

Olmstead Subcabinet Meeting Minutes

Monday, March 22, 2021 • 3:00 p.m. to 4:30 p.m.

1) Call to Order

Commissioner Ho welcomed everyone and thanked them for attending.

2) Roll Call/Question

The meeting was held using GoTo Webinar. Commissioner Ho read each Subcabinet agency name and asked the agency attendee (Commissioner or attendee) to identify themselves and answer the Roll Call Question below.

Subcabinet members present: Jennifer Lemaille Ho, Minnesota Housing (MHFA); Jodi Harpstead, Department of Human Services (DHS); Colleen Wieck, Governor's Council on Developmental Disabilities (GCDD); John Harrington, Department of Public Safety (DPS); Margaret Anderson Kelliher, Department of Transportation (MnDOT) joined at 3:20 p.m.; Roberta Opheim, Office of Ombudsman for Mental Health and Developmental Disabilities (OMHDD) joined at 3:35 p.m.

Designees present: Dee Torgerson, Department of Employment and Economic Development (DEED); Mary Manning, Minnesota Department of Health (MDH); Scott Buetel, Minnesota Department of Human Rights (MDHR); Brian Collins, Department of Corrections (DOC); Wendy Wulff, Metropolitan Council (MetC); Mike McElhiney, Minnesota Department of Veterans Affairs (MDVA) joined at 3:15 p.m.

Guests present: Shelley Madore, Mike Tessneer, Rosalie Vollmar, Diane Doolittle, Chloe Ahlf, Carolyn Sampson and Sue Hite-Kirk, Olmstead Implementation Office (OIO); John Patterson and Ryan Baumtrog (MHFA); Tim Henkel and Kristie Billiar (MnDOT); Erin Sullivan Sutton, Ariana Dionisopoulos, Dan Baker, Gloria Smith, Natasha Merz, Karen Sullivan Hook, Shelley White and Shireen Gandhi (DHS); Holly Andersen (MDE); Ann Schulte (MDH); Gerri Sutton, Metropolitan Council (MetC); David Dively, Minnesota Council on Disability (MCD)

Note: In the interest of time, all attendees of this meeting were not identified.

CART provider: Veritext Captioning and Reporting Services, Inc.

ROLL CALL QUESTION: What will your agency's success look like in two years as it relates to work of the Olmstead Plan?

- **Commissioner Ho (Minnesota Housing):** HUD Section 811 would be used with DHS to get people out of institutions and into their own homes in the community.
- **Commissioner Harpstead (DHS):** Personal Care Assistants (PCAs) would be supported across the state to help people with disabilities to live in their own homes.

- **Director Dee Torgerson (DEED):** Stronger business connections and allies would help DEED successfully place more people in employment.
- **Assistant Commissioner Brian Collins (DOC):** The person-centered approach to service delivery would be used with the people DOC serves to partner in the design and delivery of services.
- **Assistant Commissioner Scott Buetel (MDHR):** Investigative work of discrimination complaints involving disability for adults and minors would be fully executed, especially those surrounding education.
- **Commissioner Harrington (DPS):** Every officer in the state of MN would be trained in Crisis Intervention Training (CIT). In addition, more departments will have co-responder programs and operations. We hope to see over 100 officers in the next group and move from experimentation to standard operation and expand to suburban departments.
- **Council Member Wendy Wulff (MetC):** The transit system would be back to full capacity so everyone who wants a ride can ride.
- **Colleen Wieck (GCDD):** In two years, the “*Treat People Like People*” Prevention of Abuse Campaign will be fully implemented. Also, in two years, there will be nearly 1,200 graduates in the Minnesota Partners in Policymaking ® program.
- **Assistant Commissioner Mary Manning (MDH):** All people regardless of ability will be experiencing better wellbeing as a result of the health promotion and disease management and policy development activities.

3) Agenda Review

Commissioner Ho reviewed the agenda. There were no requested changes.

4) Approval of Minutes

a) Subcabinet meeting on January 25, 2021

Commissioner Ho asked if there are any changes needed to the January meeting minutes.

Motion: Approve January meeting minutes.

Action: Motion – Wieck

Second – Wulff

In Favor – All

5) Reports

a) Chair – The Chair did not have a report.

b) Director

Shelley Madore (OIO) reviewed the Director’s Report. The report provided an overview of the work being completed by OIO.

Questions/Comments: None

c) Compliance

Mike Tessneer (OIO) reported that the Olmstead Implementation Office is developing a way to simplify reporting on progress of measurable goals using graphics. This will begin with the May 2021 Quarterly Report.

Questions/Comments: None

6) Agenda Items

a) February 2021 Quarterly Report

Commissioner Ho asked Mike Tessneer (OIO) to present the February 2021 Quarterly Report. Mr. Tessneer reviewed the Executive Summary.

Questions/Comments:

Commissioner Harpstead (DHS) stated she was surprised the report didn't reflect more impact from COVID-19. Mr. Tessneer indicated that due to the time needed to validate and verify the data, it is often reported several months after the fact. He expects that data reported in the coming quarters will reflect greater effects due to COVID-19.

Commissioner Ho encouraged members to pay attention to the goals and take ownership on goals that are important to keep monitoring, how the goals fit into the Big 6, and which no longer need to be monitored.

Motion: Accept the February 2021 Quarterly Report

Action: Motion – not identified Second – Anderson Kelliher In Favor - All

b) Draft plan amendments for 3 measurable goals and review of the 2021 Olmstead Plan

Mike Tessneer (OIO) presented three new amendments. The proposed changes to the goals were indicated with blackline. Upon acceptance of the amendments, they will be posted for public comment. A supplemental handout was provided of the blackline version of the Plan.

