

**Olmstead Subcabinet Meeting Minutes**

Monday, August 27, 2018 • 3:00 p.m. to 5:00 p.m.

Minnesota Housing – Lake Superior Conference Room, 400 Wabasha Street North, Suite 400, St Paul

**1) Call to Order**

**Action: N/A**

Commissioner Tingerthal welcomed everyone and provided meeting logistics.

**2) Roll Call**

**Action: N/A**

**Subcabinet members present:** Mary Tingerthal, Minnesota Housing; Colleen Wieck, Governor's Council on Developmental Disabilities (GCDD); Jan Malcolm, Minnesota Department of Health (MDH) arrived at 3:08 p.m.; and Roberta Opheim, Office of Ombudsman for Mental Health and Developmental Disabilities (OMHDD) arrived at 3:10 p.m.

**Designees present:** Chuck Johnson, Department of Human Services (DHS); Deb Kerschner, Department of Corrections (DOC) Tim Henkel, Department of Transportation (DOT); and Daron Korte, Minnesota Department of Education (MDE)

**Guests present:** Mike Tessneer, Rosalie Vollmar, Darlene Zangara, Diane Doolittle, and Sue Hite-Kirk , Olmstead Implementation Office (OIO); Ryan Baumtrog and Anne Smetak (Minnesota Housing); Erin Sullivan Sutton and Adrienne Hannert (DHS); Emily Jahr, Tom Delaney, Jayne Spain and Holly Anderson (MDE); Maura McNellis-Kubat (Office of Ombudsman for Mental Health and Developmental Disabilities); Darielle Dannen (DEED); Martha Burton Santibane and Mark Kinde (MDH); Kristie Billiar (DOT); Christina Schaffer (MDHR); Gerri Sutton (Met Council); Mary Kay Kennedy (Advocating Change Together); Susan O'Neil (Institute on Community Integration); Paul Williams (Metropolitan Consortium of Community Developers); Bradford Teslow (members of the public)

**Guests present via telephone:** Kim Pettman (member of the public)

**Sign Language and CART providers:** Mary Catherine (Minnesota Housing); ASL Interpreting Services, Inc.; Paradigm Captioning and Reporting Services, Inc.

**3) Agenda Review**

Commissioner Tingerthal asked if there were any changes needed to the agenda. She reminded any attendees interested in providing public comment to sign up in the back of the room.

**4) Approval of Minutes**

**a) Subcabinet meeting on July 23, 2018**

Commissioner Tingerthal asked if there are any changes needed to the minutes for the July Subcabinet meeting. No edits were requested.

**Motion: Approve July 23rd Subcabinet meeting minutes**

**Action: Motion – Kerschner**

**Second – Wieck**

**In Favor - All**

**5) Reports**

**a) Chair**

No report.

**b) Executive Director**

Darlene Zangara, Olmstead Implementation Office (OIO), provided an update on the Community Engagement Workgroup. A report on the status of the Quality of Life Survey is included in the August Quarterly Report.

**c) Legal Office**

No report.

**d) Compliance Office**

No report.

**e) Housing Topic Presentation (DHS/MHFA)**

Commissioner Tingerthal introduced the Housing topic. Housing is one of the most prominent topics of the Olmstead Plan. People with disabilities, their families and supporters have consistently identified housing as a priority area in the Olmstead Plan.

Commissioner Tingerthal introduced Paul Williams. Paul is currently President of Project for Pride in Living, representing the Metropolitan Consortium of Community Developers. He sat on the Governor's Task Force on Housing (GHTF) and served as co-chair of the Housing Stability work group. Paul will be giving us an overview of the Task Force goals that relate to the Housing topic area in the Olmstead Plan. Paul proceeded to describe each of the 30 recommendations. Copies of the report and infographic were distributed.

Erin Sutton Sullivan (DHS) and Ryan Baumtrog (Minnesota Housing) provided a summary of the public comments related to housing that were received over the past year through the Housing Task Force public input process and other public input provided to the agencies.

DHS and Minnesota Housing provided an overview of how the agencies are addressing the housing issues within the Plan and other housing activities planned or under future consideration.

Commissioner Tingerthal asked those who signed up for public comment on housing issues to address the Subcabinet.

