

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

HOUSE BILL

No. 661 Session of  
2023

---

INTRODUCED BY D. MILLER, MERCURI, MARKOSEK, PROBST, HOHENSTEIN,  
SAPPEY, MADDEN, KHAN, KINKEAD, SANCHEZ, GALLOWAY, PICKETT,  
HILL-EVANS, CIRESI AND D. WILLIAMS, MARCH 21, 2023

---

REFERRED TO COMMITTEE ON HUMAN SERVICES, MARCH 21, 2023

---

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  
19 or regulation regarding fee schedule rates and will produce

1 better outcomes, higher wages and increased capacity to address  
2 the waiting list for services for individuals with an  
3 intellectual disability or autism.

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

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

11 (2) For the twelve-month period beginning July 1, 2023, and  
12 each July 1 thereafter, the annual fee schedule rates for direct  
13 support professionals who care for individuals with an  
14 intellectual disability or autism shall be increased by the  
15 percentage change, if any, in the Consumer Price Index for All  
16 Urban Consumers (CPI-U) for the Pennsylvania, New Jersey,  
17 Delaware and Maryland area for the most recent twelve-month  
18 period for which figures are officially reported by the United  
19 States Department of Labor, Bureau of Labor Statistics,  
20 immediately prior to the date that the adjustment is due to take  
21 effect.

22 Section 2. This act shall take effect immediately.