



June 5, 2024

**TIME SENSITIVE INFORMATION**

TO: TCRC SERVICE PROVIDERS  
SUBJECT: VENDOR RATE ADJUSTMENTS FOR EMPLOYEE SICK LEAVE – JANUARY 1, 2024

Effective **January 1, 2024**, Senate Bill (SB) 616 now allows California employees the right to accrue and use up to 5 days or 40 hours of Paid Time Off or Sick Leave by the 200<sup>th</sup> calendar day of employment, each calendar year or 12-month period. Regional center vendors that are affected by this change may be eligible to receive a rate adjustment in order to pay employees the new sick leave mandate. This letter contains information on the types of vendors that are affected and the process for submitting rate adjustment requests.

All providers of services with rates established in the following ways may be eligible for a rate adjustment (*please see table at the end for clarification by service code*):

**Rates set by the Department of Developmental Services (DDS):**

Vendors can begin submitting requests to DDS, with a copy to the vendoring regional center. More detailed information can be found on the DDS website at: <https://www.dds.ca.gov/rc/vendor-provider/rate-changes/rate-changes-due-to-sb-616-employee-sick-leave/>

- Community-Based Day Program, Work Activity Program or In-Home Respite Agency providers (service codes 505, 510, 515, 520, 525, 805, 954, and/or 862).
  - The specific instructions and the workbooks can be found using the links below:  
**Please note: Dependent on your default browser, these two links below work in different ways. If you are using Chrome, these workbooks should automatically download to the bottom corner of your screen. If you are using Internet Explorer, when prompted with the warning, please click 'Save'.**

The rate adjustment is only applicable to the additional 16 hours or two days beyond the previously mandated sick leave of 24 hours or three days.

NOTE: All rate adjustment requests must be received by DDS no later than **July 1, 2024**. DDS shall provide regional centers a copy of all letters to service providers in response to rate adjustment requests.

**Rates set by the Department of Developmental Services (DDS) that do not require a workbook submission:**

- Community Care Facilities (service codes 905, 910, 915, 920 and 869) – Providers with ARM rates do not need to submit rate adjustment requests. The sick leave increase has been factored into the updated rate schedules.

**Rates Set by Regional Centers Through Negotiation (this does not include U&C rates):**

Rates for a variety of services are set through negotiation between providers and regional centers, including median rate programs.

Providers with rates set in this manner and that have not already provided a minimum of 40 hours or five paid sick days annually may submit a rate adjustment request to TCRC. The rate adjustment is only applicable to the additional required 16 hours or two days beyond the previously mandated sick leave of 24 hours or three days. The rate adjustment must be specific to the unit of service that is affected by the sick leave and shall only include those costs necessary to increase an employee's actual hourly wage to the sick leave and associated mandated employer costs (such as Social Security, Medicare, and workers' compensation.)

If you have a negotiated or median rate for your program and will be requesting a rate adjustment to comply with the employee sick leave, certain information must be provided to TCRC. For purposes of this process, a program is a single regional center vendor number and service code combination. Therefore, the information you provide must be separate for each program under the specific vendor number and service code combination (***except for shared staffing codes, CPP/PPP Deflection and sibling rates***). Regional centers are required to maintain documentation on the process to determine, and the rationale for granting, any rate adjustment associated with the employee sick leave.

All providers requesting sick leave adjustments, with rates set by TCRC through negotiation, may request rate adjustments by completing information in a **Sick Leave Calculation Workbook**. Please refer to the following information and the Workbooks which can be found at the links below.

<https://tcrc.box.com/s/5ujbb1q9yd7p4ph1663r0u7tuwv3t4ow>

**Click on the Download button on the top right corner in order to update the worksheet. This letter is also posted on the Service Providers page of TCRC's website ([www.tri-counties.org](http://www.tri-counties.org)) and TCRC's e-Billing home page. The workbooks contain the following information:**

- Vendor Worksheet Instructions
- Vendor Sick Leave Rate Adjustment Worksheet
- Summary & Certification Instructions
- Vendor Summary & Certification Sheet
- Eligible Service Codes

These workbooks must be used by providers to submit rate adjustment requests to TCRC. Detailed instructions are contained in the tabs of the Sick Leave Calculation Workbook that precede the vendor worksheets. Vendors can submit rate adjustment requests at any time but they must be submitted no later than **August 31, 2024**.

Elaine Laboriante, Resource Development Analyst  
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Once an adjusted rate is approved, TCRC will send you a rate confirmation which will be effective January 1, 2024.

**If you have questions, including unit confirmation, please e-mail: [vendorsickleave@tri-counties.org](mailto:vendorsickleave@tri-counties.org)**

To determine if submission is needed for rate adjustment, please review this list of eligible service codes.

