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Board of Executives for Long Term Services and Supports

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<https://mn.gov/boards/beltss/>**AT A GLANCE**

- Provides licensing for Nursing Home Administrators, Health Service Executives, and Licensed Assisted Living Directors (LALD)
 - 105 Licensed Health Service Executives (LHSE)
 - 781 Licensed Nursing Home Administrators (LNHA)
 - 2,248 Licensed Assisted Living Directors (LALD)
 - 671 Permits/Acting Permits and Assisted Living Directors in Residence from July 1, 2022, to June 30, 2024
 - 3,110 applications received from July 1, 2022, to June 30, 2024
 - 953 New licenses issued from July 1, 2022, to June 30, 2024
 - 391 state examinations administered from July 1, 2022, to June 30, 2024
 - 182 continuing education reviews and public posting from July 1, 2022, to June 30, 2024
- Served as the fiscal agent for the Administrative Services Unit (ASU) through FY 2021

PURPOSE

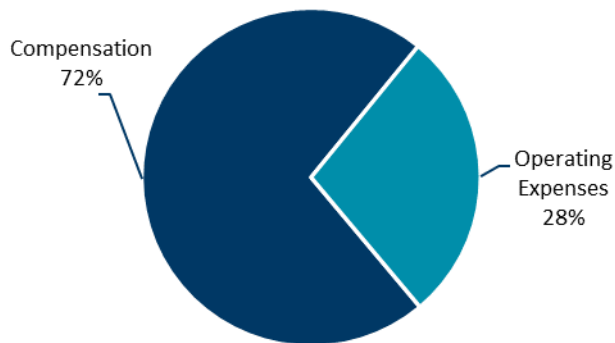
The Minnesota Board of Executives for Long-Term Services and Supports was initially established in 1970 within Minnesota Statutes 144A.19 – 144A.28 and Minnesota Rules 6400 to license nursing home administrators only. The board was modified in 2020 to the Board of Executives for Long-Term Services and Supports (BELTSS) to encompass the new licensure category of Licensed Assisted Living Directors and to recognize the national credential of the Licensed Health Service Executive in May 2019. The Health Service Executive designates individuals with advanced knowledge in all three lines of long-term services and supports, skilled care, assisted living and home and community-based services. The board continues to meet the federal mandate to ensure that nursing home administrators have the education and skills necessary to provide strong, safe communities for Minnesota's elders. It is now broadened to assure accountability and support for all individuals receiving long term services and supports by trained and minimally qualified directors for assisted living directors. BELTSS carries out this mission through regulation of the practice, education and licensure of practitioners, and investigation of complaints in an attempt for neutral and timely resolution.

The current challenge for FY24-25 is 'right sizing' the operation to process and provide oversight to the new license category of Licensed Assisted Living Directors (LALD). Currently, the board finds itself in the adjusting phase of matching applicants, licensees, revenue, and expenses. The original projection estimated 1,500 licensed providers, but the actual number of applications received was closer to 2,500.

Beginning in FY 2022, responsibility for the Administrative Services Unit was transferred to the Minnesota Board of Dentistry. The program profile for ASU, which includes the health-related licensing boards' Criminal Background Check Program (CBCP), is included with the Board of Dentistry agency profile.

BUDGET

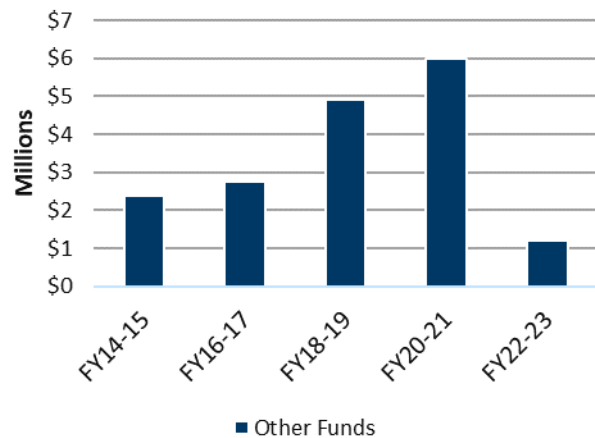
**Spending by Category
FY 2023 Actual**



FY2023 includes spending for the Board of Executives for Long Term Services and Support and the Criminal Background Check Program

