

**2022 -- S 2648**

LC005118

**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2022**

**J O I N T   R E S O L U T I O N**

**MAKING AN APPROPRIATION OF \$17,700,000 FOR THE PURPOSES OF INCREASING HOME CARE PROVIDER REIMBURSEMENT RATES TO BE USED FOR WAGE PASS THROUGH TO DIRECT CARE STAFF AND FOR INCREASES IN PAYMENTS TO DIRECT CARE WORKERS HIRED BY CONSUMERS THROUGH SELF-DIRECTED CARE PROGRAMS**

Introduced By: Senators DiPalma, Miller, Seveney, Sosnowski, and Felag

Date Introduced: March 10, 2022

Referred To: Senate Finance

1           WHEREAS, The 2006 Medical Assistance – Long-Term Care Service and Finance  
2 Reform law (referred to as the Perry-Sullivan law named for its sponsors Representative  
3 Raymond Sullivan and Senator Rhode Perry) found “It is in the interest of all Rhode Islanders to  
4 assure that rates paid for community-based long-term care services are adequate to assure high  
5 quality as well as supportive of workforce recruitment and retention”; and

6           WHEREAS, The Perry-Sullivan law promoted consumer choice in accessing long-term  
7 care services and allocating resources to ensure that services in the least restrictive setting would  
8 be available and therefore required that “Beginning on July 1, 2007, the total system savings  
9 attributable to the value of the reduction in nursing home days paid for by Medicaid shall be  
10 allocated for the express purpose of promoting and strengthening community-based alternatives”;  
11 and

12           WHEREAS, The Perry-Sullivan amendment in 2007 required the caseload estimating  
13 conference to determine the amount of general revenues to be added to the current service  
14 estimate of community-based long-term care services for elderly sixty-five (65) and older, and  
15 younger persons at risk of nursing home admissions, for the ensuing budget year by multiplying  
16 the combined cost per day of nursing home and hospice days estimated at the caseload conference  
17 for that year by the reduction in nursing home and hospice days from those in the second fiscal  
18 year prior to the current fiscal year to those in the first fiscal year prior to the current fiscal year;

1 and

2 WHEREAS, The Perry-Sullivan 2009 amendment required savings be allotted to both the  
3 Departments of Human Services and Elderly Affairs, and that any unexpended funds in a fiscal  
4 year be carried forward for the purpose of strengthening community-based alternatives; and

5 WHEREAS, In 2019, the General Assembly passed a law requiring the Executive Office  
6 of Health and Human Services to develop and make public on its website a long-term care  
7 services and supports performance scorecard showing data for the most recent fiscal years in  
8 order to measure progress in achieving the State's goal for long-term care; and

9 WHEREAS, The November 2021 Caseload Estimating Conference estimated \$38.6  
10 million for all sources and \$17.7 million from general revenue to reflect Perry-Sullivan  
11 requirements attributable to a 187,823 bed-day reduction from FY2021 compared to FY2020; and

12 WHEREAS, The 2019 RI Long-Term Care Scorecard shows minimal progress in  
13 increasing spending for home and community services since 2014, only growing from 17 percent  
14 to 18 percent; and

15 WHEREAS, There exists a critical shortage of home care direct care workers causing  
16 more than half the persons referred for Medicaid home and community services to wait more than  
17 three months; and

18 WHEREAS, The fiscal year budget proposed by Governor Dan McKee defers using  
19 \$17.7 million general revenue and \$38.6 total funds from the Perry-Sullivan savings established  
20 by the Caseload Estimating Conference; and

21 WHEREAS, Deferring the use of the Perry-Sullivan dollars intended to strengthen and  
22 enhance home and community-based services is contrary to the intent and letter of the law and  
23 will serve to exacerbate the existing home care worker crisis leaving hundreds of older adults and  
24 persons with disabilities with complex care needs without needed care and supports; and

25 WHEREAS, The American Rescue Plan intends for states to expand and strengthen  
26 home and community-based services funded by Medicaid through an enhanced federal matching  
27 rate and to supplement state investments; now, therefore be it

28 RESOLVED, That there is hereby appropriated, out of money in general revenue, the  
29 sum of seventeen million and seven hundred thousand dollars (\$17,700,000) (\$38.6 million in all  
30 revenues) in addition to other state and federal investments, for the purposes of increasing home  
31 care provider reimbursement rates to be used for wage pass through to direct care staff, and for  
32 increases in payments to direct care workers hired by consumers through self-directed care  
33 programs in order to promote fair, competitive, and equitable compensation for these essential

1 and valuable workers.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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- 1           This joint resolution would authorize the appropriation of the sum of \$17,700,000 in
- 2 order to increase home care provider reimbursement rates, and for increases in payments to direct
- 3 care workers.

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