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**December 08, 2021**

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Governor Spencer Cox

350 North State Street, Suite 200

PO Box 142220

Salt Lake City, Utah 84114-2220

kathybounous@utah.gov; karenp@utah.gov

J. Stuart Adams

President - Utah State Senate

320 State Capitol

Salt Lake City, Utah 84114

jsadams@le.utah.gov

Brad Wilson

Speaker – Utah State House of Representatives

350 North State, Suite 350, P.O. Box 145030

Salt Lake City, Utah 84114

bradwilson@le.utah.gov

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Sent via: Email

Re: HCBS Provider Staff Shortage

Dear Governor Cox, President Adams, and Speaker Wilson

As agencies that represent the interests of Utahns with Intellectual and Developmental Disabilities (ID/DD), we write to you today to urge you to take immediate action to address the staffing crisis affecting Medicaid waiver home and community based “HCBS” services for people with developmental and intellectual disabilities. People with disabilities across the state of Utah are unable to access services or are at risk of losing their services because of exponentially increasing turnover and vacancy rates for support staff. HCBS providers strive to provide high quality care, help people be integrated, and ensure that people in services have direction over their lives, but the staff shortage is threatening this. Unless immediate action is taken, we fear the collapse of the service system for people with intellectual and developmental disabilities in Utah.

**EXECUTIVE DIRECTOR**

**Adina Zahradnikova**

**LEGAL DIRECTOR**

**Laura Henrie**

Because of our work serving people with disabilities across the state, we have seen increasing problems within the service system due to provider staff shortages. The lack of staff in HCBS services has meant that people with disabilities have had to stay home from their programming, have had to move into larger consolidated settings, and, in some cases, have been discharged from their provider. Individuals who are discharged from one provider have been unable to find another provider, and providers have not had the capacity to serve individuals newly entering the system.

While providers seek to provide high quality care to their clients, the lack of staffing creates a higher risk of abuse and neglect for people in services, and our organizations have seen an increase in issues of this nature. Individuals with developmental disabilities are at a higher risk of death from Covid-19, so the consolidation of services resulting in more individuals in day and residential settings creates dangerous conditions for this vulnerable population. There is also a risk that as services become more institutional, congregate and isolating due

shortage, the system will fail to comply with federal conditions of receiving Medicaid funds. Unfortunately, this already emergency-level situation will be further compounded with the discontinuation of the caregiver compensation program where 400-450 additional individuals will soon be seeking services within the HCBS system.

While we appreciate the efforts the state has already undertaken to address this issue with past provider rate increases and the addition of the ARPA FMAP increase for provider wages, more must be done to ensure that people with disabilities can continue to access services. The ARPA increased FMAP will provide a three-year 5% increase resulting in an additional \$1 per hour wage increase for staff, however, this new average \$12.75 wage for direct support professionals is insufficient to attract and retain staff in the current market.

In order to stabilize the service system and allow people with disabilities to continue to receive services, we would request that the state invest significant additional funds to raise wages for staff to a competitive level. We would propose that the state use income tax under Amendment G to cover these urgently needed investments. In addition, we would also ask the governor's office, state agencies and legislature work together to address the provider staffing shortage by passing a bill to direct the Department of Health to apply for an amendment to the existing state Medicaid plan to allow families to receive caregiver compensation (in addition to the program for spouses created under S.B. 63 during the 2021 general session), increasing funding for the limited supports waiver (which should lower overall acuity of individuals receiving waiver supports and thereby decreasing strain on the system), and studying additional ways to invest in direct support staff and the system overall.

Thank you for your consideration of this request. Please do not hesitate to contact any of us if you have any questions or concerns.

Sincerely,



Adina Zahradnikova  
Executive Director  
Disability Law Center

Cheryl Smith  
Past President  
Autism Council of Utah

Everette Bacon  
Chair  
Legislative Coalition for People with  
Disabilities

Joey Hanna  
Executive Director  
Utah Parent Center

Libby Oseguera  
Executive Director  
Utah Developmental Disabilities Council

Susan Blamires  
President  
Independent Support Coordinator  
Association

Neil Allred  
Executive Director  
Utah Association of Community Services

Matt Wappett  
Executive Director  
Utah State University Institute for Disability  
Research, Policy & Practice

Tylee Harmon  
Interim Executive Director  
Utah Statewide Independent Living Council

Cc: Ms. Tracy Gruber  
Executive Director  
Utah Department of Human Services  
[tracygruber@utah.gov](mailto:tracygruber@utah.gov)

Mr. Nate Checketts  
Executive Director  
Utah Department of Health  
[nchecketts@utah.gov](mailto:nchecketts@utah.gov)

Ms. Tonya Hales  
Assistant Division Director, Medicaid and Health Financing  
Utah Department of Health  
[thales@utah.gov](mailto:thales@utah.gov)

Ms. Angella Pinna  
Executive Director  
Division of Services for People with Disabilities  
[apinna@utah.gov](mailto:apinna@utah.gov)