waivers. While community based waiver services are essential to many, so are the bundled services offered by ICFs, which is the federal entitlement program, and day programs. What makes Ohio's I/DD system so successful and effective is the array of services Ohio offers that allow families a choice to best serve their family members.

For the reasons listed above I am respectfully requesting this committee consider the following proposals to HB110:

- A 5% rate increase in homemaker/personal care services, vocations services, and non-medical transportation services over the biennium. This would provide much needed funding to combat the ever-growing workforce emergency.
- A 1.5% rate increase the first year of the biennium and a 3.5% increase the second year of the biennium for all ICF providers. This will allow us to continue the formula contained in statute as written. Further, I am respectfully requesting that for the first

year of the biennium that ICF providers be given a choice of either running the formula or accepting a rate freeze. This will allow options to providers that were affected so differently by the Covid-19 pandemic.

- A task force be created to help address and focus solely on the workforce emergency and establish initiatives to combat the emergency.

Finally, I want to offer my full support of the Protection and Advocacy Transparency Amendment. This amendment will provide invaluable insight into the priorities and practices of Disability Right's Ohio, the patient advocacy organization. Recently, DRO has visited 2 ICF homes that Empowering People operates to interview residents that reside there. When we contacted the guardians to notify them of the visits many communicated that they did not want the visits to occur since this issue had been discussed numerous times previously. DRO, citing case law, stated the interviews would occur absent the guardian's consent. Additionally, no staff associated with the provider were allowed access. I struggled to explain this to the guardians, many of whom question how as guardian their wishes could be so easily dismissed. Especially when residents with guardians have been deemed incompetent by a court of law.

When the purpose of the visits were disclosed, to discuss exit waivers, it also became very frustrating for the guardians and providers. All of the people and guardians currently residing in an ICF received exit waiver counseling as part of a previous budget. Additionally, all people currently looking for services that choose an ICF must receive counseling prior to accepting an ICF placement. Finally, as part of individual service plan meetings, the team must discuss exit waiver options annually. Therefore, these visits are a replication of services when DRO could

use their resources for other worthwhile initiatives. The amendment would allow families and providers to be better informed of DROs priorities and vision for the field.

In closing, the workforce emergency is undeniably the most urgent issue facing the field of intellectual and developmental disabilities. Providers have been sharing this concern for years and it has truly achieved emergency status. Absent a substantial investment I fear that our most vulnerable citizens will be left without the valuable supports required to fully live the life they deserve. I once again thank you all for your time and I would be more than happy to answer any questions that you may have.