

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 92 Session of 2021

INTRODUCED BY D. MILLER, MARKOSEK, GALLOWAY, CONKLIN,
SCHLOSSBERG, HOHENSTEIN, SANCHEZ, N. NELSON, HILL-EVANS,
DRISCOLL, CIRESI, LONGIETTI, DEASY AND OTTEN,
JANUARY 11, 2021

REFERRED TO COMMITTEE ON HUMAN SERVICES, JANUARY 11, 2021

AN ACT

1 Amending the act of June 13, 1967 (P.L.31, No.21), entitled "An
2 act to consolidate, editorially revise, and codify the public
3 welfare laws of the Commonwealth," in public assistance,
4 providing for intellectual disability and autism fee schedule
5 rates.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. The act of June 13, 1967 (P.L.31, No.21), known
9 as the Human Services Code, is amended by adding a section to
10 read:

11 Section 443.13. Intellectual Disability and Autism Fee
12 Schedule Rates.--(a) The purpose of this section is to
13 recognize that:

14 (1) Fee schedule rates should be responsive to market
15 conditions that affect direct support professionals who provide
16 care for individuals with an intellectual disability or autism.

17 (2) The use of a nationally recognized market index is less
18 costly and more efficient than the other requirements under law

1 or regulation regarding fee schedule rates and will produce
2 better outcomes, higher wages and increased capacity to address
3 the waiting list for services for individuals with an
4 intellectual disability or autism.

5 (b) Notwithstanding 55 Pa. Code Ch. 6100 (relating to
6 services for individuals with an intellectual disability or
7 autism) or any other provision of law and subject to approval by
8 the Federal Government:

9 (1) The department shall apply a nationally recognized
10 market index to update fee schedule rates effective July 1 of
11 each year.

12 (2) For the twelve-month period beginning July 1, 2021, and
13 each July 1 thereafter, the annual fee schedule rates for direct
14 support professionals who care for individuals with an
15 intellectual disability or autism shall be increased by the
16 percentage change, if any, in the Consumer Price Index for All
17 Urban Consumers (CPI-U) for the Pennsylvania, New Jersey,
18 Delaware and Maryland area for the most recent twelve-month
19 period for which figures are officially reported by the United
20 States Department of Labor, Bureau of Labor Statistics,
21 immediately prior to the date that the adjustment is due to take
22 effect.

23 Section 2. This act shall take effect immediately.