

5200.2030 APPLICATION FOR CERTIFICATION AND RENEWAL.

Subpart 1. **Requirements to become a certified worker organization.** To become a certified worker organization, an applicant must:

- A. meet the definition of worker organization in Minnesota Statutes, section 181.211;
- B. submit complete information satisfying the application requirements under subpart 2;
and
- C. demonstrate the ability to provide training as follows:
 - (1) the training must follow curriculum established by the board and include a synchronous portion for fielding questions from nursing home workers;
 - (2) the training, follow-up written materials, and responses to inquiries are in a language in which a nursing home worker is proficient;
 - (3) the training records must be provided to the nursing home; and
 - (4) the records of workers who attend a training, including when the workers were trained, are retained by the worker organization for five years.

Subp. 2. **Application.**

A. To become certified, an applicant must file with the board an application in a format prescribed by the board that includes:

- (1) the applicant's legal business name;
- (2) the applicant's federal employer tax identification number;
- (3) a list of the applicant's board of directors;
- (4) an affirmation that the applicant is exempt from federal income taxation under section 501(c)(3), 501(c)(4), or 501(c)(5) of the Internal Revenue Code;
- (5) an affirmation that the applicant is not dominated or interfered with by any nursing home employer within the meaning of United States Code, title 29, section 158a(2);
- (6) an explanation of and evidence demonstrating that the applicant has at least five years of experience engaging with and advocating for nursing home workers;
- (7) an affirmation that data received from a nursing home employer in connection to the training of its nursing home workers will be maintained according to any applicable data security law and used only for the purposes of Minnesota Statutes, section 181.214, subdivision 5;
- (8) information demonstrating that the applicant will follow the curriculum established by the board and otherwise satisfy the requirements of Minnesota Statutes, section 181.214, including:
 - (a) the training materials the applicant proposes to use;

(b) the follow-up materials the applicant proposes to send to nursing home workers after trainings, which must include a certificate of completion formatted in a manner prescribed by the board; and

(c) an affirmation that the applicant will provide training, follow-up written materials, and responses to inquiries in a language in which a nursing home worker is proficient;

(9) an affirmation that the applicant will update its curriculum as required by the board;

(10) an affirmation that the applicant will provide nursing homes with applicable training records; and

(11) an affirmation that the information provided in the application is true.

B. An applicant may request that the executive director or the executive director's designee examine parts of the application and answer questions related to eligibility.

Subp. 3. **Renewal application.** Within 30 days of updated standards becoming effective, the board must open a renewal application period. The renewal application period must last 60 days, during which time a certified worker organization must apply for renewal if it wishes to remain certified. The applicant must file with the board a complete renewal application in a format prescribed by the board that includes:

A. updates to any information previously provided to the board;

B. an affirmation that the applicant has reviewed any updated standards and curriculum established by the board;

C. an affirmation that the applicant will educate its trainers on the updated standards and curriculum;

D. an affirmation that data received from a nursing home employer in connection to the training of its nursing home workers will be maintained according to any applicable data security law and used only for the purposes set forth in Minnesota Statutes, section 181.214, subdivision 5; and

E. an affirmation that all information in the application is true.

Statutory Authority: *MS s 181.213; 181.214; 181.215*

History: *49 SR 628*

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