**Public Comment on Housing**

Kim Pettman (member of the public)

Written copy of testimony was not provided. Kim invited meeting members and guests to follow up with her as needed. Highlights included:

- GHTF lacked people experiencing a problem being at the table. Within the Task Force Report, many things were left out, and many things were in there that shouldn't be.

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- Ms. Pettman lives in a subsidized apartment and suggested that when building or rehabbing sites, to make sure physical accessibility features make sense.
- Ms. Pettman suggested that property management companies and owners should receive basic disability etiquette and sensitivity training.

**Questions/Comments**

Paul Williams responded to Ms. Pettman's first comment indicating public comment forums were held across the state. The Task Force had a lot of opportunity to talk to people impacted by those issues. He agreed they could have always done better.

**Brad Teslow** (member of the public)

Public Comment Form was provided. Copies were not distributed to Subcabinet members, but will be filed appropriately with the official meeting records. Highlights included:

- Housing for people with disabilities is a major concern in his community.
- Mr. Teslow was a GHTF panelist at the GHTF Regional Forum held at the University of Minnesota. Concerns brought up were safety, health and crime and that people with disabilities are vulnerable to losing their housing.
- Tent cities include people with disabilities and Native Americans are becoming more visible.
- He suggested the Department of Corrections (DOC), Department of Health (MDH), and possibly the Department of Human Services (DHS) work together on employment projects building houses. DOC currently has a project that allows for low risk inmates to build houses.

**Questions/Comments**

Deb Kerschner (DOC) stated the Affordable Homes Program is what Mr. Teslow referenced. Evaluations of that program are posted on the DOC website. Specifically, the information shows the impact of adding affordable homes in the state, as well as the impact on individuals in the program becoming employed in the construction industry.

Ms. Kerschner further stated that finding housing for the population being released from correctional facilities is extremely difficult. DOC and Minnesota Housing are working together with the Homeless Management Information System (HMIS) to better quantify the risk of homelessness that offenders face, both coming in and being released from correctional facilities. Commissioner Tingerthal said the Subcabinet looks forward to that research and the opening of Great River Landing in the North Loop. Great River Landing is located in downtown Minneapolis. It is an elevator building with 72 units and five stories. Great River Landing will provide affordable housing with intensive on-site support services for individuals who have histories of chronic unemployment, homelessness, trauma, poverty and incarceration.

Roberta Opheim (OMHDD) commented that difficulty in finding housing is often the result of incarceration coupled with mental illness. Arrest records are now on the internet and landlords do not want to take risks. Cities are putting more and more ordinances in place.

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Commissioner Tingerthal reported that the GHTF Report included discussion about tenant screening and the need to establish best practices.

Collen Wieck (GCDD) referenced the Task Force Report ...statewide review panel to evaluate regulations... (pg. 27, 3.5). She asked if anyone expressed the viewpoint that accessibility standards are too expensive. She also wanted to know if there will be representation on the panel to make sure building regulations and standards are not lowered, and accessibility standards are met. Commissioner Tingerthal indicated the rental and home ownership groups had discussions about this topic in the areas of storm water retention, cost of complying with various watershed requirements, and lot sizes and restrictions of the kind of housing that can be built.

Commissioner Malcolm (MDH) echoed Ms. Wieck's point about the importance of increasing the supply of accessible housing at all levels. She asked if there was discussion about universal design as a principle to make it easier to implement accessibility. Paul Williams stated that while it was discussed, the Task Force did not specifically recommend accessibility be built into design standards. Commissioner Tingerthal stated that Minnesota Housing has a well-developed set of standards around universal design. While they are not required, bonus points for competitively selected projects are given if projects include universal design.

Commissioner Tingerthal asked Mr. Williams if Ms. Pettman's suggestion of training for management companies and owners would be beneficial if it was built into Working Together curriculum. Minnesota Housing works with Minnesota Multi-Housing Association to host annual workshops that cover many rental housing issues. Expansion of the workshops could offer basic awareness of management, screening, and service issues around people with disabilities. Mr. Williams agreed this kind of training would be helpful to property management and service staff.

