April 5, 2021

*Via E-mail*

**Ohio Delegation in U.S. Senate**

Senators Brown and Portman

*Copies to:*

**Ohio Delegation in U.S. House of Representatives**

Representatives Chabot, Wenstrup, Beatty, Jordan, Latta, Johnson, Gibbs, Davidson, Kaptur, Turner, Balderson, Ryan, Joyce, Stivers, and Gonzalez

Re: Increased funding for Home and Community Based Services

Dear Senators and Representatives,

On February 5, 2021, a group of United States Senators led by Senator Bob Casey of Pennsylvania and Senator Cory Booker of New Jersey, and which included Ohio Senator Sherrod Brown, signed a letter urging the Biden-Harris administration to make good on President Biden’s campaign proposal of investing $450 billion in Medicaid Home and Community-Based Services (HCBS).[[1]](#footnote-2) We are writing to express our support for the increased funding for Home and Community-Based Services and to urge our Ohio delegation to continue to ask that the Biden administration work to make this increase available.

A recent survey done through a collaboration of the Breaking Silences Advocacy Committee, Access Center for Independent Living in Dayton, eleven other Centers for Independent Living throughout Ohio, and the Ohio Disability and Health Program at the OSU Nisonger Center found that 60.5 % of respondents with disabilities feared for their lives during the COVID-19 pandemic. While respondents gave various reasons for the fear, several specifically mentioned disruptions with in-home caregivers and a lack of PPE as reasons that they feared for their life. 71.9% of respondents’ ability to find necessary caregivers was affected by the COVID-19 pandemic. For those who need in-home care, the difficulty of finding in-home providers in Ohio has been a consistent and debilitating crisis for a several years.[[2]](#footnote-3)

Similarly, despite recent reforms, there are still waiting lists for many Home and Community-Based Services Waivers in Ohio, and there is a tendency by managed care companies to deny individuals with disabilities expensive equipment or procedures even when they are supporting people with disabilities to live independently in their homes.

In 2020, the Centers for Medicare and Medicaid Services (CMS) issued guidance reiterating the obligation of states to ascertain that people have access to Home and Community-Based Services as alternative to institutional care and congregate care settings.[[3]](#footnote-4) The COVID-19 pandemic has made the fulfillment of this obligation all the more crucial. In Ohio, 38% of all deaths due to COVID-19 have occurred in long-term care facilities.[[4]](#footnote-5) During the COVID Pandemic, it was safer for Ohioans to receive community supports in their own homes rather than in an institutional setting. We want to ensure that no Ohioan is forced to stay in an institutional setting due to the lack of adequate community supports. It is important to the health and safety of all Ohioans that these individuals have safe and feasible alternatives to institutional and congregate care settings, and as a result, are able to safely transition out of these settings.

The most recent COVID-19 stimulus bill that was signed by President Biden saw a 10% increase in FMAP funds for Home and Community-Based Services (HCBS) services.[[5]](#footnote-6) We applaud that increase and thank you for your efforts to support individuals with disabilities.

However, there is still work to be done. It is imperative that we ensure there is additional, long-term investment in HCBS and also that states structure services in a way that allows people with disabilities to live independently in the community. We recommend that the federal government work with states to engage in a number of reforms of the current system including:

* + Permanent increases to HCBS funding;
	+ Increase rates for home health agencies, PACE organizations whose members provide direct care, and agencies or beneficiaries that employ direct support professionals (DSPs) – including independent providers in a self-directed or consumer-directed model –to provide HCBS;
	+ Provide paid sick leave, paid family leave, and paid medical leave for home health workers and DSPs;
	+ Provide hazard pay, overtime pay, and shift differential pay for home health workers and DSPs;
	+ Reduce HCBS waiting lists.
	+ Recruit new home health workers and DSPs.
	+ Support family care providers;
	+ Pay for training for home health workers and DSPs;
	+ Assist eligible individuals in receiving mental health services;
	+ Assist eligible individuals who were forced to move to an institutional setting or nursing facility due to COVID to move back to their own home or to continue serving people who were served from a waiting list.[[6]](#footnote-7)

We wish to stress that while the COVID-19 pandemic has made the need for Home and Community-Based Services even more critical, an increase in funding, as well as the aforementioned reforms of the current HCBS system, must continue beyond the COVID-19 pandemic.

