

Olmstead Subcabinet Meeting Minutes

Monday, January 28, 2019 • 3:00 p.m. to 4:30 p.m.

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

1) Call to Order

Commissioner Jennifer Leimaile Ho introduced herself as the newly designated Olmstead Subcabinet Chair. She called the meeting to order at 3:10 p.m. She welcomed everyone and provided meeting logistics.

2) Subcabinet Member Introduction and Orientation

Commissioner Ho invited the Subcabinet members to introduce themselves and describe the work their agencies do related to the Olmstead Plan.

Roll Call

Subcabinet members present:

Jennifer Leimaile Ho, Minnesota Housing; Tony Lourey, Department of Human Services (DHS); Paul Schnell, Department of Corrections (DOC); Margaret Anderson Kelliher, Department of Transportation (DOT); Colleen Wieck, Governor's Council on Developmental Disabilities (GCDD); Rebecca Lucero, Minnesota Department of Human Rights (MDHR); and Mary Cathryn Ricker, Minnesota Department of Education (MDE); Jan Malcolm, Minnesota Department of Health (MDH), joined at approximately 3:30 p.m.

Designees present:

Jeremy Hanson Willis, Department of Employment and Economic Development (DEED), joined at approximately 3:30 p.m.

Guests Present: Mike Tessneer, Darlene Zangara, Zoua Vang, Rosalie Vollmar, and Sue Hite-Kirk, Olmstead Implementation Office (OIO); Ryan Baumtrog and Anne Smetak (Minnesota Housing); Erin Sullivan Sutton, Claire Wilson, Colin Stemper, Rick Figueroa, Curtis Buhman and Adrienne Hannert (DHS); Daron Korte, Tom Delaney, Luchelle Stevens, Holly Anderson and Emily Jahr (MDE); Darielle Dannen (DEED); Nicole Stockert, Martha Burton Santibanez and Mark Kinde (MDH); Kristie Billiar (DOT); Gerri Sutton (Met Council); Maura McNellis-Kubat (OMHDD); Daren Nyquist, Kylie Nicholas and Ashley Boat (Improve Group); Beth Fondell (Institute on Community Integration – University of Minnesota); Carley Matsumoto, Minnesota Independence College & Community (MICC); Bradford Teslow (member of the public)

Guests Present via telephone: Kim Pettman (member of the public); Karen Sullivan Hook (DHS); Tammie Campbell, Statewide Independent Living Council (SILC); and Diane Doolittle, Olmstead Implementation Office (OIO)

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

Each Subcabinet member introduced themselves and talked about how the work of their agency is related to the Olmstead Plan. A brief overview of the Olmstead Plan and the Subcabinet was provided by Commissioner Ho, Darlene Zangara, Anne Smetak, and Mike Tessneer, and included the following:

Commissioner Ho:

- On January 25, 2019, Governor Walz appointed Commissioner Ho as Olmstead Subcabinet Chair.
- Olmstead overview
- Minnesota's Olmstead Plan

Anne Smetak:

- Subcabinet is currently operating under existing Executive Order (15-03)
- Olmstead Plan remains connected to a federal lawsuit – *Jensen v. DHS*
- Court retained jurisdiction until December 2019

Darlene Zangara:

- OIO overview and its role
- Community Engagement
- Quality of Life Survey

Mike Tessneer:

- Olmstead Plan overview
- Compliance overview
- Next 90 days

3) Agenda Review

There were no changes to the agenda. Commissioner Ho reminded attendees interested in public comment to sign up in the back of the room.

4) Approval of Minutes

a) Subcabinet meeting on December 17, 2018

Commissioner Ho asked if there were any changes to the minutes for the December Subcabinet meeting. Colleen Wieck (GCOD) stated she provided one correction to OIO Compliance.

Motion: Approve December 17th Subcabinet meeting minutes

Action: Motion – Wieck

Second – Anderson Kelliher

In Favor - All

5) Reports

a) Chair

There was no report from the Chair.

b) Executive Director

Darlene Zangara provided a brief status report on the public input process related to the 2019

Olmstead Plan revision.

c) **Legal Office**

There was no report from the Legal Office.

d) **Compliance Office**

There was no report from the Compliance Office.

6) Action Items

a) **Quality of Life Follow-Up Survey (OIO/Improve Group)**

Darlene Zangara (OIO) and Daren Nyquist (The Improve Group) presented the Olmstead Plan Quality of Life Survey: First Follow-Up – 2018 Report. There was a short PowerPoint presentation followed by questions. Handouts of the PowerPoint presentation were included in the meeting packet.

Commissioner Ho reminded the Subcabinet that the results of this survey will provide an opportunity for agencies to examine the Plan goals, strategies, and workplans for possible adjustment.

Questions/Comments

Commissioner Lucero (MDHR) asked if there was a cross-section of demographics with good representation from all people. Mr. Nyquist stated that specific numbers with a breakdown are included in Appendix B of the Report. Commissioner Lucero requested that future research include information about cultural needs as it relates to race and ethnicity.

Commissioner Schnell (DOC) asked if there is a relationship between the quality of life score of 77.4% and if the number of monthly outings, community interaction and decision making power. Kylie Nyquist (Improve Group) stated the perceived quality of life module and the community integration modules measure two different aspects of “overall quality of life.” The content is vastly different, and they were not surprised to see differences in the scores.