Source: Budget Planning & Analysis System (BPAS)

Historical Spending



FY 2014 includes spending for the Board of Nursing Home Administrators. FYs 2015-21 include spending for the Administrative Services Unit and the Criminal Background Check Program

BELTSS: The Board is funded by licensure fees and receives no general fund dollars. Minnesota Statutes section 214.06, subdivision 1(a) compels the Board to collect fees in the amount sufficient to cover direct and indirect expenditures. Fees had not increased from 1995 until 2020. With the additional applicant and licensing numbers, a new fee schedule was established in 2020, with the board still adjusting to this new change. At the time of this budget submission, the initial renewal of Licensed Assisted Living Directors (LALD) license is not completed. This requires real-time tracking of appropriation, revenue collection, and expenses/staffing to meet requirements.

ASU: Currently, 19 health-related and non-health-related licensing boards fund the operations of Administrative Services Unit. Of those, 16 boards utilize and fund the CBCP. The FY 2021 spending information above includes ASU and the CBCP, as fiscal oversight did not transfer to the Board of Dentistry until FY 2022.

STRATEGIES

BELTSS: The twelve governor-appointed citizens serving on the Minnesota Board of Executives for Long-Term Services and Supports (BELTSS) ensure that sufficiently trained leaders are accountable for their actions without imposing unintended barriers or restrictions of elder care campuses.

BELTSS is required to maintain the standards for Nursing Home Administrator licensure for Minnesota to receive Center of Medicare and Medicaid Service funds per federal guidelines. The addition of the Licensed Assisted Living Director is met and accomplished by:

- Maintaining educational standards for prospective and existing licensees.
- Licensing qualified individuals so Minnesotans seeking long-term services and supports will be able to identify those working in the field with skills necessary to provide services in compliance with Minnesota Statutes and Rules.
- Implementing disciplinary and compliance actions when licensees do not perform at a contemporary standard of practice while serving as a neutral intermediary to resolve various interpersonal complaints.
- Educating the public on health-related professions, practitioners, and standards.

- Working with eleven currently approved Minnesota colleges with Long Term Care Administration programs.
- Working with three (3) Assisted Living Director Programs to develop standards for the Assisted Living Course Provider Programs.

Currently, Minnesota has 3,430 licensed professionals that oversee the care provided to nearly 145,000 Minnesotans residing in skilled nursing and assisted living facilities. Resident safety, support, and effective services are the primary focus. Research is very active currently as it relates to leadership of long-term care services and supports and its relationship to customer satisfaction.

The board remains active with the National Association of Boards for Long Term Care Administrators (NAB) to ensure contemporary practice standards for Minnesotans. The Board receives an annual statistical review in October and uses this data to identify new initiatives or areas of concern. This board has historically maintained an active strategic plan. The board engages with many stakeholder groups to ensure administrative involvement in problem resolution.

RESULTS

Measure name	Measure type	Measure data source	Historical trend	Most recent data
Online services	Quality	Program to track website efficiency and track online complaints about webservice, and support tickets logged	We are trending up on website efficiency, and have fewer support tickets from BELTSS to MNIT and from Licensee to BELTSS	All sections of website are above 82% efficiency. We experienced a 60% reduction in licensee/applicant to BELTSS tickets
Information Access	Quantity	Number of forms converted	The need to digitize all forms for download availability	We have 90% of forms available for download
Internal Reporting	Results	Working on legacy projects to determine open facilities and tack complaints more effectively	We have had to manually discover and track open facilities	In process of reviewing new abilities on facility reporting

The authorizing Minnesota statute for BELTSS is M.S. 144A.19-144A.28:

<https://www.revisor.mn.gov/statutes/?id=144A&view=chapter#stat.144A.19>

The Minnesota Rules for BELTSS are located at: <https://www.revisor.mn.gov/rules?id=6400.5000>

