

Minutes: NHWSB Data and Waiver Workgroup

Date: Friday, Sept. 18, 2026

Minutes prepared by: Linnea Pignatello

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

Attendance

Members present

Jason Anderson (remotely)

Kim Brenne (remotely)

Jamie Gulley

Visitors present

Todd Bergstrom (remotely)

Jeff Bostic (remotely)

Jane Gottwald (remotely)

DLI staff members present

Paul Enger

Ken McGurran

Linnea Pignatello

Leah Solo

Agenda items

1. **Call to order** – The meeting was called to order by Executive Director Leah Solo at 3:10 p.m. Roll call was taken and a quorum was declared.
2. **Approval of agenda** – A motion to approve the agenda as presented was made by Jamie Gulley and seconded by Jason Anderson. A roll call vote was taken and the motion passed unanimously.
3. **Approval of drafted meeting minutes** – A motion to approve the Aug. 31, 2026, drafted meeting minutes as presented was made by Gulley and seconded by Anderson. A roll call vote was taken and the motion passed unanimously.
4. **Board updates** –
 - Solo informed the group that the waiver being discussed is application four; the other three facilities that were slotted to be on the agenda received their rate add-on approval through the Department of Human Services (DHS) and have decided to withdraw their applications. Applicant four requested a waiver from the 2026 minimum-wage standards for general workers, including laundry workers, dietary aides, housekeepers and other care-related staff members. The facility said it would still

comply with wage standards for certified nursing assistants, trained medication aides and licensed practical nurses.

- Solo reviewed the application and Gulley noted the application says the facility has received a rate add-on from DHS, which was intended to help facilities meet minimum-wage standards. Solo clarified the application indicated the applicant was willing to forego the part of the rate add-on associated with the positions for which they were requesting a waiver from the minimum-wage requirement.
- Anderson asked if the facility would be able to forego the rate increase for general workers to not have to pay those workers the minimum wages. Kim Brenne said DHS has not previously contemplated such a situation and there is no clear prohibition against a facility voluntarily declining part of its rate increase, which would be unusual, but not impossible. Anderson voiced concern about approving this partial increase while foregoing part of the rate increase and said it would be precedent-setting, while also noting he did not want to see any facilities closing.
- Brenne noted she didn't see an assertion in the application where the facility noted it specifically would have a high likelihood of closure or receivership and that the concern seems to be more of a general objection to the minimum-wage standards. Anderson concurred. Gulley pointed out that concerns in the application related to increased costs in other parts of the entity, which are not covered by the Nursing Home Workforce Standards Board (NHWSB) standards, are voluntary and are not required by the NHWSB rules.
- Brenne introduced Jane Gottwald, DHS, who reported that after looking at the supporting financial information the facility submitted, it would seem the facility has significant resources and overall stable operations. Gottwald noted that while a facility can close for any reason at any time, it does not seem likely, based on the information submitted with the application, that this facility would be forced to close.
- Todd Bergstrom pointed out the rate add-on will expire at the end of 2027. Gulley noted the facility could apply for a waiver in a year, when the rate add-on was expiring. Gottwald said any additional cost tied to general worker provisions is not financially material compared to overall profit levels. There was discussion about the rate add-on expiring at the end of 2027 and how the discussion could be different in two years. Gulley summarized the application and discussion and made a motion that the Data and Waiver Workgroup recommend denying the waiver request for application four based on the information provided. Brenne seconded the motion. A roll call vote was taken and the motion passed unanimously.

5. New business –

6. Next meeting – The next meeting is at 1 p.m., Sept. 28, 2026.

Adjournment

A motion was made by Gulley to adjourn the meeting at 3:36 p.m. and seconded by Brenne. A roll call vote was taken and the motion passed unanimously.