

# Meeting minutes: Nursing Home Workforce Standards Board

Date: Monday, March 18, 2024

Minutes prepared by: Linnea Becerra

Location: Hybrid – Minnesota Room (Department of Labor and Industry) and Webex

## Attendees

### Members present

- Commissioner Nicole Blissenbach
- Chair Jaime Gulley
- Michelle Armstrong
- Kim Brenne
- Maria King (remotely)
- Michele Fredrickson
- Katie Lundmark
- Paula Rocheleau
- Ali Afsharjavan Swanson

### Visitors present

- Todd Bergstrom
- Jeff Bostic
- Brian Elliott
- Casey Murphy (remotely)
- Toby Pearson (remotely)
- Kent Peterson (remotely)
- Kari Thurlow (remotely)
- Ryan Usher (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 Chair Jamie Gulley at 10:01 a.m. A roll call was taken. A *quorum was declared.*
2. **Approval of agenda** – *a motion to approve the agenda as presented was made by Michele Fredrickson 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 March 14, 2024, drafted meeting minutes as presented was made by Fredrickson and seconded by Armstrong. A roll call vote was taken and the motion passed unanimously.*

#### **4. Board updates –**

- Ali Afsharjavan presented the rulemaking process to the board. A preliminary proposal form was submitted to the governor's office March 8, which let the governor's office know a rule idea has been developed and the Nursing Home Workforce Standards Board (NHWSB) is seeking a rule. More information is located on the NHWSB webpage, which is housed on the Department of Labor and Industry website. Next steps include getting the rules drafted and sent to the revisor's office for a review of formatting and approval. This is being done. Certification and training rules were sent Feb. 28 after being approved by the board. After the rules are published, there is a 30-day waiting period for public comment and then the rules can be changed but cannot be made substantially different. Rules take months to be made. Rules are being submitted in three parts but are being published as one rule. Board member Katie Lundmark asked what the date the board must meet is to get the rules submitted; Executive Director Leah Solo clarified the rules should be submitted as soon as possible to meet the Aug. 1 deadline.
- Kim Brenne presented the information from the Data Workgroup's March 14 meeting. The workgroup talked about the Department of Human Services cost reports and Brenne described the sample report included in the materials. The purpose of presenting this document is to look at the categories in which jobs are labeled; those may be used to create standards based on job function. Paula Rocheleau added that the group discussed the overall economic impact by total hours worked. The spreadsheet is being edited to show how many hours each job category has and then those hours can be used to multiply by the proposed increased wage to see a wide-scale economic impact. It was clarified the group will not know the exact amount this increase will cost but can know the estimate.

#### **5. New business –**

- The board discussed the pros and cons of setting a minimum wage by geography, specifically one wage for the whole state. Pros included ease of understanding and implementation, equal pay for equal work, stability between facilities, etc. Cons included cost of living differences, rate disparity, benefits fewer people, etc. The document was created and updated in real time. The board then discussed the pros and cons for setting a minimum wage by occupation. There was discussion around longevity pay and the idea of a base wage, one for direct care workers and one for non-direct care workers. The discussion was wrapped up by looking at the proposed options from the previous meeting as presented by Chair Gulley. For the next meeting, proposals should be submitted so they can be openly discussed.

<b>Geography – statewide wage</b>	
<b>Pro</b>	<b>Con</b>
<ul style="list-style-type: none"> <li>• Simple to understand and implement</li> <li>• Easier for the facilities to prepare financials</li> <li>• Equal pay for equal work</li> <li>• Does not divide the state</li> <li>• Because of equalization, would create stability between facilities</li> <li>• Easier to prepare a fiscal note moving forward and in conjunction with other rules moving forward</li> <li>• Possibly less “winners” and “losers”</li> <li>• Non-direct care falls under a statewide rate, so a statewide minimum wage would be more fair</li> <li>• May be easier to pass through the Legislature</li> </ul>	<ul style="list-style-type: none"> <li>• Cost of living is different in the Twin Cities versus other cities</li> <li>• Rate disparity in rural area</li> <li>• Impact on organizations to adjust for the minimum; will need to adjust for all other workers in the facility (put on both)</li> <li>• Could cost more depending on where the minimum is set</li> <li>• Could benefit fewer people depending on where the minimum is set</li> <li>• Could create more waiver requests depending on where the minimum is set</li> </ul>

<b>Occupation – one wage, regardless of job class</b>	
<b>Pro</b>	<b>Con</b>
<ul style="list-style-type: none"> <li>• One message, all same wage</li> <li>• Easier to understand</li> <li>• Easier to implement</li> </ul>	<ul style="list-style-type: none"> <li>• Certified staff members could feel neglected</li> <li>• Certified staff members could leave to take other jobs</li> <li>• Less of an impact</li> <li>• Cause compression</li> <li>• No specific standard for higher earners</li> </ul>

<b>Occupation – depending on job class</b>	
<b>Pro</b>	<b>Con</b>
<ul style="list-style-type: none"> <li>• Can respond to wages more closely aligned to the category of workers</li> <li>• Can recognize education and certifications</li> <li>• Messaging can affect the workforce, incentivize the position and lead to a job path; could lead to more respect for the workers</li> </ul>	<ul style="list-style-type: none"> <li>• Harder to get cost estimate</li> <li>• Minimum standard will not be equal</li> </ul>

6. **Next meeting** – the next meeting is Thursday, March 21, at 9 a.m.

## **Adjournment**

*A motion was made by Rocheleau to adjourn the meeting at 12:05 p.m. and seconded by Commissioner Nicole Blissenbach. A roll call vote was taken and the motion passed unanimously.*