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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

COMMITTEES

HUMAN SERVICES, CHAIR

CAUCUSES

PENNSYLVANIA BLACK LEGISLATIVE CAUCUS
PENNSYLVANIA BLACK MATERNAL HEALTH CAUCUS
SOUTHEAST DELEGATION

MEMORANDUM

TO: Members of the House Human Services Committee
FROM: Representative Dan Williams, Majority Chair, House Human Services Committee
DATE: September 30th, 2026
RE: House Human Services Committee Voting Meeting

The House Human Services Committee will hold a Voting Meeting on Tuesday, October 6th, at 9:30 AM in room 60 East Wing. Our agenda will consist of the following along with any other business that may come before the committee:

House Bill 1939 P.N. 2447 (Benham) An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, providing for fee schedule rates.

House Resolution 627 P.N. 3901 (G. Scott) A Resolution directing the Joint State Government Commission to study suicide prevention and data collection efforts in this Commonwealth and make recommendations for improving existing suicide prevention and data collection efforts.

If you are unable to attend this meeting, please submit a Vote by Designation or Leave Request Form to the appropriate Chair's office prior to the start of the meeting, thank you.

DW/dl

**House Human Services Committee
Voting Meeting
Room 60 East Wing
Harrisburg, PA 17120
October 06, 2026
9:30 AM**

Agenda

House Resolution 627 (Scott) A Resolution directing the Joint State Government Commission to study suicide prevention and data collection efforts in this Commonwealth and make recommendations for improving existing suicide prevention and data collection efforts.

House Bill 1939 (Benham) An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, providing for fee schedule rates.

A04467 (Benham) An amendment clarifying dates, specifying the Consumer Price Index, providing for corrective actions instead of solely financial penalties, and allowing rate increases to be used for total compensation.

And any other business that comes before the committee.

Adjournment.

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 627 Session of
2026

INTRODUCED BY SCOTT, SEPTEMBER 21, 2026

REFERRED TO COMMITTEE ON HUMAN SERVICES, SEPTEMBER 22, 2026

A RESOLUTION

1 Directing the Joint State Government Commission to study suicide
2 prevention and data collection efforts in this Commonwealth
3 and make recommendations for improving existing suicide
4 prevention and data collection efforts.

5 WHEREAS, Suicide is a public health crisis, with the United
6 States Centers for Disease Control and Prevention reporting that
7 suicide is a leading cause of death and affects people of all
8 ages; and

9 WHEREAS, Globally, more than 720,000 people die due to
10 suicide each year; and

11 WHEREAS, In 2023, suicide was the 11th leading cause of death
12 overall in the United States, claiming the lives of more than
13 49,300 people; and

14 WHEREAS, Suicide was the second leading cause of death among
15 individuals between 10 and 34 years of age and the fourth
16 leading cause of death among individuals between 35 and 44 years
17 of age; and

18 WHEREAS, There were more than two times as many suicides,
19 49,316, in the United States as there were homicides, 22,830, in

1 2023; and

2 WHEREAS, The Pennsylvania Violent Death Reporting System
3 gathers detailed, accurate and timely data that can be used to
4 inform suicide prevention efforts throughout this Commonwealth;
5 and

6 WHEREAS, Behavioral and mental health crisis services first
7 became available by the phone number 988 in July 2022; and

8 WHEREAS, In 2025, more than 145,000 Pennsylvanians reached
9 out to 988, and more than 90% of these calls were resolved over
10 the phone instead of requiring mobile crisis response or a
11 crisis walk-in center; and

12 WHEREAS, In 2019, former Governor Tom Wolf announced the
13 formation of a Statewide Suicide Prevention Task Force to
14 develop a four-year strategy to reduce suicide in this
15 Commonwealth and to fight the stigma associated with suicide,
16 attempted suicide and mental health issues; and

17 WHEREAS, In 2026, the Suicide Prevention Task Force published
18 an updated report listing three shared suicide prevention goals
19 as follows:

20 (1) Improving access to and use of suicide data,
21 including and especially for populations at increased risk.

22 (2) Improving partnerships between the State agencies
23 and other entities engaged in suicide prevention efforts at
24 the State and local levels.

