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Lorain County Board of Developmental Disabilities

Position Paper on the Provision of Direct Services by County Boards of Developmental Disabilities

The new rule promulgated by the Centers for Medicare & Medicaid Services (CMS) earlier this year has generated more questions than answers for Ohio's County Boards of DD when it comes to Medicaid waiver services. In question is whether County Boards of DD can continue to provide both Medicaid-funded direct services for people with developmental disabilities AND service and support administration.

Some here in Ohio have concluded, therefore, that County Boards of DD must resolve this perceived conflict of interest by eliminating or very substantially reducing their Medicaid-funded direct services and transforming into agencies that primarily fund and monitor services via Service and Support Administration. We at the Lorain County Board of DD disagree. We strongly believe that taking such a path would profoundly diminish the lives of the individuals we support by eliminating for many the ability to participate in the high quality direct services that County Boards of DD have provided since the Ohio General Assembly created a County Board of DD in each of our state's 88 counties in 1967. It would deny a choice that many people with developmental disabilities have made to receive their Medicaid-funded direct services from a County Board of DD. It would be paradoxically contrary to the Medicaid tenet of Free Choice of provider.

County Boards of DD were created as a result of the lobbying efforts of parents whose children local school districts refused to serve. Since their establishment, they have continually evolved to meet the changing needs of the boys and girls and men and women they support and to incorporate the best practices in the field of developmental disabilities. They have grown to offer early intervention services for young children, vocational and enrichment services for adults, and residential services for those who can no longer live with their families. Parents, families and people with developmental disabilities have shaped these programs. We strongly believe that it is in the best interest of people with developmental disabilities for County Boards to be allowed to decide, based upon their unique circumstances, whether or not to provide Medicaid-funded direct services. Prohibiting county boards from being one in an array of choices of Medicaid-funded direct service providers would substantially limit opportunities for people with developmental disabilities, and would be detrimental to those who it is our mission to serve.

We fear that the rule writers at CMS do not understand the unique role of Ohio's County Boards of DD, as compared to Medicaid-funded direct service providers that also provide case management in other states. Moreover, it is local voters and property tax payers who fund Ohio's robust system of developmental disabilities, including a large percentage of the non-federal share of the cost of Medicaid-funded direct services. County Board of DD programs are visible, concrete examples of tax dollars at work. We believe that eliminating those services would jeopardize future efforts to pass the levies that are so key to continuing critically necessary supports. In short, eliminating the choice of receiving services from us would not only limit opportunities for people with developmental disabilities and remove an important service safety net, but would also reduce our ability to be responsive to the community's expectations.

If, despite the unique role of County Boards relative to entities in other States that provide both case management and Medicaid direct services, there are conflicts or the perception of conflicts of interest, we recommend that the Ohio Department of DD can intervene to moderate them. DODD already does this very thing in other areas such as investigations of major unusual incidents and disputes over eligibility determinations.

In the well-intentioned efforts to better services for those who have developmental disabilities, we must cultivate as many options for quality services as possible. A wide array of opportunities for individuals and families means better lives for people with developmental disabilities. A well-designed system of both private and public providers ensures just that.

Adopted by the
Lorain County Board of Developmental Disabilities
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