Ohio at a Crossroads: Developmental Disabilities in Ohio

By Rose Frech, Research Fellow
The Center for Community Solutions

This article features excerpts from our upcoming study, Ohio at a Crossroads: Developmental Disabilities in Ohio, authored by Rose Frech, CCS research fellow; Jon Honeck, Ph.D., director of Public Policy; and Kate Warren, graduate assistant, Maxine Goodman Levin College of Urban Affairs, Cleveland State University. This study explores the complexities of the Developmental Disabilities system in Ohio, and the many pending changes that will have a transformational impact on service delivery. Specifically, we focus on adult services, including Medicaid Waivers, Intermediate Care Facilities (ICFs), and employment supports, such as sheltered workshops. Today, we will provide an overview of waiver services and challenges. We look forward to releasing the complete study, including a set of recommendations, in the coming weeks.

Ohio is at a turning point in establishing best practices for serving persons with developmental disabilities, as philosophies of best practice are evolving. Key stakeholders believe that impending changes, such as CMS rule change and ICF downsizing, are likely to cause the most significant transformation the system has experienced in decades. Ohio remains reliant on certain services that are no longer considered to be best practices (including sheltered work and large institutional facilities), and while system reform is undoubtedly necessary, promises of large-scale change have led to much uncertainty on the part of consumers, family members, and providers alike.

Despite Ohio’s heavy reliance on residential treatment facilities (private ICFs and state-run Developmental Centers), many adults with developmental disabilities are able to live in a home setting with the support of home- and community-based services (HCBS). Medicaid HCBS waivers allow individuals with disabilities to “waive” their right to institutional care, such as a long-term care facility, in favor of living in their own residence, in a community-based “waiver home,” or with friends or family. Medicaid Waiver Programs pay for services such as non-medical transportation, employment and day services, nutrition assistance, respite for caregivers, certain therapies, accessibility modifications, and personal care assistance. Unlike ICFs, waivers do not reimburse for room-and-board costs. In total in Ohio, there are four different waivers available for individuals with developmental disabilities. County boards of developmental disabilities pay for three of the most commonly used waivers with levy funds. Boards serve approximately 90,000 individuals annually; about 31,000 were enrolled in these three waivers in 2014. Although best practices include shifting consumers to community-based services when possible, waiver administration, funding constraints, and long waiting lists pose challenges. As of October, 2014, there were over 45,000 people on waiver waiting lists across the state. At least 22,000 have current unmet needs. Many factors contribute to long waiver waiting lists, including a lack of adequate local funds to match federal money. Declining or stagnant property values may limit a County Board of Developmental Disabilities’ overall levy returns. Decisions by some Boards to divert available funds to other programming, such as sheltered work, are...
also a potential contributing factor to limited waiver accessibility.

**Centers for Medicare & Medicaid Services (CMS) Rule Change**

Ohio is preparing to implement changes to Medicaid rules that narrow the services for which Medicaid will reimburse, with a greater emphasis on integrated, community-based services and outcomes. These changes are intended to guarantee that individuals served through Medicaid waiver programs have access to integrated, community services to the same degree as individuals not receiving waiver services.

Most controversial are the impending changes to adult day/work programs, which will need to be redesigned to promote community employment and integration in order to come into compliance. Ohio’s Department of Developmental Disabilities (DODD) has emphasized that this does not necessarily mean competitive, integrated employment for all, but rather that all individuals enrolled in waiver programs will receive meaningful services in integrated, community-based settings as opposed to segregated campus-like environments, such as sheltered workshops. This rule change will impact approximately 23,000 Ohioans with developmental disabilities who are currently in sheltered work or otherwise segregated day settings.

Also facing controversy are the CMS rules which call for “conflict free” case management, stating that “providers of HCBS for the individual, or those who have an interest in or are employed by a provider of HCBS for the individual, must not provide case management or develop the person-centered service plan, except when the State demonstrates that the only willing and qualified entity to provide case management and/or develop person-centered service plans in a geographic area also provides HCBS.”

Currently, most County Boards provide services directly to individuals, including Medicaid waiver HCBS services, as well as directly providing Service and Support Administration (case management) services, to complete eligibility determinations, develop service plans, and connect people to recommended services. Therefore, under this rule, many Boards could be forced to abandon a large portion of their service provision, and discontinue delivering services directly. Boards that have already embraced service privatization will experience minimal change; however Boards that operate expansive day and sheltered work programs face a significant transition.

Several Boards have issued public comments citing their disagreement with the rule changes, arguing that the outcome will decrease client choice, disrupt services for many, and may diminish the visibility of the Boards in Ohio, therefore jeopardizing levy support. Some Boards, particularly in rural areas, fear that the private provider pool may be insufficient to meet the need, while others have concerns about the state’s ability to provide adequate oversight over a growing private market. Proponents believe that the rules will remove any conflict-of-interest incentives, inherent in the existing system, and decrease costs as services privatize. This cost savings could lead to an increased ability to offer waivers to those waiting for them.

