



SPONSOR: Rep. M. Smith & Sen. Townsend
Reps. Brady, Hensley, Wilson, Yearick

HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

HOUSE BILL NO. 104

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO SERVICES FOR ADULTS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend Section 7909A, Chapter 79, Title 29 of the Delaware Code by making deletions as shown by
2 strike through and insertions as shown by underline as follows and redesignating accordingly:

3 § 7909A. Division of Developmental Disabilities Services.

4 (e) Beginning in fiscal year 2018, the Division of Developmental Disabilities Services shall phase in increases to
5 the rate system for services to adults with intellectual and developmental disabilities (I/DD) based on the market study
6 provided to the Office of Management and Budget and the Controller General on January 17, 2014 by the Department of
7 Health and Social Services Secretary, as subsequently updated with data for fiscal year 2017 and updated component
8 percentages. By fiscal year 2020, these rates shall be 100 percent of the benchmarked levels established in the 2014 market
9 study and shall be funded according to subsequent data updates. At a minimum of every three years thereafter, or whenever
10 the federal or state minimum wage rate is increased, another market study will be completed to determine whether an
11 increase should be granted in the DDDS rate system.

SYNOPSIS

The state is currently funding providers at 75% of the market rate established in a 2014 study that was done by DHSS. This bill would mandate an increase in the rates paid to providers according to the recommendations of the market study, so that by fiscal year 2020 the state would fund providers at 100% of the benchmarked rate. These rate increases are necessary to increase the hourly wages of Direct Support Professionals (DSPs), which along with the corresponding costs of program oversight, direct supervision of DSPs, and training, are essential to keep people with I/DD safe and integrated to the maximum extent possible in their local communities.