

May 19, 2015

Chairman Dave Burke
1 Capitol Square
Columbus, Ohio 43215

Ranking Member Capri Cafaro
1 Capitol Square
Columbus, Ohio 43215

Vice Chairman Gayle Manning
1 Capitol Square
Columbus, Ohio 43215

Dear Chairman Burke, Vice Chairman Manning and Ranking Member Cafaro,

At the Medicaid Committee hearings on May 14th, the Committee heard testimony from individuals both in favor of and opposed to amendments made by the House of Representatives to the Developmental Disabilities Bill of Rights. The primary point of discussion was over the language pertaining to guardians:

"The rights of persons with mental retardation or a developmental disability to exercise choices by or with the aid of family members or other guardians..."

The addition of this language recognizes guardianship law as many individuals with intellectual disabilities require a guardian to assist in decision making.

The definition of developmental disabilities on the Department of Developmental Disabilities website reads:

"Conditions that may impair physical or intellectual/cognitive functions or behavior, and occur before a person is 22."

Given this definition, language in the DD Bill of Rights must respect the needs of individuals **with** an intellectual disability and the needs of individuals **without** an intellectual disability. The language passed by the House recognizes this continuum. The amendments enable individuals who need a guardian to seek advice, while allowing individuals who are their own guardians to make decisions.

The amended language could be improved upon to ease concerns, however. We offer the following language as a solution:

"The rights of persons with an intellectual or a developmental disability, acting individually or through responsible family members or other guardians, to exercise choices among residential or employment accommodations include, but are not limited to, the following:"

The DD Bill of Rights should address the needs of the **full range** of individuals with intellectual and developmental disabilities. To address concerns raised in Committee, we urge the Senate Medicaid Committee to improve upon the House passed version

with the language proposed above. Doing so brings the DD Bill of Rights in line with guardianship law, recognizes the continuum of needs and ensures that individuals with profound intellectual disabilities have a means by which to access their rights.

Sincerely,

A handwritten signature in blue ink that reads "Caroline Lahrman". The signature is written in a cursive style and is positioned on a light yellow rectangular background.

Caroline Lahrman
Disability Advocacy Alliance
Spokesperson

CC:

Chairman Scott Oelslager, Senate Finance Committee
Ranking Member Michael Skindell, Senate Finance Committee
Members of the Senate Medicaid Committee