Questions/Comments:

Colleen Wieck (GCDD) asked for clarification regarding peer support specialist funding and if the issue was whether it could be billed to Medicaid, and if that was the reason for the numbers being set as they were. Mr. Tessneer's understanding was the funding and eligibility for offsetting the cost was the issue. He was not sure if that, however, was the reason for the numbers.

Motion: Accept the proposed amendments to be posted for public comment. Wulff

Action: Motion – Wulff Second – Wieck In Favor - All

c) Temporary suspension to the launch of workgroup Adults with Disabilities and the Criminal Justice System

Shelley Madore (OIO) and Assistant Commissioner Collins (DOC) led this discussion. They proposed delaying the start of this workgroup as DOC believes that the needs of this population are best served by focusing on the other areas such as housing and employment first.

Questions/Comments: None

7) Discussion Item

a) Proposed structure and roles of Subcabinet and Executive Committee

Commissioner Ho, Shelley Madore (OIO) and Mike Tessneer (OIO) walked through the PowerPoint presentation and subsequent discussion.

Questions/Comments:

- Colleen Wieck (GCDD) asked if the “investigative” workgroup would be empowered to do investigations or if the intent was to do more in-depth work. Shelley Madore stated the intent of the workgroup would be to take a closer look or further explore an issue. It was agreed that “exploratory” would better describe the function of the workgroup.
- Roberta Opheim (OMHDD) asked if the proposed new structure for Subcabinet meetings has been reviewed against the original Executive Order and Subcabinet Procedures. Further, will the Executive Order and Subcabinet Procedures need to change? Mike Tessneer stated the Executive Order is written broadly and operations are clearly inside that authority. The addition of a Leadership Forum and delegating authority to the forum should be added to the Subcabinet Procedures. Further discussion will take place and a draft of the revised Subcabinet Procedures will be brought to the Subcabinet for review and approval. Colleen Wieck volunteered to assist with the revisions to the Subcabinet Procedures.
- Roberta Opheim commented that the Subcabinet was set, not just because of the lawsuit, but to capture the attention of commissioners for buy-in and commitment. Ms. Opheim wonders if moving issues to people other than the Commissioners, reduces the important information needed by commissioners. Commissioner Ho stated the Subcabinet will provide direction, vision, and feedback to shape the work. There will be a bi-directional relationship between the Subcabinet and the Leadership Forum in hopes of elevating the level of engagement of staff. Commissioner Harpstead (DHS) commented that the new structure opens up the Subcabinet to bigger and broader conversation. At the same time, commitment to post-jurisdiction monitoring progress, setting new plan amendments, and monitoring goals will continue.

- Colleen Wieck asked for clarification about the level of each representative to the Leadership Forum, and if intersectionality of services also means thinking about racial, ethnicity, and BIPOC. Shelley Madore stated that agencies can decide who is best to serve on any of the Big 6 workgroups and who best is able to keep their Subcabinet member informed. In regards to diversity, OIO will be broadening its statewide outreach capacity to involve more diverse communities and populations. Commissioner Ho emphasized Subcabinet members to empower the right people and tap into where the passion is with their own staff. Her vision is to structure Subcabinet meetings so that members have time to really engage in the creative process, especially on intersectional issues.
- Shelley Madore stated that as the process is further discussed and developed, workgroups would submit reports to the Leadership Forum, which would then engage in explorative work if needed. Minnesota Department of Transportation has been using this model successfully for years to engage the community. OIO is hoping to use that model to build on public engagement statewide. Commissioner Anderson Kelliher (MNDOT) expressed she is looking forward to using this model for the Subcabinet work, stating centering on people with disabilities in this way is important work.
- Council Member Wulff (MetC) suggested extending membership to the Department of Labor and Industry (DLI) if the focus of the Subcabinet is every Minnesotan with a disability. Commissioner Ho said she will reach out to the DLI Commissioner to see if there is any interest.
- Commissioner Ho stressed the need for the Subcabinet to be aware of recommendations that come up for vote and that they are well vetted. Although not all goals have intersectionality, collectively it is important to have a strong plan and structure.
- Commissioner Anderson Kelliher questioned the need to keep the name “Olmstead” vs. capturing a name or phrase that better describes the work the Subcabinet does. Commissioner Harpstead said that DHS has promised to keep things in place after jurisdiction ended, therefore would caution against changing the name at this time. Roberta Opheim stated it would be critical to at least reference Olmstead Plan as the court would use that title should the state be sued in the future. Colleen Wieck added that in the U.S. Supreme Court decision, it is clear every state have an Olmstead Plan. If there is a name change, there would have to be a tagline to bring it back to referencing the Olmstead decision. Mike Tessneer stated that while we cannot do away with the name due to unintended legal ramifications, there is an opportunity to better inform people about the Plan and what it means. Assistant Commissioner Buetel expressed

excitement about further discussion to open up the name while grounding it at the same time.

- Commissioner Ho suggested there is also an opportunity to rotate the function of chair. She stated there is currently no formal reporting mechanism to the Governor's office. While members contemplate other changes, consider the possibility of briefings that could be jointly done with the Governor's office.

8) Adjournment

The meeting was adjourned at 4:27 p.m.

Next Subcabinet Meeting: April 26, 2021 – 3:00 p.m. – 4:30 p.m.

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