

1           AN ACT concerning care for persons with a developmental  
2 disabilities, which may be referred to as the Community  
3 Disability Living Wage Act.

4           WHEREAS, An estimated 27,000 children and adults with  
5 intellectual and developmental disabilities are supported in  
6 community-based settings in Illinois; direct support persons  
7 (DSPs), are trained paraprofessional staff that are engaged in  
8 activities of daily living and community support; these  
9 employees earn wages that place them and their families below  
10 the poverty 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 25%  
13 below the U.S. Department of Health and Human Services poverty  
14 threshold of \$11.66 for a family of 4; this workforce is often  
15 compelled to work many overtime hours or hold down a second job  
16 to support their families; many have to fall back on public  
17 benefits such as Medicaid and food stamps, creating additional  
18 expenditures for State government; low wages are a consequence  
19 of the historically low reimbursement rates paid by the State  
20 of Illinois to community-based service providers; over the last  
21 8 fiscal years, there has been no increase in State funding to  
22 these agencies; by contrast, the Consumer Price Index increased  
23 14% over the same period; and

24           WHEREAS, The lack of adequate wages for employees who

1 perform the challenging work of supporting persons with  
2 intellectual and developmental disabilities results in high  
3 employee turnover, which in turn negatively impacts the quality  
4 of services provided; higher wages are proven to reduce staff  
5 turnover, improving stability and quality of services while  
6 reducing employer training costs; and

7 WHEREAS, Rising wages in several other sectors now mean,  
8 despite strenuous efforts to recruit new workers, agencies are  
9 experiencing staff vacancy rates of up to 25%; excessive  
10 vacancies force employers to rely more on overtime, leading to  
11 staff burnout and driving up costs; this growing hiring crisis  
12 impedes the ability of community disability agencies to expand  
13 to accommodate persons newly approved for services as part of  
14 the Ligas Consent Decree; and

15 WHEREAS, The General Assembly finds that in order to reduce  
16 turnover, increase retention, fill vacancies, and ensure DSPs  
17 are adequately compensated for the critically important work  
18 they do, an increase in rates and reimbursements to  
19 community-based service providers to effectuate an increase in  
20 the hourly wage paid to DSPs is needed; and

21 WHEREAS, It is the purpose of this amendatory Act to  
22 increase the wages of DSPs in community disability agencies  
23 beyond the poverty level and to a level competitive with rival

1 employers, in an effort to improve the lives of DSPs and the  
2 lives of the vulnerable persons they support; therefore

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

5 Section 5. The Mental Health and Developmental  
6 Disabilities Administrative Act is amended by adding Section  
7 55.5 as follows:

8 (20 ILCS 1705/55.5 new)

9 Sec. 55.5. Increased wages for front line personnel. The  
10 Department shall establish reimbursement rates which build  
11 toward livable wages for front line personnel in residential  
12 and day programs serving persons with intellectual and  
13 developmental disabilities under Section 54 of this Act,  
14 including, but not limited to, intermediate care facilities for  
15 persons with developmental disabilities, community-integrated  
16 living arrangements, developmental training programs,  
17 employment, and other residential and day programs for persons  
18 with intellectual and developmental disabilities supported by  
19 State funds or funding under Title XIX of the federal Social  
20 Security Act.

21 As used in this Section, "front line personnel" means  
22 direct support persons, aides, front-line supervisors,  
23 qualified intellectual disabilities professionals, nurses, and

1 non-administrative support staff working in service settings  
2 outlined in this Section. The Department shall increase rates  
3 and reimbursements so that direct support persons earn a base  
4 wage of not less than \$15 per hour and so that other front line  
5 personnel earn a commensurate wage.

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

8 (305 ILCS 5/5-5.4i new)

9 Sec. 5-5.4i. Increased wages for front line personnel. As  
10 used in this Section, "front line personnel" means direct  
11 support persons, aides, front-line supervisors, qualified  
12 intellectual disabilities professionals, nurses, and  
13 non-administrative support staff working in service settings  
14 outlined in this Section.

15 Under Section 55.5 of the Mental Health and Developmental  
16 Disabilities Administrative Act, the payment rate for all  
17 facilities licensed by the Department of Public Health under  
18 the ID/DD Community Care Act as intermediate care for the  
19 developmentally disabled facilities and under the MC/DD Act as  
20 medically complex for the developmentally disabled facilities  
21 shall be increased to fund rates and reimbursements so that  
22 direct support persons earn a base wage of not less than \$15  
23 per hour and so that other front line personnel earn a  
24 commensurate wage.

1           Section 99. Effective date. This Act takes effect upon  
2           becoming law.