

Chairwoman Schmidt, Vice Chair Miller, Ranking Member Denson, and members of the Families and Aging Committee,

My name is Jennifer Clatterbuck. I currently work as an Early Intervention Service Coordinator for my county. My 15-year-old daughter has significant medically complex needs including intractable epilepsy, is j-tube fed, requires daily suctioning, is nonverbal and uses an AAC device to communicate. I'm speaking out for her, but I'm also speaking out for the families I serve who will need DODD and the county board to be who they claim to be in order to survive the challenges that lie ahead of them.

I would like to begin my testimony with the quote by Hubert Humphrey "The ultimate moral test of any government is the way it treats three groups of its citizens. First, those in the dawn of life — our children. Second, those in the shadows of life — our needy, our sick, our handicapped. Third, those in the twilight of life — our elderly." I ask that you keep this quote in your thoughts as you listen to today's testimony and hold the power to make a difference for one of Ohio's most vulnerable populations.

I had heard reports of provider shortages, but was fortunate to have my sister as my daughter's provider part time. I had to move from working full time to part time due to my daughter's significant medical needs, the fact she is immune compromised, and because the county board was unable to find a second provider to cover the rest of her hours. My family has personally been searching for a provider for my daughter for over two years, so I was very excited when, two months before we were going to lose our part time provider, I found someone I knew and trusted who was interested in being trained as my daughter's provider. You can imagine my shock and disgust when, two months later, she still hadn't been hired by an agency let alone begun training. She regretfully told me she was no longer interested at that point.

This forced me, as a single mom, to fight to become my daughter's paid provider even though that was never my plan. I succeeded, but there was a catch. I was told I could do it only until a "willing and able" provider was found. I worked with my boss and we found a way for me to continue my job with them, while I wasn't billing for my daughter, so I wouldn't suddenly be left without a source of income when a provider was found. The county board told me I couldn't do both and pushed me to quit my job. Thankfully Pay Family Caregivers National Coalition spoke out on my behalf. Once this issue was addressed, they tried to talk me into billing for fewer hours with her and attempted to guilt me into doing so because I was taking away from "local funds" to cover my hours. The county board then tried to nitpick the hours I was allowed to work and told me if I worked weekend hours, I wouldn't be paid for them.

Shortly after that, the county board asked to schedule a meeting with me without being forthcoming as to the purpose of the meeting. During that meeting, they announced they had found a provider out of Columbus, two hours away from us. They didn't want to tell me anything about this agency and only provided vague answers to my questions. I requested the compliance report of the agency, which they refused to give me. I requested the name of the provider, which they refused to give me. They claimed this was only an interview and I didn't need that information. But here's the other catch. Once that agency is in my home for an interview, the county board has been given the power to deem them "willing and able". And if I say no and don't agree, too bad. They have the final say. Either I let them in or I give up being paid since I didn't accept the provider they deemed "willing and able". This wasn't just a simple interview.

I had to get an attorney involved to receive the compliance report (which I am legally entitled to) and that report showed this agency had 8 citations for very serious issues including: **Not developing a written training plan that is**

**consistent with the needs of individuals, best practice, and requirements 5123-02-8 Appendix A and Appendix C, failing to ensure staff did not provide direct services for more than 60 days after employment without results of BCII/FBI record checks, no evidence that service plan or plan of care was being implemented and no HPC documentation was available for the last 3 months of service, failed to evidence that individuals in direct support positions were enrolled in rapback, no evidence of employee annual notification explaining conduct for which an employee may be included on the abuser registry, many other registry checks, including Inspector Generals exclusions, Sex Offender and Child Victim Offenders Database, Abuser Registry, and Database of Incarcerated and Supervised Offenders had not been checked prior to hire. The provider failed to evidence that staff, prior to employment, signed a statement: • Attesting that the staff person will notify the provider within 14 days if charged with, is convicted of, pleads guilty to, or is found eligible for intervention in lieu of conviction for a disqualifying offense, AND • Attesting that the staff person has not been convicted of, pleaded guilty to, or been found eligible for intervention in lieu of conviction for a disqualifying offense.**

I have yet to see proof that the plan of correction has been implemented or that there has even been any further oversight of this agency. The county board was aware of this and this is exactly why they didn't want me to have the compliance report. They were ready to push for this agency to take over care of my medically complex, non-verbal child. They could have been welcoming a sex offender, an abuser, or a criminal into my home and neither my daughter or I would have had a say about it. In DODD's own words, "they have worked closely with county boards to ensure this rule is successfully implemented as drafted. DODD retains oversight and responsibility for this rule to ensure this continues." In that case, this is first and foremost DODD's failure. So the question I have for all of you is, if you find it acceptable to put individuals with intellectual and developmental disabilities into the care of people who will most likely harm them, either intentionally or unintentionally, then what is the real reason you are so opposed to parents being paid as providers?

My daughter has been harmed by a provider before. My daughter, who had only ever known complete love and acceptance and was full of joy, fell into a deep depression and became a shell of herself, terrified of everything, for months. And because she could not verbally articulate what happened, there was no justice for her. That woman is out there working with someone else's non-verbal loved one. As a result, my daughter participates in every interview for providers and afterwards, she lets us know how she feels about them. Even though her feelings should matter, they don't and won't, when push comes to shove with the new paid parent provider rule. The people given the power to decide would have her placed in the care of someone who is not safe for her and we already know if she is harmed, there will be no justice for her and no consequences for the abuser. I can't think of a more effective way to send her the message that her rights don't matter, her safety doesn't matter, and she doesn't matter.

We are currently living in limbo. I am not her permanent provider and she is not guaranteed the continued safety and security of my loving, knowledgeable care. I spoke with my daughter today about what is going on. I asked her how she felt about DODD and her SSA and other people who claim to care about her, allowing her to be put in dangerous situations. She told me it made her feel grumpy and sad. I can't imagine understanding that you have no control over whose care you are left in. I can't imagine living in fear that you could be harmed or neglected at any moment. I implore you to do your moral duty and help keep her safe by enacting a rule that will ensure she remains in the care of those who love her most. I ask you to take action that will show my daughter that our government cares about how she is treated.

Respectfully,  
Jennifer Clatterbuck

