

118TH CONGRESS  
1ST SESSION

# H. R. 2941

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.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 27, 2023

Mr. FITZPATRICK (for himself and Mr. MORELLE) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## 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:

1           (1) Direct support professionals play a critical  
2           role in the care provided to individuals with intellec-  
3           tual and developmental disabilities.

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

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

16          (4) A discrete occupational category for direct  
17          support professionals will help States and the Fed-  
18          eral Government—

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

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

24          (5) The Standard Occupational Classification  
25          system is designed and maintained solely for statis-

1 tical purposes, and is used by Federal statistical  
2 agencies to classify workers and jobs into occupa-  
3 tional categories for the purpose of collecting, calcu-  
4 lating, analyzing, or disseminating data.

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

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

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

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

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

22 **SEC. 3. DEFINITION OF DIRECT SUPPORT PROFESSIONAL.**

23 In this Act, the term “direct support professional”  
24 means an individual who, in exchange for compensation,  
25 provides services to an individual with an intellectual dis-

1 ability or a developmental disability (as defined in section  
2 102 of the Developmental Disabilities Assistance and Bill  
3 of Rights Act of 2000 (42 U.S.C. 15002)) that promote  
4 such individual's independence, including—

5 (1) services that enhance independence and  
6 community inclusion for such individual, including  
7 traveling with such individual, attending and assist-  
8 ing such individual while visiting friends and family,  
9 shopping, or socializing;

10 (2) services such as coaching and supporting  
11 such individual in communicating needs, achieving  
12 self-expression, pursuing personal goals, living inde-  
13 pendently, and participating actively in employment  
14 or voluntary roles in the community;

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

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

22 **SEC. 4. REVISION OF STANDARD OCCUPATIONAL CLASSI-**  
23 **FICATION SYSTEM.**

24 The Director of the Office of Management and Budg-  
25 et shall, not later than 30 days after the date of enactment

1 of this Act, revise the Standard Occupational Classifica-  
2 tion system to establish a separate code (31–1123) for di-  
3 rect support professionals as a healthcare support occupa-  
4 tion. Such code shall be a subset of 31–1120, which in-  
5 cludes home health aides and personal care aides.

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