



May 3, 2024

Secretary Kate Walsh
Executive Office of Health and Human Services
100 Hancock Street, 6th Floor
Quincy, MA 02171

Dear Secretary Walsh,

Thank you for the opportunity to provide testimony on 101 CMR 410.00: *Rates for Competitive Integrated Employment Services*, 101 CMR 412.00: *Rates for Family Transitional Support Services* and 101 CMR 425.00: *Rates for Certain Young Parent Support Programs*.

On behalf of the Providers' Council's 220 members across Massachusetts, thank you for your continued support and close working relationship with community-based human services organizations. We appreciate the work of EOHHS and the Healey Administration in setting rates for human services programs, and we appreciate being your partner in providing services to hundreds of thousands of Massachusetts residents with our sector's workforce that fills more than 160,000 jobs.

Thank you for holding these rate hearings today and, while our members may submit testimony regarding programmatic concerns with these rates, the Providers' Council will provide brief comments on how these rates affect our workforce development efforts.

Our sector is experiencing frighteningly high turnover and considerable challenges in recruiting talent. As a result of vacancies, some programs are unable to run at full capacity and residents needing care remain on wait lists. Our testimony is directed at increasing the Bureau of Labor Statistics salary percentile used, ensuring an adequate cost adjustment factor (CAF) is being applied to rates, and examining benchmarks used for the administrative allocation and tax/fringe costs.

While our testimony contains many "numbers," these figures represent real people in Massachusetts who are essential to helping community-based human services organizations fulfill their missions and provide critical care to hundreds of thousands of residents on behalf of the Commonwealth. We must also look at these numbers through a gender and racial lens; we know the state is committed to racial and gender equity, but these depressed salaries promote inequity.

A demographic study of our workforce by the University of Massachusetts Donahue Institute notes that our field is 80 percent women (compared to 43 percent in all other industries) and we have a higher proportion of people of color in our workforce (36 percent) than all other sectors (25 percent). Our testimony not only supports a fairer economic policy but also a better social policy.

Providers' Council

Testimony on 101 CMR 410.00, 101 CMR 412.000, 101 CMR 425.00

May 3, 2024

I. Using BLS 75th percentile data

Four years ago, an EOHHS task force with active participation from the Council and other sector leaders agreed that EOHHS would begin to use salary benchmark information from the Bureau of Labor Statistics (BLS) to set salaries for human services workers. Thank you for using BLS state-specific Occupational Employment and Wage Estimates data for Massachusetts that was released in April 2023 (with May 2022 data); we hope to see the May 2023 data (released in April 2024) used soon.

Additionally, we are thankful that EOHHS has raised benchmark salaries for some positions, including Direct Care I workers, beyond the 53rd percentile of the BLS. We appreciate benchmarking Direct Care I salaries to \$20 an hour, an increase from rate hearings a year ago. It is our understanding that this figure represents roughly the 62nd or 63rd percentile of the BLS. We do, however, continue to urge EOHHS to use no less than the 75th percentile of BLS when setting benchmark salaries for all positions.

As the workforce crisis in the human services sector continues to worsen, it is imperative that rates of reimbursement allow community-based human services providers to pay fair and competitive wages to their staff members – relative to what the Commonwealth pays state employees holding similar job titles and performing similar work – to attract workers to the 160,000 jobs in the sector. Inadequate rates depress workforce salaries and increase staff turnover and vacancies, which means residents who need the safety net are on waiting lists or denied services. None of us either support or should be comfortable with that outcome.

***Recommendation:* We respectfully request EOHHS use the 75th percentile, at a minimum, to set fair and comparable salary levels using an adequate blend of Bureau of Labor Statistics job classifications.**

II. Increase cost adjustment factor

In today's hearing, EOHHS is proposing a cost adjustment factor of 2.58 percent, which publicly available economic data indicates is inadequate.

As we have done at prior Chapter 257 hearings, we continue to urge EOHHS to discard the IHS Markit optimistic scenario data that sets a cost adjustment factor that ignores market realities. Other metrics, including the Social Security Administration cost-of-living adjustment and the Consumer Price Index, show a cost adjustment factor in excess of this percentage.

If the state continues to use IHS Markit to set the CAF, we asked instead that you use the pessimistic scenario data, which would set a CAF at 4.26 percent. We believe this figure more accurately reflects expected cost increases.

It is imperative that the proposed CAF be increased – even with an unimaginable future projection of zero inflation, the CAF remains inadequate today and worse

Providers' Council

Testimony on 101 CMR 410.00, 101 CMR 412.000, 101 CMR 425.00

May 3, 2024

tomorrow. We must adequately reimburse programs for these non-negotiable costs or it will decrease the availability of funds for our workforce needs.

Recommendation: We ask EOHHS to discard its inadequate CAF of 2.58 percent and to use, at a minimum, the IHS pessimistic scenario data, which would set the CAF at 4.26 percent.

III. Tax/Fringe and Administrative Expenses

We appreciate EOHHS increasing its tax and fringe rate to 27.38 percent this year, as it bases this figure on the Commonwealth's Fringe Benefit and Payroll Tax rates. The Chapter 257 tax and fringe rate, however, does not include any funding for retirement. Additionally, our members do not have the purchasing power of the state Group Insurance Commission, which means we likely spend a higher percentage on health insurance than the state.

We do recommend the state include an additional 5.1 percent for retirement on top of the tax and fringe rate of 27.38 for a total tax and fringe rate of 32.48 percent. The 5.1 percent is derived from an Association for Behavioral Healthcare survey noting the average plan match was 4.1 percent plus 1 percent for plan admin.

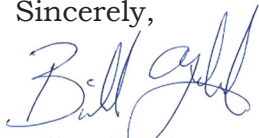
We also continue to support our members' request for an administrative allocation of between 15 and 18 percent, as 12 percent is inadequate.

Recommendation: We ask EOHHS to include 5.1 percent for retirement in the tax and fringe rate, setting the overall rate at 32.48 percent, and for an administrative allocation between 15 and 18 percent.

Closing

Again, we thank the Executive Office of Health and Human Services for its review of these rates, and we appreciate the significant progress made to increase salaries for the community-based workforce. We appreciate EOHHS commitment to improving our staff recruitment and retention. We hope that adequately funding these programs with our recommendations gives our providers the best opportunity to meet your mandates and serve the Commonwealth's residents with quality and available services from a stable and essential workforce.

Sincerely,



Bill Yelenak
President/CEO