



General Assembly

Substitute Bill No. 1215

January Session, 2023



AN ACT CONCERNING CERTAIN EMPLOYEES WORKING IN INTERMEDIATE CARE FACILITIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 341 of public act 21-2 of the June special session, as
2 amended by section 249 of public act 22-118, is repealed and the
3 following is substituted in lieu thereof (*Effective from passage*):

4 (a) The Secretary of the Office of Policy and Management shall
5 allocate available funds for the fiscal years ending June 30, 2022, and
6 June 30, 2023, to increase rates to state-contracted providers for the
7 purpose of wage enhancements and related Federal Insurance
8 Contributions Act, workers compensation, and unemployment
9 insurance expenses for employees who provide services to individuals
10 with intellectual disability authorized to receive supports and services
11 through the Department of Developmental Services. [Providers]
12 Except as provided in subsection (c) of this section, providers that
13 receive a rate adjustment for the purpose of wage enhancements but
14 do not provide increases in employee salaries as described in this
15 section on or before July 31, 2021, and July 31, 2022, respectively, may
16 be subject to a rate decrease in the same amount as the adjustment by
17 the Commissioner of Developmental Services. In addition, the
18 commissioner shall, within available resources and at the
19 commissioner's discretion, make funds available to support enhanced

20 benefits. Nothing in this section shall require the commissioner to
21 distribute funding in a way that jeopardizes anticipated federal
22 reimbursement.

23 (b) If, after the Secretary of the Office of Policy and Management
24 allocates funds pursuant to subsection (a) of this section, there is a
25 balance of available funds that has not been allocated for the fiscal
26 years ending June 30, 2022, and June 30, 2023, the Office of Policy and
27 Management shall disburse such funds as a cost-of-living adjustment
28 to state-contracted providers that deliver services and supports
29 through the Department of Developmental Services.

30 (c) For the fiscal year ending June 30, 2023, any state-contracted
31 provider who received funds pursuant to subsection (a) of this section
32 may use such funds for the purpose of wage enhancements and related
33 benefits, as described in subsection (a) of this section, for employees
34 working in intermediate care facilities who provide services to
35 individuals with intellectual disability authorized to receive supports
36 and services through the Department of Social Services.

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>from passage</i> | PA 21-2 of the June Sp. Sess., Sec. 341 |

APP *Joint Favorable Subst.*