<b>Rate updated automatically by DDS - no submission required</b>	
096	Geriatric Facility (IF based on ARM rate)
113	Specialized Residential Facility (Habilitation) (IF based on ARM rate)
114	Specialized Residential Facility (Health) (IF based on ARM rate)
420	Respite: Family Member
465	Respite: Participant Directed
862	Respite: Agency
864	Respite: In Home Respite Worker
868	Respite: Out Of Home Respite
904	Family Home Agency (IF based on ARM rate)
905	Res Facility - Adult - Owner Operated
910	Res Facility - Children - Owner Operated
915	Res Facility - Adult - Staff Operated
920	Res Facility - Children - Staff Operated
<b>Must submit request to DDS</b>	
505	Activity Center - DTAC
510	Adult Development Center - ADC
515	Behavior Management Day Program - BMP
520	Independent Living Services - ILS
525	Social Recreation Program
805	Infant Development Program
952	Supported Employment - Indiv
954	Work Activity Program
<b>Must submit request to TCRC - please note U&amp;C rates are NOT eligible, only negotiated rates</b>	
028	Socialization Training Program
048	Client/Parent Support Behavior Interv Training
055	Community Integration Services
062	Personal Assistance
063	Community Activities Support Services
073	Supported Living: Parent Coordinated Program
077	Behavior Intervention: Parent Coordinated Homebased
090	Crisis Intervention Facility / Bed
091	In home Day Program
093	Personal Assistance: Parent Coordinated
094	Creative Arts program
096	Geriatric Facility (IF NOT based on ARM rate)

101	Housing Services
102	Individual Or Family Training
103	Specialized Health, Treatment & Training Services
109	Supplemental Program Support - Residential
110	Supplemental Program Support - Day program
111	Supplemental Program Support - Miscellaneous
113	Specialized Residential Facility (Habilitation) (IF NOT based on ARM rate)
114	Specialized Residential Facility (Health) (IF NOT based on ARM rate)
115	Specialized Therapeutic Services
116	Early Start Specialized Therapeutic Services
117	Specialized Therapeutic Services - 21 & up
605	Adaptive Skills Trainer
612	Behavior Analyst
615	Behavior Management Assistant
620	Behavior Management Consultant
625	Counseling Services - Social Worker
635	Independent Living Specialist
642	Interpreter
643	Translator
650	Mobility Training Specialist
672	Educational Psychologist
676	Teacher's Aide
680	Tutor
720	Dietary Services
850	Camping Services
855	Adult Day Care
860	Homemaker Program
875	Transportation
880	Transportation
882	Transportation Aide
894	Supported Living Services - Admin
896	Supported Living Service

<b>NOT ELIGIBLE for Sick Leave Adjustment</b>	
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001	Funeral Services
006	Foster Grandparent Program
008	Sports Club
009	MediCare Part D Premium and Medications
015	School For The Deaf / Blind
017	Crisis Team - Evaluation & Behavioral Intervention
020	Transition / Set up expenses
021	Vehicle Modification and Adaptation

022	Motel - Interim Living Arrangement
024	Reimbursement for services/item per IPP
025	Tutor Services
034	Benefits Management
042	Repair Services
051	Personal Emergency Response System
056	Interdisciplinary Assessment Service
058	Residential: Out of State Residential Treatment
065	SSI/SSP Restoration
074	Respite: Out Of Home - Acute Care Facility
083	Public School Part H Early Intervention Services
100	Professional Copying
104	Environmental Modifications
105	Travel Reimbursement
315	Self Determination - FMS Bill Payer
316	Self Determination - FMS Co-Employer
317	Self Determination - FMS Sole Employer
400	Personal & Incidentals - P&I
410	Diaper & Nutritional Supplements - Family Member
415	In Home Nursing Services - Family Member
425	Transportation - Family Member
455	Day Care: Participant Directed
470	Transportation - Participant Directed
490	FMS fee
491	FMS fee
610	Attorney
616	Behavior Management Technician
627	Diaper Service
655	Out Of State Manufacturer
660	Retail / Wholesale
700	Acute Care Hopsital
702	Adult Day Health Center
706	Audiology
707	Speech Therapy
710	Day Treatment Center
715	Dentist
725	Durable Medical Equipment
730	Audiology Facility
733	In Home Nursing Services
735	Lab / Radiological Services
742	Licensed Vocational Nurse - LVN
743	Certified Nurses Aide - CNA
744	Registered Nurse - RN
745	Orthoptic Services

750	Orthotic / Prosthetic
755	Other Medical Equipment/Supplies
757	Other Medical Equipment Or Supplies Family Member
760	Other Medical Services
765	Pharmaceutical Services
772	Physical Therapy
773	Occupational Therapy
775	Physician
780	Psychiatrist
785	Clinical Psychologist / Beh Intervention Serv
810	Infant Development Specialist
851	Child Day Care
854	Home Health Agency
856	Home Health Aide
883	Transportation Broker
885	Transportation Medical
890	Transportation - Auto Driver
895	Transportation - Public Transit - Bus Pass
925	ICF/DD Facility
930	ICF/DD-H Facility
935	ICF/DD-N Facility 4 - 6 Beds Medi-Cal Rate
940	Skilled Nursing Facility - SNF
950	Supported Employment - Group
999	Start Up Funds