

# Union Calendar No. 587

118TH CONGRESS  
2D SESSION

# H. R. 2941

[Report No. 118–693]

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

SEPTEMBER 19, 2024

Additional sponsors: Ms. ROSS, Mr. PHILLIPS, Mr. GOLDEN of Maine, Mr. KIM of New Jersey, Mr. TRONE, Mr. KRISHNAMOORTHY, Mr. MOLINARO, Ms. KUSTER, Mr. RASKIN, Ms. WILD, Mr. HIGGINS of New York, Ms. NORTON, Mrs. PELTOLA, Mr. LAWLER, Mr. JOYCE of Pennsylvania, Ms. CARAVEO, Mr. PAPPAS, Mr. THOMPSON of Pennsylvania, Mr. CLEAVER, Mr. EVANS, Mr. DAVIS of North Carolina, Mr. MCGOVERN, Mr. MRVAN, Ms. BLUNT ROCHESTER, Mr. CONNOLLY, Mr. LUETKEMEYER, Mr. NICKEL, Mr. CASTEN, Ms. DAVIDS of Kansas, Ms. KAPTUR, Ms. PORTER, Mr. RYAN, Ms. PETTERSEN, Ms. PINGREE, Mr. MOULTON, Mr. CARTWRIGHT, Mrs. CHERFILUS-MCCORMICK, Mr. NEGUSE, Mr. TONKO, Mr. BOWMAN, Mr. CAREY, Ms. BONAMICI, Mr. TORRES of New York, Mr. ESTES, Mr. COMER, Mr. SMUCKER, Mrs. KIM of California, Mr. KILDEE, Mr. CROW, Mr. SUOZZI, Mr. AUCHINCLOSS, and Mr. CARTER of Louisiana

SEPTEMBER 19, 2024

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on April 27, 2023]

# **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:*

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

11              *(2) Providers of home- and community-based*  
12              *services are experiencing difficulty hiring and retain-*  
13              *ing direct support professionals, with a national*  
14              *turnover rate of 43 percent, as identified in a 2021*  
15              *study by the National Core Indicators, and full-time*  
16              *vacancy rates increasing by 94 percent between 2019*  
17              *and 2021.*

18              *(3) High turnover rates can lead to instability*  
19              *for individuals receiving services, and this may result*  
20              *in individuals not receiving enough personalized care*  
21              *to help them reach their goals for independent living.*

22              *(4) A discrete occupational category for direct*  
23              *support professionals will help States and the Federal*  
24              *government—*

1                   (A) better interpret the shortage in the labor  
2                   market of direct support professionals; and

3                   (B) collect data on the high turnover rate of  
4                   direct support professionals.

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

11                  (6) Occupations in the Standard Occupational  
12                  Classification system are classified based on work per-  
13                  formed and, in some cases, on the skills, education, or  
14                  training needed to perform the work.

15                  (7) Establishing a discrete occupational category  
16                  for direct support professionals will—

17                         (A) correct an inaccurate representation in  
18                         the Standard Occupational Classification sys-  
19                         tem;

20                         (B) recognize these professionals for the crit-  
21                         ical and often overlooked work that they perform  
22                         for the disabled community, which work is dif-  
23                         ferent than the work of a home health aide or a  
24                         personal care aide; and

1                   (C) better align the Standard Occupational  
2                   Classification system with related classification  
3                   systems.

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

5           In this Act, the term “direct support professional”  
6 means an individual who, in exchange for compensation,  
7 provides services to an individual with an intellectual dis-  
8 ability or a developmental disability (as defined in section  
9 102 of the Developmental Disabilities Assistance and Bill  
10 of Rights Act of 2000 (42 U.S.C. 15002)) that promote such  
11 individual’s independence, including—

12                   (1) services that enhance independence and com-  
13                   munity inclusion for such individual, including trav-  
14                   eling with such individual, attending and assisting  
15                   such individual while visiting friends and family,  
16                   shopping, or socializing;

17                   (2) services such as coaching and supporting  
18                   such individual in communicating needs, achieving  
19                   self-expression, pursuing personal goals, living inde-  
20                   pendently, and participating actively in employment  
21                   or voluntary roles in the community;

22                   (3) services such as providing assistance with ac-  
23                   tivities of daily living (such as feeding, bathing,  
24                   toileting, and ambulation) and with tasks such as

1 meal preparation, shopping, light housekeeping, and  
 2 laundry; or

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

5 **SEC. 4. REVISION OF STANDARD OCCUPATIONAL CLASSI-**  
 6 **FICATION SYSTEM.**

7 (a) *IN GENERAL.*—The Director of the Office of Man-  
 8 agement and Budget (in this Act referred to as the “Direc-  
 9 tor”) shall, as part of the first revision process of the Stand-  
 10 ard Occupational Classification system occurring after the  
 11 date of enactment of this Act, consider establishing a sepa-  
 12 rate code for direct support professionals as a subset of  
 13 healthcare support occupations.

14 (b) *REPORT TO CONGRESS.*—If the Director decides  
 15 not to establish the separate code for direct support profes-  
 16 sionals described in subsection (a), the Director shall, not  
 17 later than 60 days after the Director announces in the Fed-  
 18 eral Register the final decision of the revision process de-  
 19 scribed in such subsection, submit to the Committee on  
 20 Homeland Security and Governmental Affairs of the Senate  
 21 and the Committee on Education and the Workforce of the  
 22 House of Representatives a report explaining why such sep-  
 23 arate code was not established.



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