

Minutes: NHWSB Waivers and Variances Workgroup

Date: Wednesday, Oct. 2, 2024

Minutes prepared by: Linnea Becerra

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

Attendance

Members present

Kim Brenne (remotely)

Jamie Gulley

Maria King (remotely)

Katie Lundmark (remotely)

Visitors present

Todd Bergstrom

Brian Elliott

DLI staff members present

Ali Afsharjavan (remotely)

Linnea Becerra

Paul Enger

Leah Solo (remotely)

Agenda items

1. **Call to order** – the meeting was called to order by Executive Director Leah Solo at 9:09 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 Chair Jamie Gulley and seconded by Katie Lundmark. A roll call vote was taken and the motion passed unanimously.
3. **Approval of drafted meeting minutes** – a motion to approve the Sept. 11, 2024, drafted meeting minutes as presented was made by Gulley and seconded by Lundmark. A roll call vote was taken and the motion passed unanimously.
4. **Board updates** –
 - Executive Director Solo presented about the memo highlighting that while there are provisional waivers and waivers, no waiver should be longstanding. Solo suggested the workgroup discuss the criteria the board will ask nursing facilities provide to qualify for a provisional waiver or a waiver. Solo suggested (as she did in the memo) all the provisional waivers be the same – same amount of time and waiving the minimum wages.
 - Lundmark said she had a concern with the timeline presented in the memo. She said there is a tight timeline between the approval or denial of a waiver and the implementation date; the presented timeline allowed a two-week turnaround. Lundmark proposed a 30-day turnaround at a minimum. The group discussed and concluded moving the deadline earlier so the employers have a 30-day

window to implement. Maria King suggested moving the application window for provisional waivers to be Oct. 1 through Nov. 15 and the notification of provisional waivers approved will be moved to Dec. 1 or two weeks after the facility receives its rate notices. This item was not decided on; the group will make a final determination for the timeline at a later date.

- The workgroup discussed what to ask for in the waiver application. The group worked off a memo presented at the Aug. 5 Waivers and Variances Workgroup meeting, “Possible waiver and variance application elements, evaluation criteria, board process.” The group went through the possible application elements and discussed each measure and whether the workgroup thinks it should be used in the application. The group concluded the first two items were necessary: statement of need; and the nursing home’s plan to come into compliance. There was much discussion about the financial statements, but the group did not decide which financial statements would be applicable.
- The next step for the workgroup is to compile a list of items needed for a nursing home to apply for a provisional waiver.

5. New business –

6. Next meeting – the next meeting is Tuesday, Oct. 29, at 2 p.m. in the Washington Room.

Adjournment

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