



Sen. Ram Villivalam

Filed: 5/27/2020

10100SB3873sam001

LRB101 20750 RLC 71507 a

1 AMENDMENT TO SENATE BILL 3873

2 AMENDMENT NO. _____. Amend Senate Bill 3873 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Mental Health and Developmental
5 Disabilities Administrative Act is amended by changing Section
6 74 as follows:

7 (20 ILCS 1705/74)

8 Sec. 74. Rates and reimbursements.

9 (a) Within 30 days after July 6, 2017 (the effective date
10 of Public Act 100-23), the Department shall increase rates and
11 reimbursements to fund a minimum of a \$0.75 per hour wage
12 increase for front-line personnel, including, but not limited
13 to, direct support persons, aides, front-line supervisors,
14 qualified intellectual disabilities professionals, nurses, and
15 non-administrative support staff working in community-based
16 provider organizations serving individuals with developmental

1 disabilities. The Department shall adopt rules, including
2 emergency rules under subsection (y) of Section 5-45 of the
3 Illinois Administrative Procedure Act, to implement the
4 provisions of this Section.

5 (b) Rates and reimbursements. Within 30 days after the
6 effective date of this amendatory Act of the 100th General
7 Assembly, the Department shall increase rates and
8 reimbursements to fund a minimum of a \$0.50 per hour wage
9 increase for front-line personnel, including, but not limited
10 to, direct support persons, aides, front-line supervisors,
11 qualified intellectual disabilities professionals, nurses, and
12 non-administrative support staff working in community-based
13 provider organizations serving individuals with developmental
14 disabilities. The Department shall adopt rules, including
15 emergency rules under subsection (bb) of Section 5-45 of the
16 Illinois Administrative Procedure Act, to implement the
17 provisions of this Section.

18 (c) Rates and reimbursements. Within 30 days after the
19 effective date of this amendatory Act of the 101st General
20 Assembly, subject to federal approval, the Department shall
21 increase rates and reimbursements in effect on June 30, 2019
22 for community-based providers for persons with Developmental
23 Disabilities by 3.5% The Department shall adopt rules,
24 including emergency rules under subsection (jj) of Section 5-45
25 of the Illinois Administrative Procedure Act, to implement the
26 provisions of this Section, including wage increases for direct

1 care staff.

2 (d) To eliminate wage discrepancies and further stabilize
3 the workforce, the Department shall require each
4 community-based provider to show that it has made wage and
5 benefit enhancements associated with rate increases from home
6 and community-based services programs for individuals with
7 developmental disabilities beginning in fiscal year 2021. A
8 provider must verify its compliance by submitting an
9 expenditure report to the Department. The Department may
10 designate another party to audit a provider should the report
11 be absent, incomplete, or give reasonable suspicion of fraud.
12 The Department may provide a compliance action plan outlining
13 fund reallocation should the audit contain evidence the
14 provider has not complied. Failure to abide by the action plan
15 may result in Department sanctions, such as suspension of
16 intake or termination of a contract. "Front-line personnel"
17 includes direct support persons, aides, front-line
18 supervisors, qualified intellectual disabilities
19 professionals, nurses, and non-administrative support staff
20 working in community-based provider organizations serving
21 individuals with developmental disabilities. The Department
22 shall adopt rules implementing the requirements of this
23 subsection (d).

24 (Source: P.A. 100-23, eff. 7-6-17; 100-587, eff. 6-4-18;
25 101-10, eff. 6-5-19.)".