

256R.60 NURSING FACILITY WORKFORCE WAGE SUPPLEMENT PROGRAM.

Subdivision 1. **Program established.** The commissioner must establish a program to provide supplemental wage payments to nursing home employees as provided in this section.

Subd. 2. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Commissioner" means the commissioner of human services.

(c) "Covered employee" means a nursing home worker, as defined in section 181.211, subdivision 9, who worked at least 260 hours for a covered employer between January 1, 2026, and June 30, 2026.

(d) "Covered employer" means a nursing home employer as defined in section 181.211, subdivision 8.

Subd. 3. **Eligibility for supplemental wage payments.** (a) A covered employee is eligible to receive a onetime payment of up to \$400 if, during the period from January 1, 2026, to June 30, 2026, the employee was:

(1) in a position impacted by the January 1, 2026, wage standards described by Minnesota Rules, parts 5200.2060 to 5200.2090; and

(2) paid at an hourly wage that was less than the applicable January 1, 2026, wage standards described by Minnesota Rules, parts 5200.2060 to 5200.2090.

(b) A covered employee who does not meet the criteria in paragraph (a) is eligible to receive a onetime payment of up to \$200.

(c) If appropriations are not sufficient to provide the maximum payment amount for all approved applications, the commissioner must first ensure payments are distributed in an equal amount, up to \$400, to all approved applicants meeting the criteria in paragraph (a).

(d) If additional funding exists after making payments under paragraph (c), the commissioner must use the additional funding available to distribute payments in an equal amount, up to \$200, to all covered employees not meeting the criteria in paragraph (a).

Subd. 4. **Employee and wage reporting by covered employees.** (a) A covered employer must, by July 31, 2026, provide the commissioner with wage and hour data for the January 1, 2026, to June 30, 2026, period for each covered employee in a form and manner determined by the commissioner.

(b) The commissioner may request additional information from covered employers to validate the data provided under paragraph (a). A covered employer must respond to requests from the commissioner under this paragraph.

(c) A covered employer that fails to comply with this subdivision may be subject to payment reduction under section 256R.09, subdivision 4.

Subd. 5. **Application and payment processes.** (a) As soon as practicable after May 27, 2026, the commissioner must establish a process for accepting applications for payments under this section and begin accepting applications.

(b) The commissioner must:

(1) establish a multilingual temporary help line for applicants; and

(2) offer multilingual applications and multilingual instructions.

(c) To qualify for a payment under this section, a covered employee must submit an application in a form and manner determined by the commissioner. As part of the application, an applicant must certify to the commissioner that the applicant is a covered employee and is eligible for payment under this section.

(d) The commissioner may contract with a third party to implement part or all of the application and payment processes required under this section.

(e) The commissioner's determination of eligibility for payments and amounts is final and is not subject to appeal.

(f) No later than 15 days after the application period is opened under this subdivision, covered employers must provide notice, in a form and manner approved by the commissioner, advising all current employees who may be eligible for payments under this section of the assistance potentially available to them and how to apply for benefits. A covered employer must provide notice using the same means the covered employer uses to provide other work-related notices to employees.

(g) Notice provided under paragraph (f) must be at least as conspicuous as:

(1) posting a copy of the notice at each work site where employees work and where the notice may be readily observed and reviewed by all employees working at the site; or

(2) providing a paper or electronic copy of the notice to all employees.

Subd. 6. **Audits and recoupment.** (a) The commissioner may perform an audit under this section up to six years after a payment is awarded to ensure that:

(1) the covered employee was eligible to receive payment under this section; and

(2) the covered employee received payments only in the amount permitted under this section.

(b) If the commissioner determines that a covered employee received payments not in compliance with this section, the commissioner must attempt to recoup the payment.

Subd. 7. **Payments not to be considered income.** (a) Notwithstanding any law to the contrary, payments provided under this section must not be considered income, assets, or personal property for purposes of determining eligibility or recertifying eligibility for:

(1) child care assistance programs under chapter 142E;

(2) general assistance and Minnesota supplemental aid under chapter 256D;

(3) food support under chapter 142F;

(4) housing support under chapter 256I;

(5) the Minnesota family investment program and diversionary work program under chapter 142G; and

(6) economic assistance programs under chapter 256P.

(b) The commissioner must not consider grant awards under this section as income or assets under section 256B.056, subdivision 1a, paragraph (a); 3; or 3c, or for persons with eligibility determined under section 256B.057, subdivision 3, 3a, 3b, 4, or 9.

Subd. 8. **Expiration.** This section expires June 30, 2028.

History: 2026 c 121 art 9 s 47