

Meeting minutes: Nursing Home Workforce Standards Board

Date: Thursday, Aug. 8, 2024

Minutes prepared by: Linnea Becerra

Location: In person in the Minnesota Room, Department of Labor and Industry, and online via Webex

Members present

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

Visitors present

- Todd Bergstrom
- Jeff Bostic
- Krystle Conley (remotely)
- Allison Eastham (remotely)
- Brian Elliott
- Bryce Hingst (remotely)
- Casey Murphy (remotely)
- Tom Syverson (remotely)

DLI staff members present

- Ali Afsharjavan
- Linnea Becerra
- Paul Enger
- Josiah Moore
- Leah Solo
- Nou Yang

Agenda items

1. **Call to order** – the meeting was called to order by Chair Jamie Gulley at 11:04 a.m. Roll call was taken by the secretary and a quorum was declared.
2. **Approval of agenda** – a motion to approve the agenda as presented was made by Commissioner Nicole Blissenbach and seconded by Michelle Armstrong. An item was presented for discussion; there was discussion about moving the public comment discussion to earlier in the agenda by Katie Lundmark, but Chair Gulley assured the board he would move quickly through the earlier agenda items to make sure there was adequate time for discussion of the public comments. A roll call vote was taken and the motion passed unanimously.
3. **Approval of drafted meeting minutes** – a motion to approve the July 18, 2024, drafted meeting minutes as presented was made by Commissioner Blissenbach and seconded by Armstrong. A roll call vote was taken and the motion passed unanimously.

4. Board updates –

- Executive Director Leah Solo presented about the updated bylaws that were passed during the 2024 legislative session. This update requires two of the three commissioners or commissioner designees to cast affirmative votes for any vote taken up by the Nursing Home Workforce Standards Board for the motion to pass. Mary Swanson requested two of the three employers also cast affirmative votes for any vote by the Nursing Home Workforce Standards Board to pass. Paul Enger provided statutory clarification and the motion proceeded as originally presented. Commissioner Blissenbach made a motion to adopt the updated bylaws and Armstrong seconded the motion. A roll call vote was taken and the motion passed unanimously.
- Executive Director Solo updated the board about the progress made by the Certification/Training Workgroup. This included the sample content, sample follow-up document and draft sample curriculum. These items will be open for discussion and feedback at the coming public hearing.
- Executive Director Solo updated the board about the sign up and the agenda for the public hearing. Members of the workgroup spoke briefly about their work.
- Executive Director Solo presented about the Waivers and Variances Workgroup and the discussion about the items that may be required for applicants to provide to be considered for a waiver or variance. Lundmark and Kim Brenne gave their thoughts and additions from that workgroup.
- Executive Director Solo reported about the Data Workgroup, which met immediately preceding the full board meeting. Brenne noted there was discussion in the Data Workgroup meeting about acknowledging the difference in numbers between the Department of Human Services fiscal note and the Long-term Care Imperative's numbers.
- Enger brought to the table for discussion and approval, the draft from the revisor on the holiday, certification and posting rules. There was significant discussion about moving the implementation date back to June 1, 2025, presented by Lundmark. A motion was made by Lundmark to change the effective date to Jan. 1, 2026, which was seconded by Paula Rocheleau. The board discussed the proposal. A roll call vote was taken and the motion failed, with six opposing votes and three in favor. A separate motion was made by Commissioner Blissenbach to adopt the rules as drafted and authorize the Department of Labor and Industry to take the steps necessary to publish the notice of intent to adopt permanent expedited rules without a hearing for these rules with the *State Register*; the motion was seconded by Armstrong. A roll call vote was taken and the motion carried, with six affirmative votes and three opposing votes.
- The board discussed the 247 public comments it received.
- A motion was made to adopt the rules as drafted and approve the staff members to submit the necessary documents to the administrative law judge and the Office of Administrative Hearings, as well as approve the staff members to respond to additional inquiries necessary to effectuate that process. This motion was made by Commissioner Blissenbach and seconded by Brenne. A roll call vote was taken and the motion passed, with six members voting affirmatively and three members voting in abstention.

5. New business –

6. **Next meeting** – the next meeting is at 11 a.m., Thursday, Sept. 12, 2024, in the Minnesota Room.

Adjournment

A motion made to adjourn the meeting at 12:45 p.m. by Armstrong and seconded by Brenne. A roll call vote was taken and the motion passed unanimously.