



December 13, 2022

Via Email: Ohio 134<sup>th</sup> General Assembly Members

**Re: Long Term Services and Supports (LTSS) Funding Parity**

Dear Ohio Representatives and Senators,

**We are asking our legislators to ensure funding parity across all long-term services and support systems— nursing homes and home and community-based services (HCBS). If funding for nursing homes will be increased, we ask that equal funding is given to HCBS settings.**

We are aware that the 134<sup>th</sup> General Assembly seeks to allocate \$615 million from GRF line item 651525 to conduct a nursing home rebasing. This funding would provide immediate relief to Ohio nursing facilities. While we are not asking that our state refrain from giving nursing homes additional funding, we are asking that the funding increase be applied equally to Home and Community Based Services.

As many of you are aware, Ohio is experiencing a direct care crisis. Many care settings are experiencing a shortage of workers and resources. However, this impact is felt most acutely within our HCBS system – services provided through Departments of Medicaid, Aging, and Developmental Disabilities. **Ohio must ensure that all care settings have equal access to funding.**

The U.S. Supreme Court’s 1999 *Olmstead* Decision places a duty on state and local governments to ensure that people with disabilities have a choice to live in the most integrated setting appropriate to their needs. *Olmstead v. L.C.*, 527 U.S. 581(1999). Under *Olmstead*, the state of Ohio has a duty to ensure that there are enough resources available to people with disabilities to allow them to live independently in our community. This means that our state must commit to investing in our HCBS system.

Disproportionately funding facilities, like nursing homes, will further hurt HCBS systems as workers will have no choice but to go where the highest paying jobs are available. This could jeopardize an individual’s right to choose where to receive their LTSS.

We strongly urge policymakers to consider the importance of parity in funding across service systems so there is equal opportunity to be employed in both settings and equal opportunity to receive services in both settings.

If you have any questions, please contact the undersigned.

Sincerely,

Katie Hunt Thomas  
Attorney and Director of Advocacy

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Disability Rights Advocate



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