

2019 -- H 5944

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LC002336
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

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A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT - OFFICE OF HEALTH AND
HUMAN SERVICES

Introduced By: Representatives Shanley, Bennett, Barros, Williams, and Blazejewski

Date Introduced: April 03, 2019

Referred To: House Labor

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 42-7.2 of the General Laws entitled "Office of Health and Human
2 Services" is hereby amended by adding thereto the following section:

3 **42-7.2-2.1. Minimum wage for providers of state contracted human services.**

4 (a) As used in this section:

5 (1) "BHDDH" means the department of behavioral healthcare, developmental disabilities
6 and hospitals.

7 (2) "DCYF" means the department of children, youth and families.

8 (3) "DHS" means the department of human services.

9 (4) "DOH" means the department of health.

10 (5) "Employee" means any person who receives compensation for providing human
11 services including, but not limited to, any person who receives compensation pursuant to a
12 contractual arrangement with a human service provider who is not directly employed by such
13 provider.

14 (6) "EOHHS" means the executive office of health and human services.

15 (7) "Human services" means any of the services administered by EOHHS, BHDDH,
16 DCYF, DHS, and DOH that involve direct care of persons including, but not limited to, medical
17 services, mental health and addiction treatment, nutrition and housing assistance, services for
18 persons with intellectual and developmental disabilities, rehabilitative services, assistance with

1 activities of daily living, and residential and rehabilitative services.

2 (b) Within available appropriations, the EOHHS, BHDDH, DCYF, DHS and DOH shall,
3 effective July 1, 2020, adjust the wage rates in any contract with private human services
4 providers, in accordance with standard accounting principles as prescribed by the secretary of
5 EOHHS, to provide a pro rata increase in salaries and wages of hourly employees to reflect a
6 minimum hourly wage of no less than one hundred forty-four percent (144%) of the state
7 minimum hourly wage for such employees. Such wage rate adjustments shall reflect reasonable
8 costs mandated by collective bargaining agreements with certified collective bargaining agents or
9 otherwise provided by a human services provider to employees.

10 (c) Nothing in this section shall require the EOHHS, BHDDH, DCYF, DHS and DOH to
11 adjust wage rates in a way that jeopardizes federal government reimbursement. Human services
12 providers who receive such wage rate adjustment but do not provide an increase in employee
13 wage rates in accordance with this section, may be subject to a rate decrease in the same amount
14 as the wage rate adjustment by the EOHHS, BHDDH, DCYF, DHS and DOH.

15 SECTION 2. This act shall take effect on July 1, 2020.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT - OFFICE OF HEALTH AND
HUMAN SERVICES

1 This act would require state contracted human services providers to pay his or her
2 employees a minimum hourly wage no less than one hundred forty-four percent (144%) of the
3 state minimum wage.

4 This act would take effect on July 1, 2020.

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