The undersigned organizations and individuals, therefore, urge you to ensure that the recent stimulus bill is only the start of further investment in home and community-based services and reforms that ensure HCBS systems truly work to support the independence of people with disabilities long-term.

Thank you,

**Organizations**

The Ability Center of Greater Toledo

Access Center for Independent Living

The Center for Disability Empowerment

Center for Independent Living Options

Disability Rights Ohio

Linking Employment, Abilities and Potential (LEAP)

Mid-Ohio Board for an Independent Living Environment (MOBILE)

Ohio Association of Area Agencies on Aging

Ohio HCBS Coalition

The Ohio Olmstead Task Force

Ohio Statewide Independent Living Council

Ohio TASH

Options for Supported Housing

Services for Independent Living

Society for Equal Access Independent Living Center

Tri-County Independent Living Center

Western Reserve Independent Living Center

**Individuals**

Deborah J. Baker

Alan Cochrun, Home Care Provider – Fairborn Ohio

Marisol Companioni

Susan Koller, Self-Advocate

Lisa Marn, PCA/LTSS Coordinator, Services for Independent Living, Inc.

Maria Matzik, Disability Rights Advocate and Home Care Recipient – Fairborn Ohio

Ann Musick

Becky Neal

Larke Recchie

Rajai Saleh

Galen Spiegler

Noah Sweeny

Theresa Sweeny

Renee Wood

1. Casey, Robert, and Corey Booker. “Casey-Booker HCBS Letter to Pres. Biden.” Received by President Joseph R. Biden, 5 Feb. 2021, www.aging.senate.gov/imo/media/doc/Casey-Booker%20HCBS%20Letter%20to%20Pres%20Biden.pdf. [↑](#footnote-ref-2)
2. Breaking Silences Advocacy Committee, Access Center for Independent Living, and The Ability Center of Greater Toledo. (2021). Unmet Needs During COVID-19 Pandemic: Survey of Ohioans with Disabilities. https://www.acils.com/sites/default/files/Unmet%20Needs%20During%20COVID-19%20Pandemic%20Report.pdf [↑](#footnote-ref-3)
3. Centers for Medicaid and Medicare Services. COVID-19 Frequently Asked Questions for State Medicaid and

Children’s Health Insurance Program Agencies. 2020. https://www.medicaid.gov/state-resourcecenter/downloads/covid-19-faqs.pdf [↑](#footnote-ref-4)
4. Since April 2020 there have been 6,602 deaths in long-term care facilities of the 17,502 total deaths in Ohio. These

numbers continue to change and are based on the data reported by the Ohio Department of Health on March 3, 2021. https://coronavirus.ohio.gov/wps/portal/gov/covid-19/dashboards/long-term-care-facilities/mortality [↑](#footnote-ref-5)
5. Diament, Michelle. “Biden Signs Stimulus Bill Sending Funds To Disability Community.” Disability Scoop, 12 Mar. 2021, www.disabilityscoop.com/2021/03/12/biden-signs-stimulus-bill-sending-funds-to-disability-community/29238/?fbclid=IwAR321Qq7aa3eNUB-k33FXnuy5lyQIkGvXFaOEYFeGI07r6OFwwCWNF62A3s. [↑](#footnote-ref-6)
6. Yarmuth, John A. “Text - H.R.1319 - 117th Congress (2021-2022): American Rescue Plan Act of 2021.” Congress.gov, 6 Mar. 2021, www.congress.gov/bill/117th-congress/house-bill/1319/text. [↑](#footnote-ref-7)