



## Common Sense Initiative

**Mike DeWine**, Governor  
**Jon Husted**, Lt. Governor

**Sean McCullough**, Director

### MEMORANDUM

**TO:** Rick Schanz, Opportunities for Ohioans with Disabilities

**FROM:** Joseph Baker, Business Advocate

**DATE:** July 12, 2022

**RE:** **CSI Review – Vocational Rehabilitation Fee Schedule (OAC 3304-2-52 and Appendix A)**

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On behalf of Lt. Governor Jon Husted, and pursuant to the authority granted to the Common Sense Initiative (CSI) Office under Ohio Revised Code (ORC) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Agency as provided for in ORC 107.54.

#### Analysis

This rule package consists of one amended rule proposed by Opportunities for Ohioans with Disabilities (OOD). This rule package was submitted to the CSI Office on June 2, 2022, and the public comment period was held open through June 17, 2022. Unless otherwise noted below, this recommendation reflects the version of the proposed rule filed with the CSI Office on June 2, 2022.

Ohio Administrative Code 3304-2-52 and Appendix A to the rule establish payment policies, standards, definitions, benefit limitations and eligibility requirements, qualifying services, and payment rates for vocational rehabilitation services paid for by OOD. No changes are proposed to the basic text of the rule, but OOD plans to make numerous changes to the appendix, which sets forth specific payment amounts and benefit limitations for vocational rehabilitation services. OOD reports that the proposed changes are designed to increase rates for services and add clarifying language regarding service descriptions. Other changes are made to include additional bridge support services, incorporate remote service provision at the same rate as in-person services, provide for electronic submission of reports and invoices, and support self-employment, among others.

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During early stakeholder outreach, OOD held interested party meetings with stakeholders including the Ohio Council of Behavioral Health and Family Services Providers, Ohio Provider Resource Association, and the Ohio Association of Goodwill Industries, among others. OOD also solicited input from individuals with disabilities receiving services, as well as providers and invited stakeholders to participate in five online forums to discuss the rules. In response to feedback from stakeholders, OOD determined to amend the rule appendix prior to submitting to the CSI Office for review to address issues including rate increases, increasing support services, and allowing for remote service delivery. No comments were received during the CSI public comment period.

The business community impacted by the rules includes entities that provide vocational rehabilitation services to individuals with disabilities. The adverse impact to business includes the costs associated with complying with service delivery standards and reporting responsibilities outlined in the rule to be paid for services by OOD. OOD reports that the time necessary to complete service reporting responsibilities varies based on the service and entity, but that the new payment portal will make it easier for providers to submit, track, and resubmit payments and that OOD has worked with providers to streamline reporting requirements. OOD also notes that participation in the program is voluntary. OOD states that the adverse impact to business is justified to ensure that vocational rehabilitation services to individuals with disabilities are provided in a fair, cost-informed manner.

### **Recommendations**

Based on the information above, the CSI Office has no recommendations on this rule package.

### **Conclusion**

The CSI Office concludes that Opportunities for Ohioans with Disabilities should proceed in filing the proposed rule with the Joint Committee on Agency Rule Review.