Executives for Long Term Svcs and Supports Bd

Agency Expenditure Overview

(Dollars in Thousands)

	Actual FY22	Actual FY23	Actual FY24	Estimate FY25	Forecast Base		Governor's Recommendation	
					FY26	FY27	FY26	FY27

Expenditures by Fund

1201 - Health Related Boards	485	619	603	838	736	736	736	736
2000 - Restrict Misc Special Revenue	80	25	25	48	25	25	25	25
Total	565	644	628	886	761	761	761	761
Biennial Change				305		8		8
Biennial % Change				25		1		1
Governor's Change from Base								0
Governor's % Change from Base								0

Expenditures by Program

Executives for Long Term Svcs and Supports Bd	565	644	628	886	761	761	761	761
Total	565	644	628	886	761	761	761	761

Expenditures by Category

Compensation	374	464	441	486	493	503	493	503
Operating Expenses	182	177	187	395	263	253	263	253
Grants, Aids and Subsidies		1						
Other Financial Transaction	9	2	0	5	5	5	5	5
Total	565	644	628	886	761	761	761	761

Full-Time Equivalents

4.54	4.26	4.00	4.00	4.00	4.00	4.00	4.00
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Executives for Long Term Svcs and Supports Bd

Agency Financing by Fund

(Dollars in Thousands)

	Actual	Actual	Actual	Estimate	Forecast Base		Governor's Recommendation	
	FY22	FY23	FY24	FY25	FY26	FY27	FY26	FY27
1201 - Health Related Boards								
Balance Forward In	1,464	219		102				
Direct Appropriation	693	635	705	736	736	736	736	736
Transfers Out	1,464	80						
Cancellations		155						
Balance Forward Out	208		102					
Expenditures	485	619	603	838	736	736	736	736
Biennial Change in Expenditures				337		31		31
Biennial % Change in Expenditures				31		2		2
Governor's Change from Base								0
Governor's % Change from Base								0
Full-Time Equivalents	4.54	4.26	4.00	4.00	4.00	4.00	4.00	4.00

2000 - Restrict Misc Special Revenue

Balance Forward In	60	16	22	23				
Receipts	21	24	26	25	25	25	25	25
Balance Forward Out	1	15	23					
Expenditures	80	25	25	48	25	25	25	25
Biennial Change in Expenditures				(32)		(23)		(23)
Biennial % Change in Expenditures				(31)		(32)		(32)
Governor's Change from Base								0
Governor's % Change from Base								0

Executives for Long Term Svcs and Supports Bd

Agency Change Summary

(Dollars in Thousands)

	FY25	FY26	FY27	Biennium 2026-27
Direct				
Fund: 1201 - Health Related Boards				
FY2025 Appropriations	736	736	736	1,472
Forecast Base	736	736	736	1,472
Total Governor's Recommendations	736	736	736	1,472
Dedicated				
Fund: 2000 - Restrict Misc Special Revenue				
Planned Spending	48	25	25	50
Forecast Base	48	25	25	50
Total Governor's Recommendations	48	25	25	50
Revenue Change Summary				
Dedicated				
Fund: 2000 - Restrict Misc Special Revenue				
Forecast Revenues	25	25	25	50
Total Governor's Recommendations	25	25	25	50
Non-Dedicated				
Fund: 1201 - Health Related Boards				
Forecast Revenues	872	872	872	1,744
Change Items				
Fee Increase		99	99	198
Total Governor's Recommendations	872	971	971	1,942

Board of Executives for Long Term Services and Supports

FY 2026-27 Biennial Budget Change Item

Change Item Title: Fee Increase

Fiscal Impact	FY 2026	FY 2027	FY 2028	FY 2029
General Fund				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	99	99	99	99
Net Fiscal Impact = (Expenditures – Revenues)	(99)	(99)	(99)	(99)
FTEs	0	0	0	0

Recommendation:

The Governor recommends increasing several of the fees collected by the Minnesota Board of Executives for Long-Term Services and Support (the Board). This would increase revenues in the state government special revenue fund by an estimated \$99,000 in FY 2026 and \$99,000 in each subsequent year. The additional revenue would ensure the Board continues to cover its operating expenditures. This recommendation includes amending the language in the Board's fee statute to standardize and streamline the licensing processes.