25 (3) Increasing efforts to collaborate around suicide
26 risk and protective factors as part of upstream suicide
27 prevention;

28 and

29 WHEREAS, In 2023, Governor Josh Shapiro signed an Executive
30 Order establishing the Commonwealth's Behavioral Health Council

1 charged with helping streamline and improve access to mental
2 health and substance use disorder services; and

3 WHEREAS, Suicide remains a public health crisis that demands
4 action; and

5 WHEREAS, The House of Representatives is dedicated to
6 preventing suicide so that families may be spared from the
7 suffering of losing a loved one to suicide; therefore be it

8 RESOLVED, That the House of Representatives direct the Joint
9 State Government Commission to study suicide prevention and data
10 collection in this Commonwealth and make recommendations for
11 improving existing suicide prevention and data collection
12 efforts; and be it further

13 RESOLVED, That the report include a detailed analysis as to
14 the extent that the Commonwealth has followed through on the
15 three shared suicide prevention goals that were specified in the
16 Suicide Prevention Task Force as a part of its Statewide Suicide
17 Prevention Plan for 2025-2027; and be it further

18 RESOLVED, That the report include a detailed analysis of the
19 Pennsylvania Violent Death Reporting System (PAVDRS), including
20 the following:

21 (1) Barriers preventing comprehensive, Statewide suicide
22 data collection, including:

23 (i) A lack of State mandates requiring coroners,
24 medical examiners and law enforcement to participate with
25 PAVDRS.

26 (ii) Data confidentiality and liability concern.

27 (iii) Insufficient staff, time and funding necessary
28 for coroners, medical examiners and law enforcement
29 agencies to gather and send reports to the Department of
30 Health.

1 (2) Recommendations on how to ensure that all medical
2 examiners, coroners and law enforcement agencies in this
3 Commonwealth report suicide data to the Department of Health
4 for inclusion in PAVDRS.

5 (3) Recommendations on legislative action that could be
6 taken to support PAVDRS and advance its goal of providing
7 detailed, accurate and timely data that can be used to inform
8 suicide prevention efforts throughout this Commonwealth;
9 and be it further

10 RESOLVED, That the report include recommendations on
11 legislative action that could be taken to align the
12 Commonwealth's suicide prevention efforts with the 2024 United
13 States National Strategy for Suicide Prevention; and be it
14 further

15 RESOLVED, That the report include an analysis of policies,
16 legislation, regulations and programs that have been adopted or
17 administered by other states, how successful they have been in
18 reducing rates of suicide and how successful efforts could be
19 mirrored in this Commonwealth; and be it further

20 RESOLVED, That the report include policy recommendations,
21 proposed legislation and proposed regulations to further the
22 goal of preventing suicide; and be it further

23 RESOLVED, That the report include any other matters deemed
24 appropriate by the Joint State Government Commission; and be it
25 further

26 RESOLVED, That the Joint State Government Commission, in
27 compiling the report, seek input from and collaborate with the
28 Department of Health, Department of Human Services, stakeholders
29 as identified in the Statewide Suicide Prevention Plan for 2025-
30 2027, and other suicide prevention experts; and be it further

1 RESOLVED, That the Joint State Government Commission present
2 its report to the House of Representatives no later than January
3 1, 2028.

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HR0627 PN3901	Prepared By:	Ashlee Reick (717) 705-1925
Committee:	Human Services	Executive Director:	Dylan Lindberg
Sponsor:	Scott, Gregory		
Date:	9/22/2026		

A. Brief Concept

Directs the Joint State Government Commission to study data collection regarding suicide prevention.

C. Analysis of the Bill

House Resolution 627 directs the Joint State Government Commission to study data collection and other suicide prevention efforts.

