

## House Appropriations, HR Section

### House Bill 1012

Wednesday, February 5, 2025

Chairman Nelson and members of the committee,

My name is Jessica Dargis and I am the CEO of Enable Inc, located in Bismarck ND. Thank you for the opportunity to submit testimony in favor of HB 1012.

I am writing to express my strong support for initiatives aimed at improving the quality, accessibility, and sustainability of services for individuals with intellectual and developmental disabilities. These individuals rely on critical services and supports provided by organizations across the state, and it is essential that we continue to strengthen and expand these services to meet their needs."

#### **Inflationary Increase of 4% and 3%**

I stand before you advocating for an inflationary increase of 4% and 3% for this biennium for developmental disability service providers. These proposed increases are critical to ensure that providers can continue to attract and retain the highly skilled professionals necessary to deliver the essential services that individuals with developmental disabilities depend on. The job market is tough, and without this increase, we risk further destabilizing a workforce that is already underpaid and overburdened.

The job market today is more competitive than ever. Many sectors are experiencing labor shortages, but the developmental disability services sector faces an even more pressing challenge. We are competing for talent in a market where wages for direct care workers, case managers, therapists, and other support staff in the developmental disability field have remained stagnant for too long. The work these employees do is demanding, often requiring a high level of patience, skill, and emotional resilience. Yet, despite their critical role, compensation has not kept pace with the increasing cost of living or with the demands placed on workers.

This sector already has one of the highest turnover rates of any human services field with a 28% turnover rate for Day program and 45% for residential services based on data pulled from 16 developmental disability providers across the state of North Dakota. Without a substantial wage increase, providers will continue to struggle with workforce shortages, which directly impacts the quality of services delivered to individuals with disabilities.

Employees in the developmental disability sector are not just workers—they are caregivers, advocates, and lifelines to some of the most vulnerable individuals in our communities. These workers often go above and beyond, providing critical services that support independence, dignity, and quality of life for people with disabilities. The importance of their role cannot be overstated.

Without these professionals, the support systems that so many individuals rely on would crumble, leaving people with developmental disabilities at risk of isolation, reduced access to essential care, and a diminished quality of life.

Things we often take for granted, such as going to the mall or store to buy something we want, are being denied to the individuals we support due to staff shortages. We want those individuals to thrive in their homes and communities, but when we have to plan weeks in advance and hope no one gets sick just to take someone shopping, it becomes clear that we are not providing the least restrictive setting. Denying someone the opportunity to use their personal funds to buy a shirt they desire simply because of a lack of staffing is a denial of their basic rights. It is crucial that we have enough support to ensure these individuals can participate in everyday activities like shopping, which are important for their independence and well-being.

Recruiting and retaining qualified staff is one of the most pressing challenges developmental disability providers face today. Without competitive wages, providers will continue to lose talented workers to other industries that offer better pay and benefits with less responsibility. The result is a revolving door of staff that makes it impossible to maintain consistent care and disrupts the relationships that are essential to the well-being of individuals with disabilities.

By offering a 4% and 3% increase, we are not only acknowledging the work of current employees but also signaling to potential recruits that this is a career worth pursuing. Increased wages are a clear investment in the future of this sector and will lead to improved staff morale, better care outcomes, and reduced turnover.

When staff feel valued and supported, they are more likely to stay in their positions, develop strong, trusting relationships with clients, and improve the overall quality of care.

Inadequate pay, on the other hand, leads to burnout, stress, and emotional exhaustion, which can result in lower-quality services for individuals with developmental disabilities. The proposed increases will help combat these challenges, ensuring that the workforce remains strong and capable of providing the care that our most vulnerable citizens deserve.

I urge you to reevaluate the state's budget to allow for a 4% and 3% biennial increase for developmental disability providers. These increases are not just about raising wages—they

are about ensuring that the people who care for our most vulnerable individuals are supported, valued, and equipped to do their jobs effectively. The challenges in the job market are real, and if we do not act now, we risk further destabilizing an already fragile workforce.

### **Fully Funding ICF and Residential Habilitation Services**

I'm also advocating for the full funding of Intermediate Care Facilities (ICF) and Residential Habilitation Services at 100% of the computed and intended rates.

Currently, ICF funding is 89.7% and Res Hab funding is 91.6% of the computed rates falls short of meeting the needs of the individuals we serve. This level of funding is not only insufficient but also sends a troubling message: that the individuals we support are somehow less worthy of the full investment they deserve. When funding is less than 100%, it implies that their care and well-being are not as important as others who are served on the same DD waivers, which is simply unfair and unjust. These individuals deserve the same level of care, respect, and support as anyone else, and that requires fully funding these programs at the rates originally intended.

