



## 99TH GENERAL ASSEMBLY

### State of Illinois

#### 2015 and 2016

#### HB3255

by Rep. Robyn Gabel

#### SYNOPSIS AS INTRODUCED:

20 ILCS 1705/55.5 new  
305 ILCS 5/5-5.4i new

Amends the Mental Health and Developmental Disabilities Administrative Act. Provides that the Department of Human Services shall increase rates and reimbursements so that on or before July 1, 2017 direct service personnel in residential and day programs serving individuals with developmental disabilities earn a starting wage of not less than \$13 per hour. On or before July 1, 2015 rates shall increase to fund a \$1 per hour increase. Provides that on or before January 1, 2016 rates shall increase to fund an additional \$1 per hour increase. On or before July 1, 2016 rates shall increase to fund an additional \$1 per hour increase. Provides that on or before January 1, 2017 rates shall increase to fund an additional \$0.65 per hour increase. Defines "direct service personnel". Amends the Medical Assistance Article of the Illinois Public Aid Code. Provides that the amount of the payment rate for all nursing facilities certified by the Department of Public Health under the ID/DD Community Care Act as intermediate care facilities for the developmentally disabled or long term care for under age 22 facilities shall increase to fund: (1) a \$1 per hour increase on or before July 1, 2015; (2) an additional \$1 per hour increase on or before January 1, 2016; (3) an additional \$1 per hour increase on or before July 1, 2016; and (4) an increase to fund an additional \$0.65 per hour increase on or before January 1, 2017. Effective immediately.

LRB099 08768 RLC 28936 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning care for the developmentally disabled,  
2 which may be referred to as the Community Disability Living  
3 Wage Act.

4 WHEREAS, An estimated 23,000 children and adults with  
5 developmental disabilities are supported in community-based  
6 settings in Illinois; direct service personnel (DSP), are  
7 trained paraprofessional staff that are engaged in activities  
8 of daily living and community support; these employees earn  
9 wages that place them and their families below the poverty  
10 level; and

11 WHEREAS, According to a recent industry salary survey, the  
12 average direct service personnel wage in Illinois is \$9.35 per  
13 hour which is 18.5% below the U.S. Department of Health and  
14 Human Services poverty threshold of \$23,850 for a family of 4;  
15 this predominately female, minority workforce is often  
16 compelled to work many overtime hours or hold down a second job  
17 to support their families; many have to fall back on public  
18 benefits such as Medicaid and food stamps, creating additional  
19 expenditures for state government; low wages are a consequence  
20 of the historically low reimbursement rates paid by the State  
21 of Illinois to community-based service providers; over the last  
22 10 fiscal years, increases in State funding to these agencies  
23 have averaged far less than 1% per year, for a total of 5.5%;  
24 by contrast, the Consumer Price Index increased 21% over the  
25 same period; and

1           WHEREAS, The lack of adequate wages for employees who  
2 perform the challenging work of supporting individuals with  
3 disabilities results in high employee turnover, which in turn  
4 negatively impacts the quality of services provided; higher  
5 wages are proven to reduce staff turnover, improving stability  
6 and quality of services while reducing employer training costs;  
7 and

8           WHEREAS, The General Assembly finds that in order to reduce  
9 turnover, increase retention, and ensure direct service  
10 personnel are adequately compensated for the critically  
11 important work they do, an increase in rates and reimbursements  
12 to community-based service providers to effectuate an increase  
13 in the starting hourly wage paid to direct service personnel is  
14 needed; and

15           WHEREAS, It is the purpose of this amendatory Act to  
16 increase the wages of direct service personnel in community  
17 disability agencies beyond that of poverty level in an effort  
18 to improve their lives and the lives of the vulnerable  
19 individuals they support; therefore

20           **Be it enacted by the People of the State of Illinois,**  
21 **represented in the General Assembly:**

1           Section 5. The Mental Health and Developmental  
2           Disabilities Administrative Act is amended by adding Section  
3           55.5 as follows:

4           (20 ILCS 1705/55.5 new)

5           Sec. 55.5. Increased wages for direct service personnel.  
6           The Department shall establish reimbursement rates which build  
7           toward livable wages for direct service personnel in  
8           residential and day programs serving individuals with  
9           developmental disabilities under Section 54 of this Act,  
10           including but not limited to intermediate care facilities for  
11           the developmentally disabled, community integrated living  
12           arrangements, developmental training programs, employment, and  
13           other residential and day programs for individuals with  
14           developmental disabilities supported by State funds or funding  
15           under Title XIX of the federal Social Security Act. As used in  
16           this Section, "direct service personnel" means direct care  
17           staff, front-line supervisors, qualified support  
18           professionals, nurses, and non-administrative support staff  
19           working in service settings outlined in this Section. The  
20           Department shall increase rates and reimbursements so that on  
21           or before July 1, 2017 direct service personnel earn a starting  
22           wage of not less than \$13 per hour. On or before July 1, 2015  
23           rates shall increase to fund a \$1 per hour increase. On or  
24           before January 1, 2016 rates shall increase to fund an  
25           additional \$1 per hour increase. On or before July 1, 2016

1 rates shall increase to fund an additional \$1 per hour  
2 increase. On or before January 1, 2017 rates shall increase to  
3 fund an additional \$0.65 per hour increase.

4 Section 10. The Illinois Public Aid Code is amended by  
5 adding Section 5-5.4i as follows:

6 (305 ILCS 5/5-5.4i new)

7 Sec. 5-5.4i. Increased wages for direct service personnel.  
8 Under Section 55.5 of the Mental Health and Developmental  
9 Disabilities Administrative Act, the amount of the payment rate  
10 for all nursing facilities certified by the Department of  
11 Public Health under the ID/DD Community Care Act as  
12 intermediate care facilities for the developmentally disabled  
13 or long term care for under age 22 facilities shall increase to  
14 fund:

15 (1) a \$1 per hour increase on or before July 1, 2015;

16 (2) an additional \$1 per hour increase on or before January  
17 1, 2016;

18 (3) an additional \$1 per hour increase on or before July 1,  
19 2016; and

20 (4) an increase to fund an additional \$0.65 per hour  
21 increase on or before January 1, 2017.

22 Section 99. Effective date. This Act takes effect upon  
23 becoming law.