

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

UNITED STATES OF AMERICA, Plaintiff,)	
)	
v.)	C.A. No. 13-442-JJM-PAS
)	
STATE OF RHODE ISLAND,)	
Defendant.)	
)	

UNITED STATES OF AMERICA, Plaintiff,)	
)	
v.)	C.A. No. 14-175-JJM-PAS
)	
STATE OF RHODE ISLAND,)	
Defendant.)	
)	

ORDER

Based on the recommendations of the Court Monitor that he expressed during a public hearing with all parties, the Court orders the following:

1) The State, Provider organizations, and at least one representative from individuals/families who self-direct must meet for face-to-face (or through Zoom) negotiations to address the issues identified in this Court's January 6, 2021 and March 16, 2021 Orders. The negotiators will report to the Court through the Court Monitor at a status hearing by the end of May.

2) To ensure that the Consent Decree benchmarks are timely met, the State must set Direct Service Provider rates for FY 2022, at a minimum, at a rate reasonably comparable to the rates paid in the Commonwealth of Massachusetts and

the State of Connecticut and the starting rate in the state-operated R.I. Community Living and Supports ("RICLAS") system.

3) The State and the Providers must continue these negotiations in preparation for FY 2023 and FY 2024.

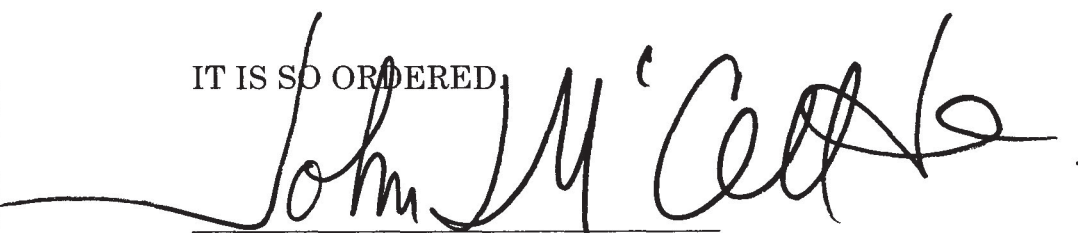
4) The Court will evaluate the impact of any proposed increases using two primary criteria:

a. The impact on vacancy and turnover rates both for Provider staff and individuals/families who self-direct; and

b. The impact on the number/percent of adults with Intellectual/Developmental Disabilities ("IDD") who participate in employment and community activity in integrated settings, as defined in the Consent Decree.

5) The State should include the IDD population in the State's caseload estimating before budget discussions for FY 2022's supplemental budget in November 2021.

IT IS SO ORDERED.



John J. McConnell, Jr.
Chief Judge
United States District Court

April 28, 2021