

As Introduced

**131st General Assembly
Regular Session
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H. C. R. No. 21

Representatives Romanchuk, Antonio

**Cosponsors: Representatives Smith, R., Sears, Sprague, Grossman, Baker,
Ruhl, Brenner, Bishoff, Thompson, Reineke, Green, Henne, Smith, K., Dever,
Rogers, Koehler, Stinziano**

A C O N C U R R E N T R E S O L U T I O N

To urge the Congress of the United States to request 1
that the federal Centers for Medicare and Medicaid 2
Services revise its guidance on employment 3
services for individuals with developmental 4
disabilities to maintain their right to 5
participate in programs offered by facility-based 6
day programs, training centers, and sheltered 7
workshops. 8

**BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF
OHIO (THE SENATE CONCURRING):**

WHEREAS, Facility-based programs, such as day programs, 9
training centers, and sheltered workshops, give Ohioans with 10
developmental disabilities the opportunity to gain new 11
skills, meet new people, and make meaningful contributions to 12
society; and 13

WHEREAS, Many Ohioans with developmental disabilities 14
choose to participate in programs offered by facility-based 15
day programs, training centers, and sheltered workshops and 16
receive great personal and social benefit from doing so; and 17

WHEREAS, The parents, guardians, and caregivers of many 18
Ohioans with developmental disabilities are very supportive 19
of facility-based day programs, training centers, and 20
sheltered workshops and can attest to the benefits their 21
programs provide; and 22

WHEREAS, Often, funding for services provided by 23
facility-based day programs, training centers, and sheltered 24
workshops is obtained through home and community-based 25
services Medicaid waivers granted under section 1915(c) of 26
the Social Security Act; and 27

WHEREAS, The home and community-based services Medicaid 28
waiver program has been used in Ohio for many years to 29
provide services for individuals with developmental 30
disabilities and allows states to provide a range of services 31
to Medicaid-eligible individuals who would otherwise require 32
institutional care; and 33

WHEREAS, According to the Ohio Association of County 34
Boards Serving People with Developmental Disabilities, county 35
boards of developmental disabilities provide case-management 36
services as well as actual delivery of community-based 37
services to over 14,500 individuals through the home and 38
community-based services Medicaid waiver program and 39
coordinate early childhood services, educational services, 40
residential services, and employment services for more than 41
90,000 children and adults; and 42

WHEREAS, There is growing concern that regulations 43
adopted by the Centers for Medicare and Medicaid Services of 44
the United States Department of Health and Human Services and 45
contained in 42 C.F.R. 441.301 significantly change the home 46
and community-based services Medicaid waiver program and will 47
reduce opportunities for individuals with developmental 48
disabilities to participate in programs offered by facility- 49

based day programs, training centers, and sheltered 50
workshops, including those offered by county boards of 51
developmental disabilities; and 52

WHEREAS, County boards of developmental disabilities 53
that provide case-management services as well as actual 54
delivery of community-based services should remain as a 55
service option and choice for individuals with developmental 56
disabilities; and 57

WHEREAS, Individuals with developmental disabilities 58
should be free to choose the settings in which they receive 59
services, including facility-based day programs, training 60
centers, and sheltered workshops; now therefore be it 61

RESOLVED, That we, the members of the 131st General 62
Assembly of the State of Ohio, strongly urge the Congress of 63
the United States to request that the Centers for Medicare 64
and Medicaid Services reconsider the changes concerning 65
participation in programs offered by facility-based day 66
programs, training centers, and sheltered workshops and 67
permit individuals with developmental disabilities to freely 68
choose the settings in which they wish to receive employment 69
services; and be it further 70

RESOLVED, That the Clerk of the House of Representatives 71
transmit duly authenticated copies of this resolution to the 72
President of the United States, the United States Secretary 73
of Health and Human Services, the Director of the Centers for 74
Medicare and Medicaid Services, the Speaker and Clerk of the 75
United States House of Representatives, the President Pro 76
Tempore and Secretary of the United States Senate, the 77
members of the Ohio Congressional delegation, and the news 78
media of Ohio. 79