

Conflict of Interest and Sheltered Workshops

In January 2014, the federal government issued a set of rules that apply to sheltered workshops.

The rules only apply to individuals receiving services through a Medicaid waiver.

CMS (The Centers for Medicare and Medicaid Services) is the part of the federal government that issued the rules.

The rules say that the same group can't coordinate services (this is called case management) and also provide a waiver service for the same individual.

Many people refer to this part of the CMS rule as the conflict of interest provision.

An example of this would be when a County Board of Developmental Disabilities provides service and support administration (case management) and also provides a waiver service, such as vocational habilitation, which is the billing term used for the service received in a workshop.

Currently, all 88 County Boards of Developmental Disabilities provide service and support administration (case management).

Statewide, County Boards bill for approximately 42% of all day services in Ohio. This means that statewide private providers currently bill for 58% of all day services.

Ohio has already made great progress related to the conflict of interest provision. A conflict only exists in 42% of the day services provided.

Even with the progress Ohio has made, the Department of Developmental Disabilities asked CMS for more time to come into compliance with this part of the rule.

The federal government agreed that Ohio needed more time. Ohio now has until the end of **2024** to come into compliance with conflict of interest provision of the CMS rule.



If you or your family member is receiving service in workshop that is private- meaning the workshop is **not** run by a County Board of Developmental Disabilities, then this part of the rule will have **no** impact on you.

If you or your family member is receiving service in a workshop run by a County Board of Developmental Disabilities, then this part of the rule **will** have an impact.

By 2024, County Boards that run workshops will need to eventually privatize their operation or help find private providers to meet people's needs to come into compliance with this part of the CMS rule.