



OHIO ASSISTED LIVING ASSOCIATION

OALA's Response to Budget Issues Impacting Assisted Living

The Ohio Assisted Living Association would like to thank the House for removing two items from the Budget Bill that would strongly impact Assisted Living communities. We ask that the Senate maintains these changes.

ODH Proposed Civil Monetary Fines Removed

ODH already has the authority to issue fines for violations of Residents' Rights [ORC 3721.17 \(F\)](#) and for licensure violations [ORC 3721.99](#). The new proposed language in the initial House bill expanded when fines could be assessed, including for lower level no harm citations, and significantly increased fine amounts (up to 10 times as much). The 680 Assisted Living communities in Ohio have a very positive track record (571 deficiency free surveys in the last 2 years and 92.3% resident satisfaction). The initial broad budget bill language would have been punitive, permissive, and open to possible misuse. *All RCFs would have needed to prepare for this new fine potential, increasing their business cost and subsequently the cost of Assisted Living for all residents, reducing their funds, which would result in more residents needing Medicaid assistance earlier.* It would have also been a further disincentive (beyond low reimbursement rates) for providers to participate in the Assisted Living Waiver. If there are a few poor performing communities that refuse to comply with ODH directives, it is appropriate for their licenses' to be revoked. **OALA asks for these new, unneeded fines for RCF that were removed from the House bill, to not be reintroduced in the Senate bill.**

RCF Licensure Retained in the Assisted Living Waiver

The Residential Care Facility licensure was required by the state to ensure the health, safety, and quality of this setting for Medicaid recipients. The cost of licensure is in the safety standards and monitoring its rules mandate, not its annual fees. **OALA is supportive of the initiation of other waivers in senior housing or other settings, or changes to the existing Enhanced Community Living PASSPORT waiver service to increase its utilization, but is opposed to diluting the RCF licensure standard for the Assisted Living Waiver.** It would discourage providers of Assisted Living services from being licensed, a move backwards in terms of monitoring and quality and confuse the public. OALA thanks the House for maintaining the Residential Care Facility licensure requirement to provide the Assisted Living Medicaid Waiver, and **ask that this requirement also be maintained in the Senate bill.**