JB Pritzker, *Governor*

Illinois Department of Human Services

Grace B. Hou, *Secretary*

Developmental Disabilities
600 East Ash ● Building 400 ● Springfield, IL 62703

5/28/20

Good afternoon:

As you are aware, earlier this fiscal year, the Department of Human Services (IDHS) Division of Developmental Disabilities (DDD) announced an increase to wages sufficient to increase the rates to $13.00 per hour for direct care staff in community-based waiver settings and Intermediate Care Facilities (ICF/DDs). The purpose of the increase was to ensure rates were sufficient to reimburse providers to respond to local minimum wage pressures.

Once that announcement came, IDHS DDD worked with the Department of Healthcare and Family Services (HFS) to ensure submission of a Waiver Amendment to the federal Centers for Medicare and Medicaid Services (CMS). Those amendments were submitted just after Thanksgiving, and as you are aware, last month, DDD announced that that Waiver Amendment had been approved, effective January 1, 2020.

For ICFs, a different process exists that includes the submission of a State Plan Amendment (SPA) to federal CMS. Prior to the SPA submission, the State must first pass legislation, through the General Assembly, to provide for the increases due to the ICF rates being set in statute. After legislation is passed, the State is required to publish a public notice and allow for public comments for 30 days. As such, in January, IDHS filed Senate Bill 2541 and asked the leaders in both chambers for an expedited passage of the legislation. The Senate passed the bill in February and in early March, the House Appropriations-Human Services Committee passed the legislation out of committee unanimously at which point it was ready to be called for a full vote on the House floor the next time the House was in session. Unfortunately, the COVID-19 pandemic hit before they were able to pass the bill.

Fast forward to last week, the General Assembly did include language to provide for this increase in the Budget Implementation Bill (HB357, SAM2). That legislation did pass both chambers and is waiting to be sent to the Governor for his signature.

While HFS is set to publish the public notice for this increase as soon as this week, due to these unforeseen delays as well as the requirements for SPAs, the soonest the State can ask for the $13 increase to be effective is June 1, 2020. The effective date for the increase cannot precede the passage of the legislation and beginning of the public notice period. Once the SPA is approved, HFS and IDHS will move with all haste to ensure a smooth implementation for providers.

Please do not hesitate to reach out.

Warmly,
Allison V. Stark
Director, Division of Developmental Disabilities