The Office of Health Transformation facilitated a committee that has developed a Transition Plan to address how Ohio will comply with the new rules. Completed transition plans are due to CMS in mid-March, 2015, at which point CMS can reject or accept the plans. CMS has stated an allowed mandated a period of transition not to exceed five years; Ohio is planning to request 10 years for certain provisions of the rule change.

**The Governor’s Budget**

In February, 2015, Governor John Kasich announced his 2016-2017 biennial budget. The Budget proposal included substantial investments in developmental disability services; $102 million over 2015 levels, over the course of the next two years. DODD has announced that, if approved, spending would target ICF downsizing efforts, community employment, and notably, the addition of 3,000 waivers. Other Medicaid budget items may also have an impact on the system. This includes the prospective phase-out of independent Medicaid providers, which is anticipated to impact many consumers and families.

These budget recommendations demonstrate a shift in policy and a firm commitment from the administration to increase community inclusion in both employment and residential settings. However, a long-term solution to the state’s complex waiver problem must be developed. As the state seeks to downsize ICFs and
Developmental Centers, the need for HCBS waivers will only increase in the coming years, leading to a potentially growing waiting list. Furthermore, as caregivers age, natural supports for individuals living with family may decrease, leading to the need for additional community supports. A change in culture and attitude within the developmental disabilities community, already under way, will naturally lead to more individuals seeking community supports in lieu of institutional services.

Currently, the number of individuals enrolled in waivers represents only about 44 percent of individuals estimated to have severe developmental disabilities. Assuming a waiver system is transformed to serve 70 percent of the state’s total individuals who need an ICF level of care, waiver enrollment would need to grow by over 15,000.

1 Data provided by the Ohio Department of Developmental Disabilities

Meet the Author: Rose Frech, Research Fellow

Rose Frech joined The Center for Community Solutions in August, 2013.

Prior to joining Community Solutions, Rose held a variety of direct service and management positions in the social service field, in both rural Southeastern Ohio and urban Cleveland. Her experience includes work with child welfare, Head Start, inpatient and outpatient mental health, and early intervention. For the past five years, her focus has been on supporting low-income children and families, through work as a system coordinator, program manager, counselor, and home visitor. Most recently, Rose worked for a collaborative group of child serving organizations to develop and implement a county-wide system to access Early Childhood Mental Health services. A licensed Social Worker in the state of Ohio, Rose is a graduate of Ohio University, where she obtained both a BA and a Master’s degree in Social Work. She may reached at 216-781-2944 x217 or rfrech@CommunitySolutions.com.

While the increases in waivers proposed in Governor Kasich’s budget are a good start, this is a problem that is sure to grow. Similarly, as waiver enrollment grows and facility-based residential services decrease, the need for housing supports will certainly increase, putting more strain on Boards as they seek to support the needs of their consumers. The current funding system for developmental disabilities in Ohio is likely unsustainable.

Interested? Read much more in our upcoming study!

We want to extend a sincere “thank you” to those who have taken the time to provide us with valuable information as we have researched this highly complex system over the past several months.

We’re “High On Ohio “

High on Ohio, our video series, focuses on a specific topic each month. Subscribe to our podcast on iTunes or listen to the audio version on our Website. Watch just the highlights or the full segment, and find out why we’re High on Ohio!

Visit our High On Ohio page for a new program on the House of Representative’s Community and Family Advancement Committee later this month.

Recent programs include:

- If You Had a Magic Wand... (January)
- HIV/AIDS in Ohio in 2014 – The Future of Ryan White, Barriers to Health Care, and Opportunities for Prevention (December)
- Not All is Cool in Cleveland: Neighbors in Need (November)

Please share your thoughts:
info@CommunitySolutions.com.
CCS Staff News

- Jon Honeck and Rose Frech will host a *The Developmental Disabilities System in Ohio: A System in Transformation* Webinar at 2:00pm on March 30.
- John Corlett, Emily Campbell, and Rose Frech will be presenters at the 5th annual *Cuyahoga County Conference on Social Welfare* on March 27.
- Policy Director Jon Honeck presented a Human Services Overview at Leadership Ashtabula on February 19.
- Policy Director Jon Honeck was a panelist for the Food for Advocacy: State Budget Overview and Highlight on Hunger Webinar on February 12.
- Policy Associate Tara Britton was a panelist at the Ohio Disability Policy & Advocacy Briefing in Columbus on February 6.

Media Notes

- John Corlett, CCS president and executive director, is featured on Cool Cleveland. Watch the video [here](#). (2/19/15)
- John Corlett was quoted in *The Capitol Monitor’s* “Human Service Groups React to Proposed Budget” (2/4/15)
- Public Policy Director Jon Honeck was quoted in *The Capitol Monitor’s* “Human Services Coalition Sets Priorities, Critiques Kasich Proposals.” (2/4/15)
- Jon Honeck was quoted in the *Public News Service* and the *Morrow County Sentinel* “Report shows Ohio benefit programs moving in opposite directions.” (2/4/15)

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