

AN ACT concerning State government.

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

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

(20 ILCS 1705/4.4)

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

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

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

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

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

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

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

(2) enhances competence in the developmental disabilities field;

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

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

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

following:

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

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

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

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

(5) creating a career ladder.

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

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

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

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

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

(20 ILCS 1705/74)

Sec. 74. Rates and reimbursements.

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

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

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

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

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

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

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SB3156 Enrolled

LRB102 23246 RLC 32411 b

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

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