

Good afternoon Chair Greenlick & members of the committee. My name is Joseph Lowe. I live at 39635 Dubarko Road Sandy, OR 97055. I'm here today as an individual but I'm speaking on behalf of people with disabilities that are on the Oregon Health Plan (OHP).

I've been disabled for 38 years now & rely on durable medical equipment (DME) for numerous daily needs...especially my mobility needs. In 1994 I had a very extensive spine surgery that left me without the ability to operate a manual wheelchair without someone assisting me. Since then I've been a power wheelchair user to meet my mobility needs. Due to the much needed back support after my surgery & the always concerning risk of pressure sores, I've always been fitted with a high end power wheelchair. Around 8 years ago I moved to Oregon & became very involved in my community & in the advocacy efforts throughout Oregon. I now serve on close to 20 boards, councils, & committees combined. I'm usually here at the Capitol every session as well visiting legislators & helping people with disabilities have their voices heard via my advocating efforts. In my free time, I'm out in my community & even have aspirations of owning my own business someday.

I tell you all of this to say that it was almost brought to an end 3 years ago due to OHP. I was in the need for a new power wheelchair to replace mine that had finally broken down beyond repair after 13 years of use. So I visit my physician & therapist to get the appropriate paperwork my DME provider would need, to be able to order such a high end chair. I very quickly learned that I was going to be denied what my physician & therapist had prescribed due to policies & therefore would need to make do the best I could with a second rate chair. I was being denied based on the "in your home use only" phrase & the Exclusions List. These 2 policies are Medicare policies...yet I'm an OHP/Medicaid recipient. So why am I being denied based on Medicare policies? It's because Oregon uses the 1115 Waiver which created OHP (Oregon's demo version of a self-created Medicaid). Under this waiver Oregon can design how to implement their Medicaid program & it was designed to follow Medicare policies. What I like to call Federal Medicaid (ran by CMS not a state's waiver program) doesn't follow Medicare policies. That Medicaid has its own set of Administrative Rules...which aims to help not set even more limitations on people than they are already living with. Also, as I mentioned, I was being offered a second rate chair as an alternative. I wouldn't accept this because a second rate chair would've put me at risks for bigger health issues. This brought on a year & a half long battle just to get the chair I needed. During this time Oregon was gracious enough to give me a loaner. The loaner happened to be a version of the second rate option. It helped prove my point on the health risks too because I ended up with what is now documented as permanent damages to my back. Thankfully I ended up winning my battle & sit here today in front of you with the high end chair that is best suited for meeting my needs.

Now my story might be centered on wheelchairs as an example of DME but I must say that DME covers a wide range of things as you may know. So I come here today asking that you support HB 2937 & the amendments associated with it by disconnecting OHP from Medicare's "in your home use only" phrase & Exclusions List. Instead let's have it to look at our home AND community based needs. Our DME doesn't stay at home if we're out in our communities. That would be like your legs only being allowed to help you in your homes but while you're in your communities, you have to make do with whatever substitute you can find. None of us wants to deal with second rated anything. That would mean that we all would end up confined as prisoners in our homes. No community inclusion, no equal chances at education or employment, no social contact. Without proper DME people's physical health could decline & without these opportunities in life their social health could decline. That would leave me & hopefully most

Oregonians asking what happened to Oregon's mantra of Independence, Dignity, & Choice? Has that mantra changed to Become a Prisoner of Your Own Home Due to Second Rate DME? If not then, you must support HB 2937.

Thank you for the opportunity to testify before you today. I'll be happy to answer any questions.