



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB1822

Introduced 2/20/2015, by Sen. Heather A. Steans

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 08767 RLC 28935 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.