

1 AN ACT concerning State government.

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

4 Section 5. The Mental Health and Developmental  
5 Disabilities Administrative Act is amended by changing  
6 Sections 4.4 and 74 as follows:

7 (20 ILCS 1705/4.4)

8 Sec. 4.4. Direct support professional ~~person~~ credential  
9 pilot program.

10 (a) In this Section, "direct support person credential"  
11 means a document issued to an individual by a recognized  
12 accrediting body attesting that the individual has met the  
13 professional requirements of the credentialing program by the  
14 Division of Developmental Disabilities of the Department of  
15 Human Services.

16 (b) The Division or a Division partner shall initiate a  
17 program to continue to gain the expertise and knowledge of the  
18 developmental disabilities workforce and of the developmental  
19 disabilities workforce recruitment and retention needs  
20 throughout the developmental disabilities field. The Division  
21 shall implement a direct support professional ~~person~~  
22 credential pilot program to assist and attract persons into  
23 the field of direct support, advance direct support as a

1 career, and professionalize the field to promote workforce  
2 recruitment and retention efforts, advanced skills and  
3 competencies, and further ensure the health, safety, and  
4 well-being of persons being served.

5 (c) The direct support professional ~~person~~ credential  
6 pilot program is created within the Division to assist persons  
7 in the field of developmental disabilities in obtaining a  
8 credential in their fields of expertise.

9 (d) The pilot program shall be administered by the  
10 Division for 3 years, beginning in Fiscal Year 2024. The pilot  
11 program shall include providers licensed and certified by the  
12 Division or by the Department of Public Health. The purpose of  
13 the pilot program is to assess how the establishment of a  
14 State-administered ~~State-accredited~~ direct support  
15 professional ~~person~~ credential:

16 (1) promotes recruitment and retention efforts in the  
17 developmental disabilities field, notably the direct  
18 support professional ~~person~~ position;

19 (2) enhances competence in the developmental  
20 disabilities field;

21 (3) yields quality supports and services to persons  
22 with developmental disabilities; and

23 (4) advances the health and safety requirements set  
24 forth by the State.

25 (e) The Division or a Division partner, in administering  
26 the pilot program, shall consider, but not be limited to, the

1 following:

2 (1) best practices learning initiatives, including the  
3 University of Minnesota's college of direct support and  
4 all Illinois Department of Human Services-approved direct  
5 support professional ~~person~~ competencies;

6 (2) national direct support professional ~~and person~~  
7 competencies or credentialing-based standards and  
8 trainings;

9 (3) facilitating direct support professional's  
10 ~~person's~~ portfolio development;

11 (4) the role and value of skill mentors; and

12 (5) creating a career ladder.

13 (f) The Division shall produce a report detailing the  
14 progress of the pilot program, including, but not limited to:

15 (1) the rate of recruitment and retention for direct  
16 support professionals ~~persons~~ of providers participating  
17 in the pilot program compared to the rate for  
18 non-participating providers;

19 (2) the number of direct support professional ~~persons~~  
20 credentialed; and

21 (3) the enhancement of quality supports and services  
22 to persons with developmental disabilities.

23 (Source: P.A. 100-754, eff. 8-10-18; 101-81, eff. 7-12-19.)

24 (20 ILCS 1705/74)

25 Sec. 74. Rates and reimbursements.

1           (a) Within 30 days after July 6, 2017 (the effective date  
2 of Public Act 100-23), the Department shall increase rates and  
3 reimbursements to fund a minimum of a \$0.75 per hour wage  
4 increase for front-line personnel, including, but not limited  
5 to, direct support professionals ~~persons~~, aides, front-line  
6 supervisors, qualified intellectual disabilities  
7 professionals, nurses, and non-administrative support staff  
8 working in community-based provider organizations serving  
9 individuals with developmental disabilities. The Department  
10 shall adopt rules, including emergency rules under subsection  
11 (y) of Section 5-45 of the Illinois Administrative Procedure  
12 Act, to implement the provisions of this Section.

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

26           (c) Rates and reimbursements. Within 30 days after the

1 effective date of this amendatory Act of the 101st General  
2 Assembly, subject to federal approval, the Department shall  
3 increase rates and reimbursements in effect on June 30, 2019  
4 for community-based providers for persons with Developmental  
5 Disabilities by 3.5% The Department shall adopt rules,  
6 including emergency rules under subsection (jj) of Section  
7 5-45 of the Illinois Administrative Procedure Act, to  
8 implement the provisions of this Section, including wage  
9 increases for direct care staff.

10 (d) For community-based providers serving persons with  
11 intellectual/developmental disabilities, subject to federal  
12 approval of any relevant Waiver Amendment, the rates taking  
13 effect for services delivered on or after January 1, 2022,  
14 shall include an increase in the rate methodology sufficient  
15 to provide a \$1.50 per hour wage increase for direct support  
16 professionals ~~personnel~~ in residential settings and sufficient  
17 to provide wages for all residential non-executive direct care  
18 staff, excluding direct support professionals ~~personnel~~, at  
19 the federal Department of Labor, Bureau of Labor Statistics'  
20 average wage as defined in rule by the Department.

21 The establishment of and any changes to the rate  
22 methodologies for community-based services provided to persons  
23 with intellectual/developmental disabilities are subject to  
24 federal approval of any relevant Waiver Amendment and shall be  
25 defined in rule by the Department. The Department shall adopt  
26 rules, including emergency rules as authorized by Section 5-45

1 of the Illinois Administrative Procedure Act, to implement the  
2 provisions of this subsection (d).

3 (Source: P.A. 101-10, eff. 6-5-19; 102-16, eff. 6-17-21.)