The report shall include:

- An analysis of the progress on the Statewide Suicide Prevention Plan for 2025-27's goals.
- An analysis of the Pennsylvania Violent Death Reporting System (PAVDRS), including barriers to collecting data on suicide such as a lack of mandates requiring coroners, law enforcement, and medical examiners to participate in the PAVDRS, concerns about confidentiality and liability of data, and shortages in funding, staff, and time to gather and send reports to the Department of Health.
- An analysis of legislation, policies, programs, and regulations adopted or administered by other states to prevent suicide, specifically to determine how those efforts may reduce rates of suicide and how to implement those effective strategies in PA.
- Recommendations on ensuring that coroners, law enforcement agencies, and medical examiners report data on suicide deaths to the DOH for inclusion in PAVDRS, legislation to support PAVDRS and align with PA's suicide prevention efforts with the 2024 U.S. National Strategy for Suicide Prevention, and legislation, policies, and regulations to prevent suicide in PA.

To compile the report, the commission may seek input from DOH, the Department of Human Services, stakeholders identified in the Statewide Suicide Prevention Plan for 2025-27, and additional experts in suicide prevention. The commission must present the report to the PA House of Representatives no later than Saturday, January 1, 2028.

The resolution also notes that:

- In the U.S., suicide was the 11th leading cause of death during 2023.
- In 2023, suicide was the second leading cause of death among individuals between 10 and 34 years of age, and the fourth leading cause of death among individuals between 35 and 44 years of age.
- Behavioral and mental health crisis services first became available through the 988 Suicide & Crisis Lifeline in July of 2022.
- More than 145,000 individuals in PA contacted 988 throughout 2025.
- Former Gov. Tom Wolf announced the formation of the Statewide Suicide Prevention Task Force in 2019.
- As of 2026, the Suicide Prevention Task Force's goals include improving access to and use of suicide data, including for populations at an increased risk for suicide, improving partnerships between state agencies and entities engaged in suicide prevention efforts at local and state levels, and increasing efforts to collaborate around suicide risk and protective factors.
- Gov. Josh Shapiro established the Behavioral Health Council in 2023.

Effective Date:

Upon adoption.

G. Relevant Existing Laws

Pub.L.116-172, also known as the National Suicide Hotline Designation Act of 2020, established the 988 Suicide & Crisis Lifeline.

Act 101 of 2022 amended the Administrative Code of 1929 and Title 35 (Health and Safety). It permitted counties, including two or more counties, to establish death review teams pertaining to overdose and suicide, further providing for membership and duties, and required DOH to develop trainings on suicide, which shall include the availability of additional resources, critical incidents, managing stress, signs and symptoms of post-traumatic stress injury, substance use, warning signs of depression and suicide, and vicarious trauma.

Section 503 of the Vital Statistics Law requires deaths that appear sudden, violent, suspicious, or otherwise not from natural causes to be referred to the coroner, who then investigates and supplies the necessary information for the death record.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

N/A.

This document is a summary of proposed legislation and is prepared only as general information for use by the Democratic Members and Staff of the Pennsylvania House of Representatives. The document does not represent the legislative intent of the Pennsylvania House of Representatives and may not be utilized as such.

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1939 Session of 2025

INTRODUCED BY BENHAM, ORTITAY, HILL-EVANS, CIRESI, VENKAT, RIVERA, KHAN, DEASY, SALISBURY, SHUSTERMAN, INGLIS, SANCHEZ, SAPPEY, ABNEY, D. MILLER, MAYES, GREEN, HOHENSTEIN, CEPEDA-FREYTIZ, MIHALEK AND GAYDOS, OCTOBER 10, 2025

REFERRED TO COMMITTEE ON HUMAN SERVICES, OCTOBER 10, 2025

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 fee schedule rates.

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

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

10 Section 443.16. Fee Schedule Rates.--(a) Subject to Federal
11 approval and in addition to 55 Pa. Code § 6100.571 (relating to
12 fee schedule rates), the following applies to the fee schedule
13 rates for home and community-based services provided through
14 intellectual disability and autism programs administered by the
15 Office of Developmental Programs for the twelve-month period
16 beginning October 1, 2026, and each October 1 thereafter:

17 (1) To the extent funds are appropriated for the purposes
18 under this section, the fee schedule rates shall be increased by

1 the percentage change to the Consumer Price Index for the most
2 recently reported twelve-month period.

