



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB5931

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 front line personnel in residential and day programs serving persons with intellectual and developmental disabilities, including but not limited to intermediate care facilities for persons with developmental disabilities, community integrated living arrangements, developmental training programs, employment, and other residential and day programs for persons with intellectual and developmental disabilities supported by State funds or funding under Title XIX of the federal Social Security Act. Provides that the Department shall increase rates and reimbursements so that direct support persons earn a base wage of not less than \$15 per hour and so that other front line personnel earn a commensurate wage. Defines "front line personnel". Effective immediately.

LRB099 18949 RLC 43338 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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.