

# DAA's Comments to Executive Budget Proposals for the Department of Developmental Disabilities

The Office of Health Transformation (OHT) summarizes the Executive Budget proposals for the Department of Developmental Disabilities (DODD) in its [report](#), "Enhance Community Developmental Disabilities Services." OHT claims the Administration's budget proposals will help more individuals receive services in the community while allowing "those who wish to remain in their current setting to do so."

However, in sharp contrast to these assurances, OHT also declares that the Executive Budget:

- "Closes the front door on large ICFs in January of 2016" and will "divert ICF admissions."
- Will "replace workshops and facility-based day services."

It's clear that the Executive Budget is about **eliminating** choices for people with intellectual and developmental disabilities rather than expanding choices.

## "Closing the front door on large ICFs"

OHT is not shy about its plans,

"The Executive Budget focuses additional reforms on large ICFs, both **reducing the number of people who live in them** and offering community-based alternatives." (**Emphasis added.**)

OHT singles out large ICFs, but in practice, **both large and small ICFs will be harmed.** ICF homes, large and small, will face increasing regulation which will make it impossible for ICF homes to cover costs, and thus to operate. Some ICF homes will be forced to shut-down; others will have to eliminate beds and reduce vital services which residents have come to rely on.

The Executive Budget proposals include:

- **Closing an ICF bed** without compensating the provider if a resident should choose an alternate placement. As such, OHT seeks to take the private property of an ICF provider and its ability to deliver services to other individuals entitled by law to an ICF home placement.
- A **flat rate** on individuals classified as having "less profound disabilities." OHT plans to reduce the reimbursement for these individuals making it impossible for ICF homes to cover costs. The flat rate removes \$30 million in funding from ICFs which care for both low and high acuity residents, financially decimating these settings.
- **Removal of the grandfather clause** which permits more than two people per bedroom and a prohibition on new admissions until two beds per room is achieved. ICF homes constructed in the 1970's were built according to rules which allowed four individuals per room. Arbitrarily changing well laid-out standards means playing with lives of individuals with I/DD who are receiving safe and compassionate care in the setting of **their choice.** Prohibiting new admissions means affected ICF homes will become less efficient and unable to cover costs.
- **Diverting admissions and limiting access to ICFs**
  - (1) Parents and guardians will receive "**options counseling**" with an "independent" third party contracted by the DODD. How can such a party be independent when it receives its compensation from the State of Ohio?
  - (2) A **recommendation** will be required from the County Board of DD and the DODD before an individual is placed in an ICF. We are told that the individual has the final say, but how will naive, young parents, many facing these gut-wrenching decisions for the first-time, be able to protect themselves from a DODD more hell-bent on "transformational change" than caring for individuals.

***Through closing beds, flat rates, changing standards, and diverting admissions, OHT and DODD blatantly seek to interfere with the ability of individuals with I/DD to access a long-honored, federally-mandated Medicaid entitlement which provides life-sustaining nursing and behavioral support and protects the health and welfare of Ohio's most fragile citizens.***

***The question must be asked: Why, given the purported interest in community living and the corresponding increase in waiver funding, are proposals to divert and limit access to ICFs necessary? Could it be that individuals with I/DD and their parents and guardians still desire and prefer an ICF home setting?***

## **“Replace Workshops and Facility-Based Day Services”**

OHT claims it will replace workshops and facility-based day services with “new service models that promote community employment and integrated day services.”

OHT states that DODD will provide “leadership” to develop a “new array” of services and there will be a “prolonged timeframe” to transition individuals.

**OHT speaks in generalities because it does not have specifics.**

Meanwhile...much loved facility-based day services and workshops which have proven successful are being closed and individuals with intellectual and developmental disabilities and their families are left with no options and many questions.

**We are left to wonder: “What is the Ohio Assembly to vote on...a promise of programs to come?” The emperor has no clothes.**

OHT mentions that, “The Governor’s second budget...created a presumption that all individuals with developmental disabilities are capable of community employment.”

What about those individuals who are not capable?

OHT states that Employment First will provide individuals skills and support to obtain meaningful work.

But, what about those individuals who cannot obtain the needed skills?

***Denying the existence of individuals who cannot handle community employment does not mean those individuals do not exist.***

### **“Meaningful” Work**

OHT’s use of the word “meaningful” to describe community employment suggests that employment in facility-based workshops and days services is not meaningful. Such a notion is discriminatory and stigmatizing and demeans the efforts of tens of thousands of Ohioans with intellectual and developmental disabilities who take advantage of the opportunities offered in facility-based programs.

**DAA categorically rejects the idea that specialized settings designed to promote the well-being and enhance the skills of individuals with developmental disabilities are less valuable than so-called “community” settings. DAA asserts that individuals with intellectual and developmental disabilities are equal and valued members of society and have the legal right to choose the settings in which they wish to work and reside and have the legal right to choose the individuals with whom they wish to associate.**

**For more information and to object to these proposals go to  
[www.DisabilityAdvocacyAlliance.org](http://www.DisabilityAdvocacyAlliance.org) to print and sign our petition.**

**If not Us, who?**