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.