

## Minutes: Nursing Home Workforce Standards Board

Date: Thursday, May 8, 2025

Minutes prepared by: Linnea Becerra

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

### Attendance

| Members present  | Visitors present   | DLI staff members present                              |
|--|--|--|
| Michelle Armstrong<br>Commissioner Nicole Blissenbach<br>Kim Brenne<br>Jamie Gulley<br>Maria King<br>Katie Lundmark<br>Paula Rocheleau | Todd Bergstrom<br>Maisie Blaine<br>Jeff Bostic<br>Brian Elliott<br>Debbie Prokopf<br>Kayla Revier<br>Liz<br>Toby | Paul Enger<br>Lyndy Logan<br>Ken McGurran<br>Leah Solo |

### Agenda items

- **Call to order** – the meeting was called to order by Chair Jamie Gulley at 11:05 a.m. Roll call was taken. A quorum was declared.
- **Approval of agenda** – a motion to approve the agenda as presented was made by Michelle Armstrong and seconded by Maria King. A roll call vote was taken and the motion passed unanimously.
- **Approval of drafted meeting minutes** – a motion to approve the April 10, 2025, drafted meeting minutes as presented was made by Armstrong and seconded by King. A roll call vote was taken and the motion passed unanimously.
- **Board updates** –
  - Executive Director Leah Solo updated the board by explaining that, based on the ongoing legislative session and commitments the Department of Human Services (DHS) had at the Capitol, no one from DHS was available to attend the meeting and field questions regarding the budgets being discussed by the Legislature. Solo recapped the DHS budget update from the Jan. 31 Data Workgroup meeting that included an explanation of the difference between the costing that was done last year and the board and the governor’s first budget proposal at the Legislature. Solo identified the main difference as relating to the interactivity between the proposal to cap the growth of reimbursement rates and cost of the board’s minimum wage standards. Solo explained that the House and the Senate Human Services budgets both contained funding for the board’s standards, though the proposals were different. Both proposals had passed their respective floors and will be going to conference committees. Solo opened the floor for questions; no questions were asked.
  - Solo presented about the May 1 Data Workgroup meeting and said the main item the workgroup decided was it is not interested in collecting additional data beyond the data already collected by

certain state agencies. The workgroup concluded it would recommend the board analyze existing data sets, organized into four categories: access management; quality measurement; hours and benefits measurements; and Medicaid rates and costs measurement.

- Solo updated the board about the Public Engagement Workgroup's most recent meeting. The workgroup liked the idea of in-person forums, which allow the public to provide feedback and express their thoughts. These would most likely take place in the fall. King asked for an overview of the topics that would be covered and Solo read the potential discussion questions from the presented memo. Paula Rocheleau asked about virtual forums and Solo said the group did not outline virtual forums, but they could be done. Gulley suggested using questionnaires to gather more data and perspectives. Rocheleau suggested having one person from each board subgroup (department representative, employer representative and worker representative) physically present at the in-person forums in the fall. Gulley asked if the potential patient-driven payment model change is still on track for the fall and Kim Brenne said it is on track for Oct. 1, so public engagement events after Oct. 1 would be preferable. Solo asked for location ideas for the events in the fall and the board suggested Bemidji, Brainerd, Detroit Lakes, Jackson, Mankato, Moorhead, Rochester, St. Cloud and Windom. King suggested looking at the map of where facilities are to guide the decision.
- **New business –**
  - Solo shared that the group received two applications for certification of a worker organization. She brought worksheets that were directly from the board's guide on certifying worker organizations.
  - Solo began by explaining the board could decide to vote on the application or decide there was a need for more information from the organizations.
  - The board began with the AFL-CIO application. The applicant did fill in the entire application and agreed to all the items in the application. AFL-CIO is listed as a 501(c)(5) and none of its board members are representatives of employer organizations.
  - Discussion brought out concerns from Katie Lundmark that AFL-CIO is working with Minnesota Training Partnership (MTP) and, because the nature of the relationship between the two was unclear, it was unclear whether AFL-CIO would meet the definition of a worker organization.
  - Department of Labor and Industry (DLI) attorney Paul Enger read the definition of a worker organization from Minnesota Statutes 181.211, subdivision 10.
  - Lundmark brought up that there is a conflict of interest because Gulley sits on the board of both Minnesota AFL-CIO and SEIU Healthcare Minnesota and Iowa. Gulley said he is recusing himself from both the discussion and vote in this matter. DLI Commissioner Nicole Blissenbach reminded the board there are no monetary incentives for an organization to become a certified worker organization.
  - With the outstanding question of understanding the relationship between AFL-CIO and MTP, the board continued to examine the application. Solo continued by highlighting their compliance with section (d) of the application, that they have agreed to the data policies and curriculum details. The board reviewed the draft presentation that was supplied.
  - Rocheleau directed the board to slide 25, which stated "Remember, the wage increases are fully funded by the state of Minnesota through its reimbursement system." King asked Brenne for input about this statement; Brenne said this is not necessarily accurate. Enger and DLI attorney Ken McGurran reminded the board that Minn. Stat. 181.214, subd. 2, directs the board to establish a "floor" and not a "ceiling" for the curriculum requirements. Rocheleau then directed the board's attention to slide 4, which stated "... many nursing home workers struggle with low wages and

