S. 1332

To require the Office of Management and Budget to revise the Standard Occupational Classification system to establish a separate code for direct support professionals, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 27, 2023

Ms. HASSAN (for herself and Ms. COLLINS) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To require the Office of Management and Budget to revise the Standard Occupational Classification system to establish a separate code for direct support professionals, and for other purposes.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,

3 SECTION 1. SHORT TITLE.

4 This Act may be cited as the “Recognizing the Role
5 of Direct Support Professionals Act”.

6 SEC. 2. FINDINGS.

7 Congress finds the following:
Direct support professionals play a critical role in the care provided to individuals with intellectual and developmental disabilities.

Providers of home- and community-based services are experiencing difficulty hiring and retaining direct support professionals, with a national turnover rate of 43 percent, as identified in a 2021 study by the National Core Indicators, and full-time vacancy rates increasing by 94 percent between 2019 and 2021.

High turnover rates can lead to instability for individuals receiving services, and this may result in individuals not receiving enough personalized care to help them reach their goals for independent living.

A discrete occupational category for direct support professionals will help States and the Federal Government—

(A) better interpret the shortage in the labor market of direct support professionals; and

(B) collect data on the high turnover rate of direct support professionals.

The Standard Occupational Classification system is designed and maintained solely for statis-
tical purposes, and is used by Federal statistical
agencies to classify workers and jobs into occupa-
tional categories for the purpose of collecting, calcu-
lating, analyzing, or disseminating data.

(6) Occupations in the Standard Occupational
Classification system are classified based on work
performed and, in some cases, on the skills, edu-
cation, or training needed to perform the work.

(7) Establishing a discrete occupational cat-
egory for direct support professionals will—

(A) correct an inaccurate representation in
the Standard Occupational Classification sys-
tem;

(B) recognize these professionals for the
critical and often overlooked work that they
perform for the disabled community, which
work is different than the work of a home
health aide or a personal care aide; and

(C) better align the Standard Occupational
Classification system with related classification
systems.

SEC. 3. DEFINITION OF DIRECT SUPPORT PROFESSIONAL.

In this Act, the term “direct support professional”
means an individual who, in exchange for compensation,
provides services to an individual with an intellectual dis-
• ability or a developmental disability (as defined in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15002)) that promote such individual’s independence, including—

(1) services that enhance independence and community inclusion for such individual, including traveling with such individual, attending and assisting such individual while visiting friends and family, shopping, or socializing;

(2) services such as coaching and supporting such individual in communicating needs, achieving self-expression, pursuing personal goals, living independently, and participating actively in employment or voluntary roles in the community;

(3) services such as providing assistance with activities of daily living (such as feeding, bathing, toileting, and ambulation) and with tasks such as meal preparation, shopping, light housekeeping, and laundry; or

(4) services that support such individual at home, work, school, or any other community setting.

SEC. 4. REVISION OF STANDARD OCCUPATIONAL CLASSIFICATION SYSTEM.

The Director of the Office of Management and Budget shall, not later than 30 days after the date of enactment
of this Act, revise the Standard Occupational Classification system to establish a separate code (31–1123) for direct support professionals as a healthcare support occupation. Such code shall be a subset of 31–1120, which includes home health aides and personal care aides.