

# The OADDP Newsline

**The Ohio Association of Developmental Disabilities Professionals**

A Division of The Ohio Education Association

## **OADDP LEADERSHIP MEETS WITH STATE DEPARTMENT ABOUT UPCOMING CHANGES**

Earlier this year, the federal Centers for Medicare and Medicaid Services (CMS) released new rules regarding federal funding for Home and Community Based Services (HCBS). OEA members working in Ohio County Boards of Developmental Disabilities and the individuals to whom they provide services will be directly affected by these changes. The thirty states that will be impacted by the rule changes, including Ohio, must submit a plan to CMS by March 15, 2015. Preliminary documents are due in January.

OADDP and OEA are concerned with the provisions that would restrict the ability of a County Board of Developmental Disabilities to provide direct services to individuals, as well as the strict requirements for community integration of consumers. While some boards of DD have indicated that they intend to continue to provide these kinds of services, the new rules appear to put barriers in the way of doing that. To get clarification and to provide input, OADDP leadership has met twice with representatives from the Ohio Department of Developmental Disabilities (DoDD.) Two meetings have been held to date, one in June and a second one in October.



Representatives from the department explained that the rule was about increasing integration for people with disabilities into their communities. While CMS is not telling states what to do, they have indicated that at some point, if states do not meet the requirements set forth, CMS will stop reimbursing for services that do not meet their integration criteria. The new rules cover what kinds of setting are acceptable and indicate that services cannot be provided in places where the individual being served does not have access to contact with people who are typical in their daily lives. This means that services in hospitals, Intermediate Care Facilities (ICF), sheltered work settings, or locations where the individual lives and works in the same place, will likely not be approved.

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## 2014-15 OADDP MEETINGS AND CONFERENCE

**December 6th, Lunch Break  
OEA Representative Assembly**

**January 10th, 10:30am  
Hudson Uniserv Office**

**March 6th and 7th  
Annual Membership  
Conference  
Mohican State Park Resort**

**April 11th, 10:30am  
Canton Uniserv Office**

**May 9th, Lunch Break  
OEA Representative Assembly**

**July 11, 10:30am  
Hudson Uniserv Office**

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**Hudson Uniserv Office  
591 Boston Mills Road, #100  
Hudson, OH**

**Canton Uniserv Office  
4061 Bradley Circle, NW  
Canton, OH**

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**Would you like to have  
an OADDP meeting  
closer to you?**

**Contact:**

**Christina West,  
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Under the new rules, day services models must ensure community integration, whether public or private. However, no definition of “integration” has yet been provided, though the department representatives did indicate that even one hour per day in a community setting would likely be preferable to CMS over a sheltered, all-day setting. In response to a question about work opportunities such as the dollar stores opened by county boards and being staffed by people who are county board consumers, the department representatives said that CMS has not approved those in the past, as people who are typical cannot get hired to work there.

OADDP pointed out several concerns with the new rules, including that consumers will not have the opportunity for socialization that they do now; that some people do not have the ability to participate in work activities; and that eliminating county board workshops takes away consumer choice. The department representatives answered that:

- Socialization concerns need to be addressed in places outside of work and that this aspect should be covered in each person’s Individual Plan (IP).
- For those who cannot meaningfully participate in work, there can be other options, such as social or learning settings. These day options have to be ones that offer the opportunity for community engagement and are welcoming to people with DD.
- Finally, on the question of choice, CMS stated that sheltered workshops, by definition, are not compliant with the rule. The option for new enrollees to county board services will be to get support to explore various other day settings. If nothing meets their needs, a sheltered setting *may* be approved. However, it is the opinion of the state that CMS is unlikely to approve Boards of DD as a choice as long as there are other providers in the geographic area.

When it comes to the direct services question, the new rule has a section that deals with Conflict of Interest. This provision severely restricts a County Board of DD’s ability to provide direct services, while also providing Service and Support Administration (SSA) services.

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Because it is a required and reimbursed service, County Boards will likely work to maintain the SSA function, so the potential conflict in remaining a direct service provider must be addressed. If a board wants to be a provider of day services, it would have to write a plan and have it approved by CMS, but could then not provide the SSA services, which would represent a loss of revenue.

In the past, when CMS raised the specter of a conflict of interest, Ohio successfully established a set of rules, commonly termed the Firewall Document, to address those concerns. Rather than risk the complete elimination of direct services provided by those County Boards that want to continue being service providers,

OADDP drafted letters to Governor Kasich and Director Martin asking them to concentrate on modifying the Firewall Document to adequately address the conflict of interest concerns raised in this latest rule. This would preserve an individual's right to a broad choice of service providers in the places the individual wants them. Individuals with DD ought to have the right to choose services that best suit them, including options which may be available through their local County Boards of DD. This right to freely choose needs to be part of the plan that Ohio submits to CMS.

For further information, talking points to use with your legislator, and sample letters to send to the state, see the OADDP website, [www.oaddp.org](http://www.oaddp.org).

## FREE MONEY!!!

The OADDP Public Relations Grant program is designed to support local associations in developing projects that reinforce the professional image of the CBDD employee and to enhance the image of education, work and life skills development for people with developmental disabilities. Additionally, the project should promote a positive image of your association within your community. The amount of grant depends on the proposal, but can be up to \$500.

Go to [oaddp.org](http://oaddp.org) for the application, criteria, and a list of ideas that have been previously submitted and approved. Applications can be submitted by anyone - not just the president.

### OADDP

#### **Friend of DD Award Nominations**

For the last two years, OADDP has recognized a person who has been helpful to DD members and the consumers they serve.

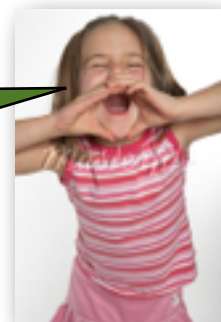
Got someone in mind who you think should be recognized?

Find the criteria and the form on the website, [oaddp.org](http://oaddp.org), or contact Christina West, [pezheado17@yahoo.com](mailto:pezheado17@yahoo.com)

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Check the website  
- [oaddp.org](http://oaddp.org) - for  
your OEA  
membership  
number. Win a  
prize if it's there!



## Local Focus...Portage County

by Christina West

### Take Your Child to Work Day

On April 10, 2014 the Portage County Board of DD held its annual “Take Your Child to Work Day,” sponsored by PCEAMR. Children between the ages of 8 and 18 joined us at our school and workshop, on our buses, and in our administration building to learn about what it takes to provide services to people with disabilities. The children not only saw what their parents do on a daily basis, they had the opportunity to learn about disability, how to use people first language, that a disability does not define a person, and that people with disabilities are just like them.

This event was supported with a \$500 grant from OADDP.