Roberta Opheim (OMHDD) expressed some of the challenges she has seen for people with mental illness who may have a chemical dependency background. Their mental health issues are cyclical. Her wish is for the concept of "detached townhomes" where more space between units is provided. This additional space might minimize complaints about seeing or hearing unusual behavior. While more supports are welcomed, for the most part, people want to be left alone.

Commissioner Tingerthal thanked the panel and Mr. Williams for his presentation. She reminded Task Force members that in the recent Legislative session, Minnesota Housing received additional authorization for housing infrastructure bonds; \$30 million of which will be specifically for permanent housing for people with behavioral health needs. Minnesota Housing is also working with DHS, which also received funding from the bonding bill for projects providing more crisis services and transitional housing.

**6) Action Items**

**a) Proposed Annual Goal – Transportation Goal Five (Met Council)**

Mike Tessneer (OIO) reported that the March 2018 Olmstead Plan provided that annual goals be established for Transportation Goal Five. An annual goal is being proposed for this goal. Pending approval it will be incorporated into the August 2018 Quarterly Report.

Gerri Sutton (Met Council) presented the proposed annual goal.

**Questions/Comments**

Colleen Wieck (GCDD) asked for definitions of market areas 1, 2 and 3. She also wanted to know if the Transportation Accessibility Advisory Committee (TAAC) agreed with the proposal or what the process was for consulting with people with disabilities. Ms. Sutton explained that market area 1 is the most densely populated, highest employment areas (Minneapolis/St. Paul); market area 2 is a little less populated, a little less demand for services. [Market area 3 was not defined.] She indicated the transportation policy plan goes through an extensive public hearing process.

Assistant Commissioner Korte, (MDE) asked for a definition of the target population. Ms. Sutton stated she will get a definition and report back to the Subcabinet in September.

**Motion: Approve the Proposed Annual Goal**

**Action: Motion – Korte**

**Second – Kerschner**

**In Favor - All**

**b) August 2018 Quarterly Report**

**[4:00 – 4:30]**

Mike Tessneer (OIO) reviewed the Executive Summary highlighting the areas where progress is being made and goals were met. Agency staff reported on the 7 goals that have been targeted for improvement (DHS, OIO, and MDH).

Erin Sullivan Sutton (DHS) reported on the DHS goals targeted for improvement:

- Transition Services 2 and 3 (pg. 27 and 30)
- Positive Supports 3A (pg. 46)
- Crisis Services 1 and 2 (pg. 51 and 53)

**Questions/Comments**

Roberta Opheim (OMHDD) reminded members that with regards to mechanical restraints, the number should be declining and not increasing. Eventually with person-centered planning, risk assessment and positive support plans, the number can be eliminated and not kept as is.

Darlene Zangara (OIO) reported on the OIO goal targeted for improvement:

- Community Engagement 2 (pg. 55) – Darlene Zangara (OIO)

**Questions/Comments – None**

Mark Kinde (MDH) reported on the MDH goal targeted for improvement:

- Preventing Abuse and Neglect 2 (pg. 56)

**Questions/Comments – None**

Commissioner Tingerthal commended agencies for bringing forward measures that aren't working and new ideas for making progress. With three years' worth of data on some of these measurements, she recognizes that agencies are better able to see where progress is being made, where there are obstacles, and then finding other ways to make gains. She thanked all agencies for their work.

**Motion: Approve the Quarterly Report**

**Action: Motion – Malcolm**

**Second – Wieck**

**In Favor – All**

**c) Workplan Compliance Report for August**

Commissioner Tingerthal reported that eight workplan activities were reviewed. There are no exceptions to report. The list of activities reviewed are attached to the report.

**Motion: Approve August Compliance Report**

**Action: Motion – Johnson**

**Second – Kerschner**

**In Favor - All**

**d) Adjustment to Workplan Activity**

- 1) Person-Centered Planning 4B.2 – Workforce report implementation plan/workplan (DHS/DEED)

Commissioner Tingerthal reported that (DHS) is requesting an adjustment on behalf of DHS and DEED. She provided the reason for the proposed adjustment and the new deadline.

