



Substitute Senate Bill No. 1215

Public Act No. 23-198

AN ACT CONCERNING CERTAIN EMPLOYEES WORKING IN INTERMEDIATE CARE FACILITIES.

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

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 Section 341 of public act 21-2 of the June special session, as amended by section 249 of public act 22-118, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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

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available to support enhanced benefits. Nothing in this section shall require the commissioner to distribute funding in a way that jeopardizes anticipated federal reimbursement.

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

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

(d) For the fiscal year ending June 30, 2023, any state-contracted provider who has not yet but who will receive funds pursuant to subsection (a) of this section may use such funds for the purpose of wage enhancements and related benefits, as described in subsection (a) of this section, for employees working in intermediate care facilities who provide services to individuals with intellectual disability or behavioral health needs.