3 (2) If the increase to the fee schedule rates under
4 paragraph (1) will result in the total estimated expenditures
5 exceeding the funds appropriated for the purpose, the percentage
6 increase to the fee schedule rates shall be limited by the
7 amount appropriated.

8 (3) If no change or a decrease occurs in the Consumer Price
9 Index under paragraph (1), the fee schedule rates for home and
10 community-based services under this section shall remain
11 unchanged for the year. For any year in which the Consumer Price
12 Index increases following a year of decrease, the percentage
13 increase shall be calculated by subtracting the cumulative
14 percentage of any consecutive preceding years of decrease.

15 (4) The department shall transmit notice to the Legislative
16 Reference Bureau for publication in the next available issue of
17 the Pennsylvania Bulletin providing the percentage increase to
18 be applied to the fee schedule rates under this section prior to
19 implementing the adjustment to the fee schedule rates.

20 (5) When fee schedule rates increase under this section, a
21 provider shall increase the total wages of a direct support
22 professional by the increased percentage in the Consumer Price
23 Index under paragraph (1) no later than January 1 of the
24 applicable fiscal year of the rate increase.

25 (6) Beginning October 1, 2026, and each year thereafter, the
26 department shall transmit notice to the Legislative Reference
27 Bureau for publication in the next available issue of the
28 Pennsylvania Bulletin providing the lower bound wage rate for a
29 direct support professional based on any increase in the fee
30 schedule rates. No provider may pay a direct support

professional wage below the applicable lower bound wage rate.

(7) Effective July 1, 2027, if a provider does not comply with the compensation provisions under this section, the provider shall be subject to a financial penalty to be imposed by the department not to exceed an amount equal to the number of hours worked by each direct support professional who received wages lower than the lower bound wage rate multiplied by the difference between the wage the direct support professional received and the lower bound wage rate published under paragraph (6).

(8) Notwithstanding any other provision of law, a financial penalty collected under this section shall be deposited into the Home and Community-Based Services for Individuals with Intellectual Disabilities Augmentation Account established under section 1729-E of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code.

(9) A provider shall report annually to the department the following information, in a form and manner as prescribed by the department:

(i) The number of direct support professionals rendering services.

(ii) The average wage of direct support professionals by each service type rendered.

(iii) The starting wage of direct support professionals by each service type rendered.

(iv) Information on the amount and type of compensation paid to direct support professionals, including the following:

(A) Salary, wages and other remuneration under 29 U.S.C. Ch. 8 (relating to fair labor standards) and 29 CFR Pts. 531 (relating to wage payments under the Fair Labor Standards Act of

1 1938) and 778 (relating to overtime compensation).

2 (B) Benefits, including health and dental benefits, sick
3 leave and tuition reimbursements.

4 (C) The employer share of payroll taxes.

5 (b) Subsection (a)(1), (2), (3), (4) and (5) shall not apply
6 in a fiscal year in which the department establishes new fee
7 schedule rates under 55 Pa. Code. § 6100.571.

8 (c) As used in this section, the term "provider" means a
9 provider of home and community-based services provided through
10 an intellectual disability or autism program administered by the
11 Office of Developmental Programs of the department.

12 Section 2. This act shall take effect immediately.

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB1939 PN2447	Prepared By:	Dylan Lindberg
Committee:	Human Services		(717) 705-1925
Sponsor:	Benham, Jessica	Executive Director:	Dylan Lindberg
Date:	2/12/2026		

A. Brief Concept

Requires an annual update to the home and community-based ID/A fee schedule rates.

C. Analysis of the Bill

House Bill 1939 amends the Human Services Code to require an annual update to the home and community-based ID/A fee schedule rates.

Rate Increase

To the extent funds are appropriated, beginning October 1st 2026, and each October 1 thereafter, ID/A rates are required to increase by the percentage change of the Consumer Price Index (CPI) for the most recently reported 12-month period. However, if not enough funds are appropriated to match the CPI increase, then rate increases will be enhanced in proportion to the amount appropriated. If there are no CPI changes or a decrease, then there will be no corresponding rate changes. If a CPI increase occurs the year after a decrease occurred, the rate increase is calculated by subtracting the cumulative percentage of any consecutive preceding years of decrease.