**Motion: Approve adjustment to the workplan activity**

**Action: Motion – None**

**Second – None**

**In Favor - All**

**7) Informational Items and Reports**

**a) Workplan activity reports to be presented to Subcabinet**

- 1) **Education 3F – TRIO Student Support Services (MDE)**

Tom Delaney (MDE) presented this report. No action is needed.

**Questions/Comments**

Assistant Commissioner Korte (MDE) asked if the online training modules are only available to those enrolled at Normandale or if they are available to the general public. Jayne Spain (MDE) stated the modules are available to all Minnesotans.

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Commissioner Tingerthal asked if there is any evidence of a trend in terms of the level of awareness or interest in post-secondary by families and students with disabilities. Ms. Spain indicated they continue to see that when the economy is doing well, more young people enter the work force. When the economy is not doing well, more students enroll in post-secondary settings.

**2) Quality of Life Survey 5C – Monthly report on implementation (OIO)**

Darlene Zangara (OIO) presented this report. No action is needed.

**b) Follow up from June 25, 2018 Subcabinet meeting – Workplan Activity Employment 6A.2**

Mike Tessneer (OIO) reported that response to a question asked at the June 25th meeting by Roberta Opheim is included in the packet. DHS staff was available at the meeting if further information is needed.

**Questions/Comments**

Roberta Opheim (OMHDD) asked a follow up question related to licensure of individuals hired for those who have Consumer Directed Community Supports (CDCS). If they do their own recruiting and hiring, are the workers under a waiver license? She asked how well that is being regulated. Commissioner Tingerthal stated that was not specifically looked at but can be followed up on at the September meeting.

**8) Public Comments**

Commissioner Tingerthal asked those who signed up for public comment to address the Subcabinet.

**Kim Pettman (member of the public)**

Written copy of testimony was not provided. Highlights included:

- Mentors/vendors or grantees do not understand accessibility and inclusion as it relates to the Americans with Disabilities Act (ADA) or the Minnesota Human Rights Act.
- Vendors and “contractees” working with large agencies should contact the state ADA coordinator, and have 1-3 hours of training in the areas of equality and disability etiquette.
- Vendors and “contractees” working with smaller agencies should go through the state ADA coordinator (MMB).

**Questions/Comments**

Commissioner Tingerthal stated these concerns would go back to the agencies.

**Brad Teslow (member of the public)**

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Public Comment Form was provided and will be filed appropriately with the official meeting records. Copies were not provided to Subcabinet members, but will be filed appropriately.

Highlights included:

- People in treatment facilities for substance use disorders and mental health issues have difficulty receiving services from methadone clinics.
- He has heard some individuals are transported to various clinics starting as early as 5:30 a.m. The transport can take more than two hours depending on how many individuals need services at one of the three methadone clinics. Negative behavioral issues can occur during this time because of delays in getting treatment.
- Treatment facilities should have positive support plans which support receiving medications onsite, successfully completing the program, and receiving assistance with housing.

**Questions/Comments**

Commissioner Tingerthal asked Mr. Teslow to clarify if he meant individuals completing methadone programs do not have a link to housing referrals. He stated it is difficult for patients to get their medications in a timely manner. If people do not successfully complete the program, he believes it is more difficult for them to receive housing assistance.

**9) Adjournment**

Commissioner Tingerthal asked if there was any other business to come before the Subcabinet.

Roberta Opheim (OMHDD) referenced the DHS Preventing Abuse and Neglect workplan. She requested seeing an aggregate report on the numbers and referrals from Minnesota Adult Abuse Reporting Center (MAARC), or if they could present at a future Subcabinet meeting. She noticed that calls went way up and is wondering if other reporting either went up, down or leveled off on a year-by-year basis. Her main concern is Abuse and Neglect Prevention Plan, Goal 1, to establish a public education campaign. Those numbers would be important in the development of a public education campaign.

Deputy Commissioner Johnson (DHS) stated a presentation on the numbers and analysis over the last couple of years would be developed. Commissioner Tingerthal will coordinate that for a future meeting.

Commissioner Tingerthal adjourned the meeting at 4:50 p.m.

**Next Subcabinet Meeting:** September 24, 2018 – 3:00 p.m. – 4:30 p.m.

Minnesota Housing – Lake Superior Conference Room, 400 Wabasha Street North, Suite 400, St Paul