



Thank you for the opportunity to provide feedback on the draft rules intended for implementation on October 15, 2021. While we understand and appreciate the need for DODD to reconcile these emergency provisions and create permanent rules given the expiration of Ohio's State of Emergency, we believe the drafts have been developed in haste, without appropriate stakeholder feedback on several key items. The proposed changes to rules 5123-9-06, 5123-9-14, 5123-9-17, and 5123-9-33 contain several substantive changes to the current service delivery structure that would create adverse business impacts for providers and limit the ability of individuals to access person-centered supports as our system attempts to build back from the pandemic.

The proposed draft rules regarding adult day supports (5123-9-17), and vocational habilitation (5123-9-14) contain many significant changes from how individuals have been able to receive in-person, virtual and community-based integration supports for the last several months. The proposed changes would have an adverse impact on provider reimbursement rates, and flexibility of service delivery, as well as creating new administrative burdens for already-struggling providers.

Examples of substantive policy changes include;

- The inability of individuals to access facility-based access for restrooms, meals, personal care, nursing and medication administration while also utilizing a daily rate for community-based supports. This change limits an individual's ability to meaningfully access the community while ensuring their personal and medical needs are safely attended to.
- The reduction in allowable group sizes for community-based integration and connection services from 5 to 4 individuals per group. This reduction would adversely impact a provider's ability to plan for sustainable community-based services, eliminating flexibilities currently afforded to account for an individuals' absence or change in schedule.
- A significant change in the reimbursement amounts for virtual services, which have been a promising national service model, and would be significantly limited by the proposed changes to the reimbursement rate.

Given the significance of these proposed changes and their potential impact to providers of disability services, we believe that DODD should not move forward with the proposed changes for October 15th, and allow more time for stakeholder engagement. As the Federal Public Health Emergency continues, there is no requirement for DODD to pursue these changes now, and we hope DODD will remain consistent with the service delivery options available to individuals and providers for the past several months. We believe any rules that must be filed for an October 15th implementation should ensure the same level of service access and opportunity currently available under the Appendix K/Emergency rule service structure.

We welcome the opportunity to discuss this further. Please contact me with any questions or clarifications needed.

Thank you for the opportunity to submit these comments.

Sincerely,

Scott

Scott Marks, MSW
Director Of Operations
Ohio Provider Resource Association
1152 Goodale Blvd. Columbus, OH
Mobile: 614-943-0975