**Consumer Directed Employer**

**Rate Setting Board**

**CHARTER**

Background and Purpose

In the 2018 legislative session, SB 6199 gave DSHS the authority to establish a Consumer Directed Employer (CDE) program. The CDE becomes the legal employer for administrative purposes for all individual providers (IPs) in Washington State. The statute established a fourteen-person Rate-Setting Board (the Board).

The purpose of the Board is to evaluate and recommend to the legislature the CDE rate which includes a labor and an administrative component. The labor rate is the portion of the payment that is used to compensate the IPs, which includes wages, benefits, and any associated taxes. The administrative rate is the portion of the payment that is used to compensate the CDE for administrative duties.

# Responsibilities

The Board functions as the public body responsible to collaboratively review, discuss and propose the rate to be paid to the CDE. Subject to the Rate Setting Board By-laws, the Board as a whole has authority and is responsible to:

* Convene beginning in 2022 and every even year afterward of the regular rate setting meeting cycle
* Support an environment that promotes inclusion, respect and confidence for all members and participants
* Be familiar with and comply with the Open Public Meetings Act
* Identify data needed for rate-setting purposes
* Evaluate and apply critical analysis to all information presented and testimony provided during meetings
* Recommend a CDE combined labor and administrative rate to the legislature prior to July 1st of the year the Board meets
	+ If an agreement on either the labor, an administrative rate, or both, is not reached by a majority of the voting members of the Board prior to July 1st, then
		- The labor rate shall be determined by the vote of the Chair; and
		- The administrative rate component shall be determined by DSHS.
* Take testimony and make a recommendation regarding the administrative vendor rate for home care agencies that service Medicaid clients
* Establish, review, amend, and adopt Board governance documents, such as by-laws, policies and procedures, and team norms
* Convene additional off cycle meetings when the rate must be changed due to unforeseen circumstances or if the legislature rejects the proposed rate
* Not participate in the collective bargaining process during RSB meetings