

Subject Modifying the Nursing Home Workforce Standards Board

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Overview

This bill modifies the statutes governing the Nursing Home Workforce Standards Board. The Board was established by the legislature in 2023 and consists of the commissioners of human services, health, and labor and industry; three members who represent nursing home workers or worker organizations, appointed by the governor; and three members who represent nursing home employers or employer organizations, appointed by the governor. The duties of the Board include:

- establishing minimum nursing home employment standards, including standards on compensation for nursing home workers;
- recommending occupational health and safety standards to the commissioner of labor and industry;
- investigating market conditions and the existing wages, benefits, and working conditions of nursing home workers for specific geographic areas of the state and specific nursing home occupations;
- adopting procedures for considering temporary variances and waivers of the established standards for individual nursing homes based on the Board's evaluation of the risk of closure or receivership;
- certifying worker organizations that it finds are qualified to provide training to nursing home workers; and
- establishing requirements for the curriculum for the nursing home worker training and reviewing the adequacy of the curriculum requirements at least annually.

Summary

Section	Description
1	Voting. Modifies voting thresholds to require a majority of each of the three constituencies (agencies, employers, and workers) to approve of a proposal that would establish minimum nursing home employment standards.
2	Authority to establish minimum nursing home employment standards. Disallows expedited rulemaking.
3	Investigation of market conditions. Amends § 181.213, subd. 2. Removes language requiring the initial employment standards established by the board to be effective July 1, 2025. Removes language related to evaluating the impact of the employment standards on nursing facility payment rates and prohibiting budget and economic forecasts from assuming an increase in nursing facility payment rates resulting from the new standards until the legislature appropriates funding for the nursing facility payment rate increase. Prohibits minimum wage standards established by the board from taking effect unless the cost of the standard to each nursing facility reimbursed under medical assistance (MA) nursing facility payment rates is estimated and paid for in the MA nursing facility payment rates. Specifies the costs the commissioner of human services must include in determining cost estimates and appropriations for any standard approved by the board. Prohibits new standards approved by the board from taking effect if the legislature does not approve an appropriation.
4	Review of standards. Disallows expedited rulemaking.
5	Certification of worker organizations and employer organizations. Permits employer organizations to be certified to provide training to nursing home workers, just as worker organizations can be. Disallows expedited rulemaking.
6	Minimum content and posting requirements. Disallows expedited rulemaking.



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