



March 1, 2024

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Thank you for the opportunity to provide our feedback regarding ODP's proposed amendment to the Consolidated, P/FDS, Community Living, and Adult Autism Waivers to allow providers to request a one-time supplemental payment to cover recruitment, retention, and any unusual staffing expenses resulting from the COVID-19 pandemic for direct support professionals, frontline supervisors, or supports coordinators in ODP Announcement 24-107.

RCPA and our members are appreciative of the efforts proposed by the Office of Developmental programs to assist providers and Supports Coordination Organizations in addressing the workforce crisis with this additional one time funding. We offer the following comments and recommendations for your consideration.

We understand and appreciate the intent of the one-time supplemental payments is to improve front line staffing, supports coordinators and supervisors, with the ultimate goal of allowing providers to accept new participants into service. We would, however, like to comment that these funds will only be a part of that process. One time payments alone will not necessarily result in providers having the ability to increase their services, but may be very useful in stabilizing the services.

The proposed initiative states "Payments will be calculated at 6% of fee for service(s) revenue received for services rendered between July 1, 2023 and December 21, 2023". This should include all rates, including the Needs Exception Allowance (NEA) rates. ODP cannot in good conscience exclude NEA rates in the 6% calculation and disbursement of Workforce Recovery Supplemental Payments under this initiative. Since NEA rates support people with the most complex needs, this would negatively impact the services to those most in need. NEA rates are prospective fees with unique w-codes for Residential Habilitation services. They are billed and reimbursed by ODP as "fee for service revenue" therefore there is no basis for excluding them from the calculation.

The restriction of payments to not be used to increase or supplement compensation for agency executive staff is understandable, but additional positions, such as Program Specialists should be allowable as these positions are also necessary for providers to effectively serve individuals and are generally not highly compensated positions. We recommend that agencies receiving these funds have the flexibility to utilize the funds in a manner that they believe will best benefit the stability of their workforce and not be limited to only front line staff and front line supervisors. Additionally we would like to recommend that this process for requesting the funds be as simplified as possible to enable providers to focus their efforts on determining the best use of the funds for their workforce.

We hope that ODP finds our comments useful and will continue to work with the provider community to find solutions to the challenges with the workforce and other factors that currently limit access to services for those in need.

Sincerely,  
Carol Ferez, Director IDD Division