



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

HB3698

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 and the Illinois Public Aid Code. Provides that the Department of Human Services shall establish reimbursement rates which build toward livable wages for direct service personnel in residential and day programs serving individuals with developmental disabilities, including but not limited to intermediate care facilities for the developmentally disabled, community integrated living arrangements, developmental training programs, employment, and other residential and day programs for individuals with developmental disabilities supported by State funds or funding under Title XIX of the federal Social Security Act. Establishes starting wages for direct service personnel. Effective immediately.

LRB098 14203 RLC 48802 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 DSP wage in Illinois is \$9.35 per hour which is 21%  
13 below the U.S. Department of Health and Human Services poverty  
14 threshold of \$11.32 for a family of 4; this predominately  
15 female, minority workforce is often compelled to work many  
16 overtime hours or hold down a second job to support their  
17 families; many have to fall back on public benefits such as  
18 Medicaid and food stamps, creating additional expenditures for  
19 state government; low wages are a consequence of the  
20 historically low reimbursement rates paid by the State of  
21 Illinois to community-based service providers; over the last 10  
22 fiscal years, increases in State funding to these agencies have  
23 averaged less than 1% per year, for a total of 9.5%; by  
24 contrast, the Consumer Price Index increased 23% over the same  
25 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. For the  
16 purposes of this Section, "direct service personnel" means  
17 direct care staff, front-line supervisors, qualified support  
18 professionals, nurses, and non-administrative support staff  
19 working in service settings outlined in this Section.

20 The Department shall increase rates and reimbursements so  
21 that on or before July 1, 2016 direct service personnel earn a  
22 starting wage of not less than \$13 per hour. On or before July  
23 1, 2014 rates shall increase to fund a \$1 per hour increase. On  
24 or before January 1, 2015 rates shall increase to fund an  
25 additional \$1 per hour increase. On or before July 1, 2015

1 rates shall increase to fund an additional \$1 per hour  
2 increase. On or before January 1, 2016 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 for the Developmentally Disabled Facilities  
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, 2014;

16 (2) an additional \$1 per hour increase on or before January  
17 1, 2015;

18 (3) an additional \$1 per hour increase on or before July 1,  
19 2015; and

20 (4) an increase to fund an additional \$0.65 per hour  
21 increase on or before January 1, 2016.

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