

SB 342 (Sen. Liz Stefanics)  
The Medicaid Waiver Wage Fairness and Workforce Act

SB 342 will ensure that when the state raises provider pay rates in the DD and Medically Fragile waivers, a portion of the increase is passed on by provider agencies to the workers directly providing the services. The bill has three goals: fair treatment for workers, promoting an adequate workforce to provide essential services to persons with intellectual/developmental disabilities in Medicaid waiver programs, and informing good policymaking through collection of data.

- Direct service professionals (DSPs) are the workers who assist clients in the Medicaid DD waiver and Medically Fragile waivers on a daily basis. They provide a range of critical services to waiver recipients, assisting them with activities of daily living such as eating, bathing and dressing as well as supporting them in employment and social activities.
- DSPs are essential to the ability of people with developmental disabilities to live active and independent lives and be engaged in their communities to the greatest extent possible.
- Most DSPs are women and people of color. They do physically and emotionally demanding work for low wages, and often lack common employee benefits like paid leave and health insurance. The challenges in providing these close-contact services have risen in the coronavirus pandemic.
- Turnover in the field is high, and worker recruitment and retention are ongoing challenges. This has only gotten worse during the pandemic, as illness, fear of contagion or the need to care for children who are out of school have forced many workers to stop working or to reduce their hours.
- Collecting data on the DSP workforce would improve policymaking in New Mexico. Data such as numbers of full- and part-time workers, geographic distribution, turnover and vacancy rates, worker qualifications and credentials, and compensation in the form of both wages and benefits will lead to better understanding of the factors that affect worker recruitment and retention, and help policymakers make evidence-based determinations on how to ensure that New Mexico has an adequate and well-qualified DSP workforce to serve people on the waivers.

**What SB 342 would do:**

- Require that a significant portion of any provider rate increase (at least 70%, a percentage based on the recent rate study) be passed on to improve compensation to workers.
- Support workers providing vital services to persons with developmental disabilities.
- Promote an adequate DSP workforce by improving worker pay and benefits.
- Collect data to inform New Mexico's policymaking in the DD waivers.

**What SB 342 would NOT do:**

- Mandate a particular wage or an immediate raise for DSPs
- Require an appropriation

*New Mexico Caregivers Coalition*

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*See over for list of endorsing organizations*

Organizations supporting SB 342:

The ARC–New Mexico  
El Centro de Igualdad y Derechos  
The Disability Coalition  
Disability Rights New Mexico  
Encuentro  
Forward Together  
Heart is Home Cooperative Care  
Interfaith Worker Justice  
KWH Law Center  
The Law Office of Lynn Coyle PLLC, Christopher Benoit  
New Mexico Cancer Center Foundation  
New Mexico Caregivers Coalition  
New Mexico Caregivers in Action  
New Mexico Center on Law and Poverty  
National Domestic Workers Alliance  
OLÉ (Organizers in the Land of Enchantment)  
Otero County Advocates for Developmental Disabilities  
PHI – Quality Care Through Quality Jobs