

# Minutes: Nursing Home Workforce Standards Board

Date: Thursday, Jan. 9, 2025

Minutes prepared by: Linnea Becerra

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

## Attendance

### Members present

Michelle Armstrong

Commissioner Nicole Blissenbach

Kim Brenne (remotely)

Michele Fredrickson (remotely)

Maria King

Katie Lundmark

Paula Rocheleau

Mary Swanson (remotely)

### Visitors present

Maisie Blaine (remotely)

Kayla Revier (remotely)

Toby Pearson (remotely)

Rick Varco (remotely)

### DLI staff members present

Ali Afsharjavan

Linnea Becerra

Paul Enger

Leah Solo

## Agenda items

- 1. Call to order** – the meeting was called to order by Commissioner Nicole Blissenbach at 11:03 a.m. Roll call was taken. A quorum was declared.
- 2. Approval of agenda** – a motion to approve the agenda as presented was made by Paula Rocheleau and seconded by Michelle Armstrong. A roll call vote was taken and the motion passed unanimously.
- 3. Approval of drafted meeting minutes** – a motion to approve the Dec. 12, 2024, drafted meeting minutes as presented was made by Rocheleau and seconded by Armstrong. A roll call vote was taken and the motion passed unanimously.
- 4. Board updates** –
  - Executive Director Leah Solo gave the board an update about the pending lawsuit, stating the Attorney General's Office filed a motion to dismiss and filed a response to the preliminary injunction motion. The lawsuit continues to move forward.

- Solo said board members should have received a note from the Campaign Finance Board and that members have items to file. Board members can reach out to Solo with questions.
- The holiday pay, certification of worker organizations and posting rules went into effect Jan. 1. Solo got a handful of questions, which she was able to answer.
- The board is due for appointments in the coming months. The statutory language for the board states that no one rolls off the board until someone else comes on or they are reappointed.
- The year-at-a-glance document was walked through, which highlights the important dates and items in 2025, as well as some important items in 2026.
- Solo presented a waiver review update.
  - No waiver or variance applications were received, so both Waiver Review Workgroup meetings were canceled.
  - There will be another meeting scheduled in the coming month in case the board receives some applications.
- Solo spoke to the work the Certification/Training Workgroup has been doing.
  - Solo walked through the *Certification of Worker Organizations and Worker Training Guide* document. This document is a collection of the various resources the board has created for the certified worker organizations, the board and the nursing home employers. Members were instructed to review the packet and send revisions directly to Executive Director Solo, before a vote next month.
- There was an introduction of Ken McGurran, a new staff attorney for the Department of Labor and Industry.

#### **5. New business –**

- Josiah Moore, legislative director at the Department of Labor and Industry, presented about the legislative changes the department will be seeking this session. Moore said that, while the board is not tasked specifically with reviewing and making recommendations about legislation, the department would like to present the changes to the board and hear member feedback. The proposed changes are in the definitions, Minnesota Statutes sections 181.211, subdivisions 7 and 8, to allow for the list of nursing homes in the state to better match the list of nursing home employers. This change clarifies certain facilities that are not included in this statute.
- Commissioner Blissenbach added that this change will hopefully resolve the potential distinction between the definitions.
- Maria King asked if homes listed under 144A that are not Medicaid certified are reimbursed under 256R; Kim Brenne answered they are not reimbursed.
- Rocheleau asked if the legislative process could also clarify the definition of administrative staff in the holiday pay, certification of worker organizations and posting rules. She said this is an item of concern for employers. Commissioner Blissenbach responded that this is the direction the department will take. The question of administrators can be clarified by the Labor Standards Division and the board can provide some answers in the frequently asked questions. Brenne suggested soliciting questions from employers, so the board knows exactly what to address. Katie Lundmark added that the cost report categories can help in answering these questions.

#### **6. Next meeting –** the next meeting is Thursday, Feb. 13, in the Minnesota Room.

## **Adjournment**

A motion was made by King to adjourn the meeting at 11:36 a.m. and seconded by Rocheleau. A roll call vote was taken and the motion passed unanimously.