

Minutes: NHWSB Waivers and Variances Workgroup

Date: Thursday, Aug. 7, 2025

Minutes prepared by: Linnea Becerra

Location: Hybrid – Washington Room at the Department of Labor and Industry and via Webex

Attendance

Members present	Visitors present	DLI staff members present
Kim Brenne	Todd Bergstrom	Linnea Becerra
Jamie Gulley (remotely)	Jeff Bostic	Paul Enger
Maria King (remotely)	Brian Elliott	Leah Solo
Katie Lundmark (remotely)		

Agenda items

- Call to order** – the meeting was called to order by Executive Director Leah Solo at 9:37 a.m. Roll call was taken. A quorum was declared.
- Approval of agenda** – a motion to approve the agenda as presented was made by Kim Brenne and seconded by Jamie Gulley. A roll call vote was taken and the motion passed unanimously.
- Approval of drafted meeting minutes** – a motion to approve the July 24, 2025, drafted meeting minutes as presented was made by Brenne and seconded by Gulley. A roll call vote was taken and the motion passed unanimously.
- Board updates** –
 - A list of reasons for closure will be presented by Todd Bergstrom at the next meeting.
 - Maria King said there have been 110 closures since January 2000. Some of the listed, closed facilities transitioned to assisted living. The data also tells the public where these closures are, which can help the board understand the trends or risk patterns. There was discussion about what constitutes a closure: combining facilities; building a new facility and closing the old one; closing in one location, but opening in another; etc. King

2000	13	2009	2	2018	4
2001	5	2010	2	2019	5
2002	4	2011	2	2020	3
2003	3	2012	3	2021	4
2004	8	2013	4	2022	8
2005	3	2014	3	2023	6
2006	4	2015	7	2024	4
2007	3	2016	3		
2008	5	2017	2		

said the receivership is public information, available on the Minnesota Department of Health webpage. Solo suggested organizing this data by Greater Minnesota and Twin Cities metro, while Bergstrom suggested noting the reason for closure. Brenne asked to see this data on a map, overlaid with a map of nursing home beds per thousand. Bergstrom said he could send a map of closures by county.

- Executive Director Solo walked through the draft evaluation chart, presented in the memo. She began by explaining the table of factors that could lead to a risk of closure from the information discussed at the previous meeting: factors; financials; folks (census); fiscal; and flexible. Staff members encouraged the board to not think of this as numerically rating.
- Brenne brought up that different board members will likely have different definitions of fixed and flexible. Brenne also said there may be accusation of unfairness by facilities if there is not a rubric with a point system or rating scale.
- Bergstrom spoke about the size and structure of the applicant.
- Katie Lundmark talked about how there are so many different flexible scenarios and that the group won't be able to think of all of them.
- Solo read the first scenario aloud and discussion ensued.
 - Brenne said the risk factor is their noncompliant basement and, without the services done in the basement, they may not stay open. King went through the scenario again and pointed out some questions, such as: how much will they cut into their budget; what is in the basement; and if they need to use their reserves for an immediate issue, does that affect their eligibility for a waiver? Gulley asked if getting a waiver is actually counterproductive, considering the additional money upfront from the state. Brenne said the Department of Human Services is on track to send the rate add-on application next week and could not give a rate increase for providers who do not comply with the standards. Bergstrom and Bostic clarified and added that the board would need to decide about whether to grant a waiver to a facility that has received an upfront rate add-on. Gulley said he would be uncomfortable approving a waiver for a facility that got the add-on. It was clarified that not every facility will get the same amount for their rate add-on.
 - Solo noted staff members will work on organizing the data King provided and that the group should meet again before the Sept. 14 board meeting.

5. New business –

6. Next meeting – the next meeting is Sept. 4, at 9:30 a.m., in the Washington Room.

Adjournment

A motion was made by Brenne to adjourn the meeting at 10:30 a.m. and was seconded by Gulley. A roll call vote was taken and the motion passed unanimously.