Mr. Nyquist stressed there is a host of future research opportunities using this unique data set, which shows what data relationships exist now, but not why the relationships exist. Some examples for future research topics would include: regional differences, assistive technology, number of close relationships and guardianship status. With a follow-up survey, adding a question or two might be needed to determine whether services are meeting the expectations of people with disabilities.

Motion: Accept the Report

Action: Motion – Schnell

Second – Wieck

In Favor - All

b) Workplan Compliance Report for January (OIO)

Mike Tessneer (OIO) reported that there were 38 workplan activities reviewed this month. All items were completed timely with no exceptions. The list of activities reviewed are attached to the Workplan Compliance report. For the workplan activities that required a report to the Subcabinet, those reports are in the packet starting on page 147.

Motion: Approve January Compliance Report

Action: Motion – Malcolm

Second – Lucero

In Favor - All

7) Informational Items and Reports

a) Workplan activity reports to be presented to Subcabinet

Commissioner Ho asked agency staff to present the reports to the Subcabinet.

1) Direct Care Workforce 1A.1 – Direct care wage adjustment analysis (DHS)

Colin Stemper (DHS) presented the report.

Questions/Comments

Commissioner Lourey (DHS) emphasized that the report includes good information and was covered well by DHS. He stated a societal shift is needed to view caregiving as valuable work, and a profession that is honorable. The societal shift is one the Subcabinet is directly faced with. It is bigger than DHS and bigger than the Olmstead Subcabinet.

2) Direct Care Workforce 1A.2 – Personal Care Assistance (PCA) rates analysis (DHS)

Curtis Buhman (DHS) presented the report.

Questions/Comments

Commissioner Lourey (DHS) stated the Legislature and Administration looked at this issue, but it was based on hours alone and tended to overemphasize people with physical disabilities and underemphasize people with intellectual disabilities. He suggested that the Subcabinet pay close attention to this.

Commissioner Lucero (MDHR) asked about the demographics of PCAs. Curtis responded that he did not have that information with him for this meeting. Commissioner Lucero further asked for clarifications about the 5% rate increase, and any differences between for profit and nonprofit providers. Mr. Buhman explained that the current reimbursement rate is approximately \$17.40/hour. The 5% rate increase is expected to be passed along to staff. More study would need to be done to determine the differences between for profit and nonprofit providers.

3) Housing 1C.1 – Usage of Section 811 units (MHFA/DHS)

Erin Sutton Sullivan (DHS) presented the report.

Questions/Comments

Commissioner Schnell (DOC) asked about the costs of the 811 rental assistance program. DHS will follow up with this information.

4) **Employment 5A.5 – Semi-annual report on impact of WIOA (DEED)**

Darielle Dannen (DEED) presented two reports. One related to Vocational Rehabilitation Services and the other related to State Services for the Blind.

b) **Workplan activity reports included for review by Subcabinet**

The remaining reports were not presented to the Subcabinet. Commissioner Ho asked if anybody had any questions on those reports.

- 1) **Person-Centered Planning 1J** – Person-centered organizational change (DHS)
- 2) **Person-Centered Planning 1B.5** – Housing Best Practices forums (DHS)
- 3) **Employment 4B.4b** – Expansion of estimator sessions/Disability Benefits 101 (DHS)
- 4) **Transportation 4B.3** – Regional Transportation Coordinating Councils (DOT)
- 5) **Transportation 4D** – Regional Transportation Coordinating Councils - Metro (Met Council)
- 6) **Health Care 2B.1** – Expansion of health care homes (MDH)
- 7) **Crisis Services 2L.5** – Positive supports/person-centered practices trainings (DHS)
- 8) **Community Engagement 1D/1E** – Quarterly report on community contacts (OIO)
- 9) **Preventing Abuse/Neglect 2 2A** – Semi-annual report on ICFs/IID citations (MDH)
- 10) **Preventing Abuse/Neglect 2 2B** – Semi-annual report on SLFs citations (MDH)
- 11) **Communications 3A** – OIO Communication Plan (OIO)

Question/Comments

Colleen Wieck (GCDD) asked that *Item 6) Health Care 2B.1 – Expansion of health care homes (MDH)* be reviewed if there were any legislative changes planned. Could disability status be added to the evaluation criteria of Health Care Homes?

8) **Public Comments**

Commissioner Ho invited those who signed up for public comment speak to the Subcabinet.

Kim Pettman (member of the public)

Written copy of testimony was not provided. Highlights included the following:

- Change the order of the agenda so that public comments are at the beginning;
- Subcabinet members should view their role as an opportunity to work together; and
- One to three commissioners should be available before the meetings to listen to public concerns.

Questions/Comments

Commissioner Ho thanked Ms. Pettman for her comments and expressed how new members at the table are very engaged.

Brad Teslow (member of the public)

Written copy of testimony was not provided. Highlights included the following:

- Subcabinet members need to collaborate more;
- People with disabilities are being incarcerated when they do not need to be;
- Additional Subcabinet members should include the Minnesota Courts and the Department of Public Safety (DPS); and
- Additional case workers are needed for people with disabilities.

9) Adjournment

Commissioner Ho adjourned the meeting at 4:35 p.m.

Next Subcabinet Meeting: February 25, 2019 – 3:00 p.m. – 5:00 p.m.

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