

HOUSE BILL NO. 26

INTRODUCED BY G. PIERSON

BY REQUEST OF THE CHILDREN, FAMILIES, HEALTH, AND HUMAN SERVICES INTERIM COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY TO INCREASE DIRECT-CARE WORKER WAGES IN THE COMMUNITY DEVELOPMENTAL DISABILITIES SYSTEM; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Appropriation for direct-care worker wages.** (1) The following amounts are appropriated to the department of public health and human services for the biennium beginning July 1, 2019, for a rate increase for developmental disabilities services providers to be phased in and used as provided in this section:

Fiscal year 2020	\$6,110,043	federal special revenue fund
	\$3,218,231	general fund
Fiscal year 2021	\$14,265,419	federal special revenue fund
	\$7,500,554	general fund

(2) Providers must use the appropriation to increase wages by \$3 an hour over the biennium and to pay associated payroll taxes for direct-care workers.

(3) Except as provided in subsection (4), the department shall phase in the appropriation on July 1 and January 1 of each year of the biennium in a manner that provides the equivalent of an increase in wages of at least 75 cents an hour per employee.

(4) (a) If the appropriation is insufficient to provide the equivalent of an increase of 75 cents an hour per employee every 6 months, the department shall provide the maximum provider rate increase possible from the appropriation.

(b) If the appropriation allows for the equivalent of an increase of more than 75 cents an hour per employee in any 6-month period, the department shall use the full amount of the appropriation to provide the greater increase.

(5) (a) For the purposes of this section, a direct-care worker is a full-time or part-time employee whose

1 primary responsibility is the day-to-day, hands-on direct support, training and instruction, and assistance with and  
2 management of activities of daily living for people with developmental disabilities receiving community services  
3 established pursuant to 53-20-205.

4 (b) The term does not include:

5 (i) state employees;

6 (ii) administrative, program, or management staff members of a provider, including case managers and  
7 family support specialists; or

8 (iii) nurses licensed pursuant to Title 37, chapter 8.

9 (6) The legislature intends that the appropriation in this section be considered a part of the ongoing base  
10 for the next legislative session.

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12 **NEW SECTION. Section 2. Effective date.** [This act] is effective July 1, 2019.

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