



2021-2022 General Assembly

SENATE BILL 105: 2021 Appropriations Act, Sec. 9D.15A: Increase Rates to HCBS Providers to Increase Direct Care Worker Wages

Committee:
Introduced by:
Analysis of: Sec. 9D.15A of S.L. 2021-180

Date: February 22, 2022
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OVERVIEW: *Section 9D.15A of S.L. 2021-180, as amended by Section 3.3 of S.L. 2022-6, expresses the General Assembly's intent to assist in increasing the hourly wage paid to direct care workers to \$15.00. To that end, this section directs the Division of Health Benefits (DHB), Department of Health and Human Services, to increase the rate paid to Medicaid providers of home and community-based services (HCBS) for the purposes of increasing direct care worker wages. The section also specifies the following:*

- *DHB will determine the amount of the Medicaid rate increase paid to HCBS providers.*
- *DHB will determine the applicable definition of direct care worker.*
- *DHB will determine the manner in which each HCBS provider is required to utilize the rate increase and to demonstrate compliance with those requirements.*
- *DHB must use federal receipts available under the American Rescue Plan Act for HCBS to the fullest extent possible.*
- *Under Section 9D.8A of the act, funds in the HCBS Fund must be used for the cost of the rate increase to HCBS providers.*
- *Section 3.3 of S.L. 2022-6 clarifies that this section applies to providers of Medicaid HCBS services through the self-directed and consumer-directed options in the Innovations waiver or the Community Alternatives Program waivers.*

This section became effective November 18, 2021, and the rate increase to HCBS providers is effective upon federal approval.

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Legislative Analysis
Division
919-733-2578