The department must submit the rate increase in the next Pa Bulletin.

Direct Support Professional Wages

When a fee rate increase occurs, a provider must increase a direct support professional's wages by the increase in CPI, no later than January 1st.

Beginning October 1st, 2026, the department must annually submit in the Pa Bulletin the lower bound rate for a direct support professional based on any rate increases. A provider is prohibited from paying a direct support professional below the lower bound wage.

Penalties

Effective July 1st, 2027, a provider who does not comply with this act is subject to a fine. The fine cannot exceed the number of hours worked by each underpaid direct support professional multiplied by the difference between what they were paid and the required minimum wage rate.

Any fine collected is deposited into the Home and Community-Based Services for Individuals with Intellectual Disabilities Augmentation Account.

Report

A provider must annually report to the department the following:

- number of direct support professionals;
- average wage of direct support professionals by each service type;
- starting wage of direct support professionals by each service type;

- information on the amount and type of compensation paid to direct support professionals, including:
 - salary, wages, and other remuneration;
 - benefits, including health, dental, sick leave, and tuition reimbursements;
 - employer share of payroll taxes;

Applicability

The department is still required to conduct a fee schedule update, utilizing multiple data points, every three years. When the department establishes a new fee schedule rate as required every three years, the CPI increases will not apply.

Effective Date:

Immediately.

G. Relevant Existing Laws

55 Pa. Code §6100.571 requires DHS to establish a fee schedule, using a market-based approach, and update it every three years. They must publish the rates in the Pennsylvania Bulletin.

42 CFR §§ 441.311(e) and 441.302(k), beginning in 2028, require states and providers to report payment adequacy and ensure that at least 80% of Medicaid payments for certain HCBS are spent on compensation for direct care workers.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

House Bill 661 of 2023 was referred to the Human Services Committee, where it received no further consideration.

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LEGISLATIVE REFERENCE BUREAU

AMENDMENTS TO HOUSE BILL NO. 1939

Sponsor: *Representative Benham*

Printer's No. 2447

1 Amend Bill, page 1, line 10, by striking out "443.16." and
2 inserting

3 443.17.

4 Amend Bill, page 1, line 16, by striking out "2026" and
5 inserting

6 2027

7 Amend Bill, page 2, line 1, by inserting after "for"

8 All Urban Consumers for

9 Amend Bill, page 2, lines 3 through 5, by striking out all of
10 lines 3 and 4 and "exceeding the funds appropriated for the
11 purpose, the" in line 5 and inserting

12 The

13 Amend Bill, page 2, line 8, by striking out "(3)" and
14 inserting

15 (2)

16 Amend Bill, page 2, line 9, by inserting after "Index"

17 for All Urban Consumers

18 Amend Bill, page 2, line 12, by inserting after "Index"

19 for All Urban Consumers

20 Amend Bill, page 2, line 15, by striking out "(4)" and
21 inserting

22 (3)

23 Amend Bill, page 2, line 20, by striking out "(5)" and
24 inserting

1 (4)
2 Amend Bill, page 2, line 21, by striking out "wages" and
3 inserting
4 compensation
5 Amend Bill, page 2, lines 22 and 23, by striking out "in the
6 Consumer Price Index under paragraph (1)" and inserting
7 published under paragraph (3)
8 Amend Bill, page 2, line 25, by striking out "(6)" and
9 inserting
10 (5)
11 Amend Bill, page 2, line 25, by striking out "2026" and
12 inserting
13 2027
14 Amend Bill, page 3, line 2, by striking out "(7)" and
15 inserting
16 (6)
17 Amend Bill, page 3, line 2, by striking out "2027" and
18 inserting
19 2028
20 Amend Bill, page 3, lines 4 and 5, by striking out all of
21 line 4 and "by the department" in line 5 and inserting
22 department may impose corrective actions, a financial
23 penalty, or both against a provider,
24 Amend Bill, page 3, line 10, by striking out all of said line
25 and inserting
26 (5). The department shall consider the total compensation
27 offered by a provider when taking corrective action or imposing
28 a penalty under this section.
29 Amend Bill, page 3, line 11, by striking out "(8)" and
30 inserting
31 (7)
32 Amend Bill, page 3, line 17, by striking out "(9)" and

