

118TH CONGRESS
2D SESSION

S. 1332

AN ACT

To require the Office of Management and Budget to consider revising 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,*

1 **SECTION 1. SHORT TITLE.**

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

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) Direct support professionals play a critical
7 role in the care provided to individuals with intellec-
8 tual and developmental disabilities by providing a
9 wide range of supportive services on a day-to-day
10 basis to promote independence, including—

11 (A) enhancing independence and commu-
12 nity inclusion of these individuals, including
13 through travel and recreation, visiting friends
14 and family, shopping, or socializing;

15 (B) coaching and supporting individuals in
16 communicating needs, achieving self-expression,
17 pursuing personal goals, living independently,
18 and participating actively in employment or vol-
19 untary roles in the community;

20 (C) providing assistance with activities of
21 independent daily living (such as feeding, bath-
22 ing, toileting, and ambulation) and with tasks
23 such as meal preparation, shopping, light
24 housekeeping, laundry, and home management;
25 or

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

3 (2) Through the support of direct support pro-
4 fessionals, individuals are able to lead self-directed
5 lives within their own communities.

6 (3) Providers of home- and community-based
7 services are experiencing difficulty hiring and retain-
8 ing direct support professionals, with a national
9 turnover rate of 43 percent, as identified in a 2021
10 study by the National Core Indicators, and full-time
11 vacancy rates increasing by 94 percent between
12 2019 and 2021.

13 (4) High turnover rates can lead to instability
14 for individuals receiving services, and this may result
15 in individuals not receiving enough personalized care
16 to help them reach their goals for independent liv-
17 ing.

18 (5) A discrete occupational category for direct
19 support professionals will help States and the Fed-
20 eral Government—

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

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

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

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

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

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

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

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

1 **SEC. 3. REVISION OF STANDARD OCCUPATIONAL CLASSI-**
2 **FICATION SYSTEM.**

3 The Director of the Office of Management and Budg-
4 et shall, as part of the first revision of the Standard Occu-
5 pational Classification system occurring after the date of
6 enactment of this Act, consider revising the Standard Oc-
7 cupational Classification system to establish a separate
8 code for direct support professionals as a healthcare sup-
9 port occupation.

10 **SEC. 4. REPORT TO CONGRESS.**

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

1 **SEC. 5. NO NEW FUNDS.**

2 No additional funds are authorized to be appro-
3 priated to carry out this Act.

Passed the Senate March 20, 2024.

Attest:

Secretary.

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