Rationale/Background:

The mission of the BELTSS is to protect the public through effective licensure and enforcement of the statutes and rules governing the practice of long-term care to ensure a standard of competent and ethical practice. Twelve volunteer Board members, including three public members, provide oversight and assist the Board's four staff in fulfilling its mission to protect Minnesotans.

The Board is entirely fee supported and receives no General Fund dollars to support its services. Fees must be collected to cover all direct and shared operational costs and are deposited as non-dedicated revenue into the State Government Special Revenue Fund (SGSR). The Minnesota Legislature makes a biennial appropriation from this fund to cover all expenses incurred by the Board.

Statutory fee upper limits were last increased in 2019 when a new class of licensure was established. These new proposed "not to exceed" fees are necessary to offset increased technology and Attorney General costs to protect Minnesota seniors using long term services. This also allow the board the flexibility to implement fee increases or decreased overtime in a more structured and equitable manner to all license classes.

Proposal:

The Governor recommends increasing the maximum amount for four (4) of the Board's fees as described in the table below. The Governor also recommends amending some of the Board's fee language to standardize the licensing process and reduce administrative burden. The Board may not raise all fees, or raise them to the new maximum amount, in FY 2026, but the new limits will give the Board flexibility to adjust its fees higher or lower as needed cover its operating expenses.

Fee Change Descriptions: The table, below, identifies the fees for which a fee increase is requested and include: (1) Type of Fee; (2) Current fee amount; and (3) Requested new fee amount; (4) Quantity/Number of those paying fee in FY2024; and (5) Projected additional revenue from fee increase.

Proposed Fees Not to Exceed				
Type of Fee	Current Fee "To Not Exceed"	Proposed New Fee "To Not Exceed"	FY2024 – Number Paying Fee	Projected Additional Revenue (Based on FY2024 Data)
HSE Licensure and Renewal Fee	\$250.00	\$300.00	105	\$5,250.00
Application for Licensure	\$200.00	\$300.00	418	\$41,800.00
State Examination	\$125.00	\$150.00	676	\$16,900.00
Initial License	250.00	\$300.00	696	\$34,800.00
APPLICATION + LICENSE FEES				\$98,750.00

Impact on Children and Families:

This recommendation will not have a direct impact on children and families but will allow the Board to continue its services to protect Minnesotans receiving long-term care.

Equity and Inclusion:

The Board recognizes that any increased cost has the potential to negatively impact any person, including people of color, Native Americans, people with disabilities, people in the LGBTQ community, other protected classes, or Veterans. However, raising fees will allow the Board to maintain its operations to protect all Minnesotans when they are in need of long-term care services.

Tribal Consultation:

Does this proposal have a substantial direct effect on one or more of the Minnesota Tribal governments?

☐ Yes

☒ No

IT Costs

This recommendation would result in minimal IT-related costs to update such fees in the Board's licensure database. The cost of these updates will be absorbed by the Board within its current appropriation request; no additional appropriation is requested.

Results:

With these fee changes, and increased revenue, the Board can achieve the following results:

1. Maintain core public safety responsibilities, including timely and efficient licensure of Long-term care professionals to serve Minnesotans.
2. Manage complex and numerous complaint investigations and licensing-related issues to avoid adverse effects on citizens, professionals, and the workforce.
3. Maintain necessary staffing to conduct its business in a timely manner.
4. Afford necessary and increased technology costs.
5. Afford increased legal costs necessary for complaint investigation and resolution.
6. Continue to efficiently conduct the Board's business to ensure fulfillment of its public protection mission.
7. Avoid deficit spending and maintain a balanced budget as required by State law.

Statutory Change(s):

The recommended fee changes would be changed in the Board's current fees statute - Minnesota Statutes 144A.291