1 inserting

2 (8)

3 Amend Bill, page 4, line 5, by striking out "(3), (4) and
4 (5)" and inserting

5 (3) and (4)

6 Amend Bill, page 4, lines 8 through 12, by striking out all
7 of said lines and inserting

8 (c) As used in this section, the following words and phrases
9 shall have the meanings given to them in this subsection unless
10 the context clearly indicates otherwise:

11 "Direct support professional." A person employed or
12 contracted by a provider to render a service to an individual
13 receiving a service through an intellectual disability or autism
14 program administered by the Office of Developmental Programs.

15 "Lower bound wage rate." The minimum hourly compensation
16 level that must be paid for a direct support professional
17 rendering a home and community-based service provided through an
18 intellectual disability or autism program administered by the
19 Office of Developmental Programs, with the rate being:

20 (1) Derived from market-based wage assumptions used to
21 develop fee schedule rates.

22 (2) The lowest point in the wage range established by the
23 Office of Developmental Programs for each service area using the
24 United States Department of Labor, Bureau of Labor Statistics
25 wage data for commensurate job classifications.

26 "Provider." A provider of home and community-based services
27 provided through an intellectual disability or autism program
28 administered by the Office of Developmental Programs of the
29 department.

30 Section 2. This act shall take effect in 120 days.

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1939 Session of
2025

INTRODUCED BY BENHAM, ORTITAY, HILL-EVANS, CIRESI, VENKAT,
RIVERA, KHAN, DEASY, SALISBURY, SHUSTERMAN, INGLIS, SANCHEZ,
SAPPEY, ABNEY, D. MILLER, MAYES, GREEN, HOHENSTEIN, CEPEDA-
FREYTIZ, MIHALEK AND GAYDOS, OCTOBER 10, 2025

REFERRED TO COMMITTEE ON HUMAN SERVICES, OCTOBER 10, 2025

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 fee schedule rates.

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

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

10 Section ~~443.16.~~ 443.17. Fee Schedule Rates.--(a) Subject to
11 Federal approval and in addition to 55 Pa. Code § 6100.571
12 (relating to fee schedule rates), the following applies to the
13 fee schedule rates for home and community-based services
14 provided through intellectual disability and autism programs
15 administered by the Office of Developmental Programs for the
16 twelve-month period beginning October 1, ~~2026~~ 2027, and each
17 October 1 thereafter:

18 (1) To the extent funds are appropriated for the purposes

A04467 Amendment in Context

under this section, the fee schedule rates shall be increased by the percentage change to the Consumer Price Index for All Urban Consumers for the most recently reported twelve-month period.

~~(2) If the increase to the fee schedule rates under paragraph (1) will result in the total estimated expenditures exceeding the funds appropriated for the purpose, the~~ The percentage increase to the fee schedule rates shall be limited by the amount appropriated.

~~(3)~~ (2) If no change or a decrease occurs in the Consumer Price Index for All Urban Consumers under paragraph (1), the fee schedule rates for home and community-based services under this section shall remain unchanged for the year. For any year in which the Consumer Price Index for All Urban Consumers increases following a year of decrease, the percentage increase shall be calculated by subtracting the cumulative percentage of any consecutive preceding years of decrease.

~~(4)~~ (3) The department shall transmit notice to the Legislative Reference Bureau for publication in the next available issue of the Pennsylvania Bulletin providing the percentage increase to be applied to the fee schedule rates under this section prior to implementing the adjustment to the fee schedule rates.

~~(5)~~ (4) When fee schedule rates increase under this section, a provider shall increase the total wages compensation of a direct support professional by the increased percentage ~~in the Consumer Price Index under paragraph (1) published under paragraph (3)~~ no later than January 1 of the applicable fiscal year of the rate increase.