The ICF and Residential Habilitation programs play a critical role in ensuring that individuals with complex needs receive the appropriate care, support, and opportunities for growth. However, the current funding levels have often fallen short of what is required to sustain and enhance the quality of these services. By fully funding these programs at the intended rates, we can ensure that these essential services remain available and are of the highest quality.

Adequate funding will not only allow providers to maintain service standards but also enable them to improve staffing, increase training, and implement best practices that support long-term outcomes for individuals. It will also reduce the burden on families and caregivers, ensuring that individuals with disabilities receive the attention they deserve.

I urge you to prioritize the full funding of ICF and Residential Habilitation Services at 100% of the computed/intended rates in this budget cycle. Doing so will help safeguard the well-being of those who rely on these services and promote fairness and equity in our healthcare system.

## **Why Accreditation is Not Necessary for Developmental Disability Providers**

The final item I'm advocating for today is to remove the requirement for accreditation in the field of developmental disability services; It is not only unnecessary but may also create unintended barriers to effective and accessible care for individuals who rely on these services. While I acknowledge that quality assurance is critical in this field, accreditation as it stands today may not always be the most effective or efficient means to ensure service quality.

The accreditation process often involves lengthy and resource-intensive procedures that can disproportionately burden smaller, community-based organizations. These organizations are already operating on limited budgets, and the cost, time, and effort required to achieve and maintain accreditation can drain resources that would be better spent directly supporting individuals with developmental disabilities. By placing additional financial and administrative burdens on providers, we risk reducing the availability of services rather than improving their quality.

Developmental disability services cover a wide range of needs, from physical care to emotional and cognitive support, and no single accrediting body can fully address the unique needs of all individuals in every community. Local and state-specific requirements are often more in tune with the unique needs of populations than national standards. The flexibility of state and local oversight can often be more responsive to the specific challenges faced by providers and the individuals they support, rather than a one-size-fits-all accreditation standard.

While accreditation is often viewed as a mark of quality, it does not always guarantee better outcomes for individuals with developmental disabilities. Accreditation bodies typically focus on compliance with process-oriented standards, which may not be directly correlated with the effectiveness of the care being provided. Service providers may focus on meeting the checklist requirements for accreditation rather than on outcomes for individuals we support. This process could inadvertently lead to a situation where an accredited provider is meeting technical standards but may not actually be offering the best services for individuals.

Accreditation is only one form of oversight. Currently providers have the following oversights in place:

- Title XIX Surveys
- Claims Audits
- Financial Audits
- Office of Inspector General Audits

- Environmental Scans
- Health and Safety Inspections
- Home and Community Base Service Surveys
- Quality Enhancement Reviews
- Incident Reporting of Abuse, Neglect, or Exploitation with P & A Oversight & Determinations
- Child & Protective Services Reviews & Determinations
- Case Reviews
- High GERs (General Event Reports) are reviewed by DD Section staff
- Quality Assurance Response System (QARS) Review
- Regional DDPM's are members of all teams of each person in service
- Preemployment screening (background checks, etc.)
- Training requirements for employees

These systems are often more dynamic and capable of reacting to issues as they arise, rather than relying on a static set of standards established by accreditation bodies. These measures can ensure quality of care without the need for costly and time-consuming accreditation processes as the only item listed above that has a substantial out of pocket cost to the provider is Financial Audits.

The requirements for accreditation can sometimes stifle innovation by forcing providers to conform to standardized models of care that may not be appropriate for every individual. Developmental disability services require flexibility, and a rigid accreditation system could discourage providers from experimenting with new, potentially more effective approaches. Providers who are able to innovate within a less restrictive system may be more successful in developing new solutions that better meet the diverse needs of individuals with disabilities.

While accreditation in the developmental disability field may seem like a logical step toward ensuring quality services, it is not always the most effective or necessary approach. The costs and barriers it imposes on providers can limit service availability and innovation, while alternative forms of oversight and accountability are often more nimble and responsive to the real needs of individuals with disabilities. We must prioritize creating a system that balances quality with accessibility, and accreditation, in its current form, does not always contribute to this balance. Therefore, I urge you to reconsider the necessity of accreditation.

I want to thank you for your time and consideration of these items today and urge you to consider them before approving the section of the budget related to developmental disabilities.

Thank you,

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