benefits, poor working conditions, staffing shortages and inadequate training.” Commissioner Blissenbach communicated the board’s duty is to make sure the organization is meeting the minimum training requirements and can submit feedback to the applicants. Lundmark expressed frustration with the poor working conditions statement.

- Rocheleau asked how the board would verify the board-approved content matches the presented content, and if there was any enforcement mechanism it could use for this purpose. Solo said the board established that complaints could be made and the certification removal process could be used. Commissioner Blissenbach said it is problematic for the board to deny an application if all the required elements were present.
- Solo looked for additional questions on the AFL-CIO application. King summarized the outstanding questions. Solo then moved on to assessing capacity and said AFL-CIO can train all shifts, across the state, and provide 20 to 23 training sessions a month, both in person and virtually. The applicant agreed to all items in “statements of agreement” and provided information under “assessing capacity.” The applicant signed the application. In conclusion, Solo will send the followup questions to the applicant and report their responses at the next meeting. There was a motion to table the AFL-CIO application by King and seconded by Rocheleau. A roll call vote was taken and the motion passed unanimously with Chair Gulley abstaining.
- The board then began reviewing the SEIU application. The applicant filled in the entire application and agreed to all the items in the application. SEIU is listed as a 501(c)(5) and none of its board members are representatives of employer organizations. SEIU provided past contracts as evidence of work engaging with and advocating for nursing home workers. The applicant also agreed to the relevant data policies.
- The board had similar concerns with the presentation submitted by SEIU Healthcare Minnesota Iowa as it did with the AFL-CIO application, especially slides four and 26. There was a question about the wage slide, which was discussed, and it was concluded it is accurate because this is under the assumption the wage increases pass and these rules go into effect. The board discussed and concluded that any change at the Legislature would result in a changed presentation. Lundmark raised a concern with slide 34, “Other Rights and Protections: Your Union Contract,” stating this implies SEIU is the union for all the workers it is training with the submitted application. The board would like to know if SEIU is planning to train only its members or all workers during these sessions and with these materials. Members posed the question: How does the presentation change when SEIU is training workers who they do not represent?
- The applicant agreed to all items in “statements of agreement” and provided information under “assessing capacity.” The applicant signed the application. A motion to table the SEIU Healthcare Minnesota Iowa application was made by King and seconded by Rocheleau. A roll call vote was taken and the motion passed unanimously with Chair Gulley abstaining.
- It was noted by Lundmark the board should evaluate the capacity worker organizations have and whether they will be able to train all nursing home workers in the allotted time.
- Solo asked about establishing a timeline for members to receive the application before the full board meeting. It was decided that if an application is received by close of business the Thursday before the board meeting and goes out to members the Friday before the board meeting, it will be discussed at said meeting.
- It was also requested that Solo continue to provide the worksheets for the applications and for them to be reviewed in advance as much as possible.

- Gulley inquired about any new applications for waivers and variances for the holiday pay rules and Solo reported no applications had been received.
- Gulley asked if there was any new business not listed on the agenda to discuss and none was raised.
- **Next meeting** – the next meeting is at 11 a.m., Thursday, June 12, in the Minnesota Room.

## Adjournment

A motion was made by Rocheleau to adjourn the meeting at 12:07 p.m. and seconded by Armstrong. A roll call vote was taken and the motion passed unanimously.