



**The Nord Center**  
*Transforming Lives. Together.*

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**Chief Executive Officer**  
**Senate Community Revitalization Committee**  
**Testimony on SB 105**  
**May 31, 2023**

Chairman Johnson, Vice Chair Hoagland, Ranking Member Sykes, and members of the Senate Community Revitalization Committee thank you for allowing me the opportunity to testify today on SB 105. My name is Don Schiffbauer and I am the chief executive officer of The Nord Center. We are a community behavioral health agency centered in Lorain County in northeast Ohio. Our mission is to engage our community to achieve mental and emotional health through prevention, treatment and advocacy. Our five service lines include adult behavioral health services; child and adolescent behavioral health services; residential services; rape crisis and sexual assault services for both adults and youth; and crisis services. We do not accomplish our mission on our own. Our ability to execute our mission is the result of the critical partnerships we have with other agencies in our community. Those agencies include The LCADA Way, Lorain County Health and Dentistry, Lorain County Public Health and a peer support agency called Let's Get Real. One of our strongest partners in achieving our mission is our very own Mental Health Addiction & Recovery Services (MHARS) Board of Lorain County, the executive director of which is Michael Doud.

I stand before you today to bring awareness to language within proposed Senate Bill 105: language that seeks to eliminate the 120-day notice and dispute resolution process in provider contracts.

I have spent my entire professional career in the healthcare space; the majority of it in a hospital setting. During the course of my 20 years in administration, I can barely recall an



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agreement, outside of an at-will employment agreement, that does not include some type of out clause. Contractually, out clauses are designed to protect both parties engaged in an agreement, but in a healthcare setting, there's another party that needs to be protected and that is the patients and clients that contracts, either directly or indirectly, impact. Creating an environment where the abrupt termination of a contract forces a healthcare provider to "turn on a dime," not only leads to angst and disruption of care, but also can stunt the growth and development of the system of care within a community.

The 120-day notice and dispute resolution process, as you have heard my colleague(s) say, is the only consistent contract requirement mandated under Ohio law. Not only does this provision allow for adequate notice, but also it allows for adequate investment. Imagine, if you will, as a business owner, the prospect of building inventory supply, or investing in some other type of resource necessary for the provision of services or production of goods for the customers that you serve. You would want to ensure stability and consistency in that supply chain. What is different about behavioral health agencies is that we do not make widgets; we do not produce anything tangible; we do not have raw materials coming in and refined materials going out. Our book of business is much more important than that. It has a higher purpose and the material that we are working with is the most precious thing there is. The human beings that walk through our doors, call our hotlines, come to our rape crisis centers, need to know, that the behavioral healthcare resources in their community are going to be there when they call. They should never have to worry about whether the contract underlying those services is reliable. The predictability of changes in our contracts allows organizations, like The Nord Center, the ability to grow and evolve their services to meet the needs of those human beings.



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Eliminating the 120-day notice or dispute resolution process, introduces uncertainty, trepidation and most certainly a lack of willingness to make substantial and critical investments in the future development of services. Furthermore, it creates an environment where the focus shifts from the human being to the operational maintenance of the agency. Ohio Revised Code Chapter 340 lists what our Mental Health, Addiction & Recovery Services Board of Lorain County is responsible for. We support each one of those such as: 1) establishing a unified system of treatment protecting the personal liberties of persons with mental illness; 2) fostering the development of comprehensive community mental health services and; 3) promote the participation of persons receiving mental health services; and there are a number of others. We need our Mental Health, Addiction & Recovery Services Board of Lorain County to function in this capacity. We need it to advocate for those in our community that are some of the most marginalized and vulnerable, especially in the absence of equity and parity between behavioral health and physical medicine. By allowing our MHARS Board to remain client-centered and community-centered, it can in turn promote the focus on the human being by the provider agencies through the provision of high-quality and high-value, behavioral health and substance use disorder treatment.

Thank you again for the opportunity to testify before you today. I am happy to answer any questions that you may have.

Respectfully Submitted,

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