

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: In the nature of a substitute.

**IN THE SENATE OF THE UNITED STATES—118th Cong., 1st Sess.**

**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.

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended  
to be proposed by Ms. HASSAN

Viz:

1 Strike all after the enacting clause and insert the fol-  
2 lowing:

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:

8 (1) Direct support professionals play a critical  
9 role in the care provided to individuals with intellec-  
10 tual and developmental disabilities by providing a

1 wide range of supportive services on a day-to-day  
2 basis to promote independence, including—

3 (A) enhancing independence and commu-  
4 nity inclusion of these individuals, including  
5 through travel and recreation, visiting friends  
6 and family, shopping, or socializing;

7 (B) coaching and supporting individuals in  
8 communicating needs, achieving self-expression,  
9 pursuing personal goals, living independently,  
10 and participating actively in employment or vol-  
11 untary roles in the community;

12 (C) providing assistance with activities of  
13 independent daily living (such as feeding, bath-  
14 ing, toileting, and ambulation) and with tasks  
15 such as meal preparation, shopping, light  
16 housekeeping, laundry, and home management;  
17 or

18 (D) supporting individuals at home, work,  
19 school, or any other community setting.

20 (2) Through the support of direct support pro-  
21 fessionals, individuals able to lead self-directed lives  
22 within their own communities.

23 (3) Providers of home- and community-based  
24 services are experiencing difficulty hiring and retain-  
25 ing direct support professionals, with a national

1 turnover rate of 43 percent, as identified in a 2021  
2 study by the National Core Indicators, and full-time  
3 vacancy rates increasing by 94 percent between  
4 2019 and 2021.

5 (4) High turnover rates can lead to instability  
6 for individuals receiving services, and this may result  
7 in individuals not receiving enough personalized care  
8 to help them reach their goals for independent liv-  
9 ing.

10 (5) A discrete occupational category for direct  
11 support professionals will help States and the Fed-  
12 eral Government—

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

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

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

24 (7) Occupations in the Standard Occupational  
25 Classification system are classified based on work

1 performed and, in some cases, on the skills, edu-  
2 cation, or training needed to perform the work.

3 (8) Establishing a discrete occupational cat-  
4 egory for direct support professionals will—

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

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

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

16 **SEC. 3. REVISION OF STANDARD OCCUPATIONAL CLASSI-  
17 FICATION SYSTEM.**

18 The Director of the Office of Management and Budg-  
19 et shall, as part of the first revision of the Standard Occu-  
20 pational Classification system occurring after the date of  
21 enactment of this Act, consider revising the Standard Oc-  
22 cupational Classification system to establish a separate  
23 code for direct support professionals as a healthcare sup-  
24 port occupation.

1 **SEC. 4. REPORT TO CONGRESS.**

2       If, after carrying out section 3, the Director of the  
3 Office of Management and Budget decides not to establish  
4 a separate code for direct support professionals in the  
5 Standard Occupational Classification system, the Director  
6 shall, by not later than 30 days after the first revision  
7 of the Standard Occupational Classification system occur-  
8 ring after the date of enactment of this Act, submit a re-  
9 port to the Committee on Homeland Security and Govern-  
10 mental Affairs of the Senate and the Committee on Edu-  
11 cation and the Workforce of the House of Representatives  
12 explaining the Office of Management and Budget's deci-  
13 sion.

14 **SEC. 5. NO NEW FUNDS.**

15       No additional funds are authorized to be appro-  
16 priated to carry out this Act.