~~(6)~~ (5) Beginning October 1, ~~2026~~ 2027, and each year thereafter, the department shall transmit notice to the

A04467 Amendment in Context

Legislative Reference Bureau for publication in the next
available issue of the Pennsylvania Bulletin providing the lower
bound wage rate for a direct support professional based on any
increase in the fee schedule rates. No provider may pay a direct
support professional wage below the applicable lower bound wage
rate.

~~(7)~~ (6) Effective July 1, 2027 2028, if a provider does not
comply with the compensation provisions under this section, the
~~provider shall be subject to a financial penalty to be imposed~~
~~by the department~~ department may impose corrective actions, a
financial penalty, or both against a provider, not to exceed an
amount equal to the number of hours worked by each direct
support professional who received wages lower than the lower
bound wage rate multiplied by the difference between the wage
the direct support professional received and the lower bound
wage rate published under paragraph ~~(6)~~ (5). The department
shall consider the total compensation offered by a provider when
taking corrective action or imposing a penalty under this
section.

~~(8)~~ (7) Notwithstanding any other provision of law, a
financial penalty collected under this section shall be
deposited into the Home and Community-Based Services for
Individuals with Intellectual Disabilities Augmentation Account
established under section 1729-E of the act of April 9, 1929
(P.L.343, No.176), known as The Fiscal Code.

~~(9)~~ (8) A provider shall report annually to the department
the following information, in a form and manner as prescribed by
the department:

(i) The number of direct support professionals rendering
services.

A04467 Amendment in Context

1 (ii) The average wage of direct support professionals by
2 each service type rendered.

3 (iii) The starting wage of direct support professionals by
4 each service type rendered.

5 (iv) Information on the amount and type of compensation paid
6 to direct support professionals, including the following:

7 (A) Salary, wages and other remuneration under 29 U.S.C. Ch.
8 8 (relating to fair labor standards) and 29 CFR Pts. 531
9 (relating to wage payments under the Fair Labor Standards Act of
10 1938) and 778 (relating to overtime compensation).

11 (B) Benefits, including health and dental benefits, sick
12 leave and tuition reimbursements.

13 (C) The employer share of payroll taxes.

14 (b) Subsection (a) (1), (2), ~~(3), (4) and (5)~~ (3) and (4)
15 shall not apply in a fiscal year in which the department
16 establishes new fee schedule rates under 55 Pa. Code. §
17 6100.571.

18 ~~(c) As used in this section, the term "provider" means a~~
19 ~~provider of home and community based services provided through~~
20 ~~an intellectual disability or autism program administered by the~~
21 ~~Office of Developmental Programs of the department.~~

22 ~~Section 2. This act shall take effect immediately.~~

23 ~~(c) As used in this section, the following words and phrases~~
24 ~~shall have the meanings given to them in this subsection unless~~
25 ~~the context clearly indicates otherwise:~~

26 ~~"Direct support professional." A person employed or~~
27 ~~contracted by a provider to render a service to an individual~~
28 ~~receiving a service through an intellectual disability or autism~~
29 ~~program administered by the Office of Developmental Programs.~~

30 ~~"Lower bound wage rate." The minimum hourly compensation~~

A04467 Amendment in Context

1 level that must be paid for a direct support professional
2 rendering a home and community-based service provided through an
3 intellectual disability or autism program administered by the
4 Office of Developmental Programs, with the rate being:

5 (1) Derived from market-based wage assumptions used to
6 develop fee schedule rates.

7 (2) The lowest point in the wage range established by the
8 Office of Developmental Programs for each service area using the
9 United States Department of Labor, Bureau of Labor Statistics
10 wage data for commensurate job classifications.

11 "Provider." A provider of home and community-based services
12 provided through an intellectual disability or autism program
13 administered by the Office of Developmental Programs of the
14 department.

15 Section 2. This act shall take effect in 120 days.

HOUSE OF REPRESENTATIVES DEMOCRATIC COMMITTEE AMENDMENT REPORT

HB1939 - PN2447 (Benham, Jessica)

Requires an annual update to the home and community-based ID/A fee schedule rates.

A-04467 (Benham, Jessica) (Committee)

Clarifies dates, specifies which inflation index is to be used, provides for corrective actions instead of solely financial penalties, and allows rate increases to be used for total compensation.

