

August 19, 2022

Department of Human Services  
Office of Developmental Programs  
Division of Provider Assistance and Rate Setting  
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By Email to: [RA-ratesetting@pa.gov](mailto:RA-ratesetting@pa.gov)  
Subject: ODP ARPA Initiatives

Thank you for the opportunity to provide comments to proposed new initiatives detailed within ODP Announcement 22-088. Recognizing that funding from the American Rescue Plan Act (ARPA) must be used to enhance, expand, or strengthen HCBS beyond what is available under Medicaid programs, including the ODP waivers, it is recommended that stabilization of the Direct Support Professional (DSP) workforce remain as the highest priority for use of any available ARPA funding.

HCBS services can be strengthened through workforce investment. The capacity to enhance or expand HCBS is currently precluded by the lack of a sufficient workforce. While other factors have certainly impeded the reopening of programs and the return of service capacity to pre-pandemic levels, workforce issues remain the primary source of diminished capacity, and the greatest threat to the provision of all services provided under HCBS waivers.

It is recommended that ODP invest any remaining ARPA funding into the DSP workforce through a one-time claims-based adjustment to reflect the most recently published data on inflation. The current fee schedule rates are based on published wage data from May 2020 trended forward to January 1, 2022 using an inflation factor of 3.5%. ODP should apply current inflation data to calculate the shortfall between current fee schedule rates and market-based rates required under regulation.

The targeted initiatives identified in ODP Announcement 22-088 under *Increased Access to HCBS* have merit; however, each proposed initiative does in fact include a statement identifying costs associated with staff recruitment and retention. Targeted initiatives would benefit from workforce investment. Initiatives to *Support State HCBS Capacity Building and LTSS Rebalancing Reform* should be funded through existing resources and the proceeds from resulting efficiencies, not the use of one-time ARPA money that could be invested in the DSP workforce. Efforts to pursue additional federal financial participation through an Appendix K amendment are acknowledged and supported.

It is also noted that the timeframe identified for use of funds would begin October 1, 2023. Funds should be released as soon as possible and targeted for workforce recruitment and retention necessary to immediately address ongoing workforce stress, demonstrated by the unsustainable levels of staff turnover and vacancies that have remained at historically high levels since the onset of the COVID-19 pandemic.

Thank you for your consideration and the opportunity to provide these comments and recommendations for the use of ARPA funding, and for the ongoing support to people with disabilities provided by the Office of Developmental Programs and the Commonwealth.

Sincerely,

*Patrick DeMico*

Patrick DeMico  
Executive Director