

STATE OF RHODE ISLAND



Department of Behavioral Healthcare, Developmental Disabilities & Hospitals

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April 3, 2025

The Honorable Arthur J. Corvese, Chair
House Committee on Labor
State House
Providence, RI 02903

RE: 2025 – H 5228 – An Act Relating To Behavioral Healthcare, Developmental Disabilities And Hospitals - Quality Self-Directed Supports Act Of 2025

Dear Chair Corvese:

I am writing regarding **H 5228**, the Quality Self-Directed Supports Act Of 2025.

The Department of Behavioral Healthcare, Developmental Disabilities & Hospitals (BHDDH) recognizes the stated goals of this legislation to improve personal care services for developmentally disabled adults. However, after further review, we write the committee to inform you of potential negative impacts with the bill language as written on the administration of the self-directed supports programs, and the broader landscape of services for people with developmental disabilities in Rhode Island.

Individuals who choose this model value the autonomy to select, train, direct, and manage their own support staff. Granting collective bargaining rights to these direct support professionals (DSPs) could limit this flexibility by introducing a third party into the direct relationship between the individual and their chosen staff or employee. This added layer of complexity could make it more difficult for individuals to manage their staff according to their unique needs and preferences.

It is important to note that wage differentials between DSPs should ideally be based on the inherent differences in job responsibilities and required skills, not solely on the service delivery model. If self-directed DSPs, who in many cases currently face fewer mandatory training requirements and professional development standards compared to those in traditional settings, receive preferential wage increases due to unionization, it could create an illogical and unfair system. We have worked hard to improve wages for all DSPs in Rhode Island, and we are concerned this legislation could undermine those broader efforts by creating a fragmented approach.

Additionally, this legislation has the potential to further divide the direct support workforce in Rhode Island. Unionizing DSPs in self-directed supports may have the unintended consequence of creating inconsistencies between their wages and benefits and those of DSPs working for traditional provider agencies. This is particularly concerning in Rhode Island, where fiscal intermediaries for self-directed supports are often also traditional providers.

Finally, individuals who self-direct their supports already receive comparable funding rates as traditional provider agencies, yet they do not have the same overhead costs. This allows them the flexibility to allocate their budgets, including potentially offering higher wages to their chosen DSPs if they deem it appropriate.

In conclusion, while we share the goal of a well-supported direct care workforce, we believe the proposed "Quality Self-Directed Supports Act of 2025," in its current form, poses significant risks to the principles of self-direction, the financial stability of our programs, the equitable treatment of all DSPs, and the overall administrative efficiency of the BHDDH. We urge the Committee to carefully consider these concerns and the potential unintended consequences of this legislation.

The BHDDH remains committed to working with the legislature to find effective solutions that support both the individuals we serve and the dedicated workforce that assists them. We welcome the opportunity for further discussion and collaboration on this critical issue.

Sincerely,

A handwritten signature in dark ink, appearing to read "Richard Leclerc", written in a cursive style.

Richard Leclerc
Director

cc: The Honorable Members of the House Committee on Labor
The Honorable Evan P. Shanley
Nicole McCarty, Esquire, Chief Legal Counsel to the Speaker of the House
Lynne Urbani, Director of House Policy