**Section 144.30 Developmental Disability Provider Rate Adjustments**

a) Adjustments in FY 18 and FY 19

Pursuant to PA 100-23 and PA 100-587, providers of services to individuals with developmental disabilities shall ensure that all wages earned by front-line direct care personnel are at least $1.25 per hour higher than those wages that existed on July 31, 2017.

b) Adjustments in FY 20

Pursuant to PA 101-10, rates established for providers of services to individuals with developmental disabilities effective July 1, 2019 shall be increased 3.5 percent above rates in effect on June 30, 2019, subject to federal approval. Providers shall determine whether to allocate the entirety or a portion of the 3.5 percent to the wages of direct care staff.

c) Adjustments in FY 21

1) Pursuant to Public Act 101-0636 and subject to federal approval of the increases, providers of community-based services and supports to individuals with developmental disabilities shall increase wages for non-executive staff as follows:

A) Effective July 1, 2020, by $1.00 per hour, with at least eighty (80) cents per hour of those funds to be provided for a direct increase to non-executive staff wages, with priority given to direct care staff; and

B) Effective January 1, 2021, by $0.50 per hour, with at least forty (40) cents per hour of those funds to be provided for a direct increase to non-executive staff wages, with priority given to direct care staff.

2) Non-executive staff, for purposes of subsection (c)(1), includes but is not limited to direct care staff (direct support persons (DSPs), front-line supervisors, qualified intellectual disabilities professionals, and nurses) and non-administrative support staff working in community-based provider organizations that serve individuals with developmental disabilities.

d) Adjustments in FY 22

1) Pursuant to Public Act 102-0016 and subject to federal approval of the rate increases, providers of community-based services and supports to individuals with intellectual and developmental disabilities shall increase wages as follows:

A) Effective January 1, 2022 or upon federal approval, whichever is later, for DSPs, by $1.50 per hour, with at least $0.75 per hour of those funds to be provided for a $0.75/hour direct increase to all DSP wages, with the remaining 50% ($0.75 per hour) to be used flexibly for wage increases for DSPs and other frontline staff not covered in subsection (d)(1)(B); and

B) Effective January 1, 2022 or upon federal approval, whichever is later, for non-executive direct care staff, excluding DSPs, to the federal Department of Labor’s Bureau of Labor Statistics’ mean hourly wage based on the same or similar occupation title, as outlined in the Guidehouse Rate Study (available at https://3m4psa58y9z2vlhqru7ram5-wpengine.netdena-ssl.com/wp-content/uploads/2020/12/Final-Guidehouse-Rates-Report-12.08.2020.pdf).

2) Any increases provided to DSP wages on or after July 1, 2021, that a provider has voluntarily provided or been required to provide based on local minimum wage requirements, will be included as all or part of the DSP wage increase required.

3) Non-executive direct care staff, for purposes of subsection (d)(1)(B), includes but is not limited to supervisors, qualified intellectual disabilities professionals, dietitians, licensed practical nurses, registered professional nurses, and non-administrative support staff working in community-based provider organizations that serve individuals with developmental disabilities.

(Source: Amended at 46 Ill. Reg. 7755, effective April 27, 2022)