

## **Olmstead Subcabinet Meeting Minutes**

Monday, January 29, 2018 • 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**

**Action: N/A**

Because Commissioner Tingerthal (Minnesota Housing) attended the meeting by phone, Commissioner Shawntera Hardy (DEED) chaired the meeting. Commissioner Hardy welcomed everyone and provided meeting logistics. Instead of CART services, the meeting was audio recorded.

### **2) Roll Call**

**Action: N/A**

**Subcabinet members present:** Mary Tingerthal (Minnesota Housing) joined the meeting by phone; Shawntera Hardy (DEED); Roberta Opheim, Ombudsman for Mental Health and Developmental Disabilities (OMHDD); Colleen Wieck, Governor's Council on Developmental Disabilities (GCDD); Dan Pollock, Department of Health (MDH)

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

**Guests present:** Mike Tessneer, Rosalie Vollmar, Darlene Zangara, Diane Doolittle, Shannon Eckman and Sue Hite-Kirk, Olmstead Implementation Office (OIO); Anne Smetak, Ryan Baumtrog and Amy Tho (Minnesota Housing); Carol LaBine, Alex Bartolic, Patrice Vick, Adrienne Hannert and Erin Sullivan Sutton (DHS); Kim Peck (DEED); Tom Delaney and Sarah Knoph (MDE); Christen Donley (DOC); Maura McNellis-Kubat (OMHDD); Stephanie Lenartz, Martha Burton, Gifty Crabbe, Genelle Lamont and Bonnie LaPlante (MDH); Ellena Schoop (MN.IT); Gerri Sutton (Met Council); Jon Benson (SSB); Joan Willshire (Minnesota Council on Disability); Nancy Fitzsimons, (Minnesota State University); Bradford Teslow, Nikki Villavicencio and Heidi Myhre (members of the public)

**Guests present via telephone:** Kim Pettman (member of the public); Christina Schaffer (MDHR)

**Sign Language provider:** Mary Catherine (Minnesota Housing); ASL Interpreting Services, Inc.

### **3) Agenda Review**

Commissioner Hardy asked if there are any changes needed to the agenda. She asked staff if anybody has signed up for public comment and reminded attendees to sign in if they wanted to address the Subcabinet.

### **4) Approval of Minutes**

- a) Executive Committee meeting on December 18, 2017
- b) Subcabinet meeting on December 18, 2017

Commissioner Hardy asked if there were any changes needed to the December 18 Executive Committee or Subcabinet meeting minutes and asked for approval.

**Motion: Approve minutes for December 18, 2017 Executive Committee and Subcabinet meeting**

**Action: Motion – Henkel**

**Second - Opheim**

**In Favor - All**

## **5) Reports**

### **a) Chair**

Commissioner Tingerthal deferred providing an update from the January 25, 2018 Executive Committee meeting until the discussion of the Prevention Plan.

### **b) Executive Director**

Darlene Zangara (OIO) gave an update on the public input process for the annual Plan amendment process. Highlights included:

- Held four listening sessions (St. Paul, Brainerd, Duluth, and Minneapolis);
- Rochester listening session postponed due to weather;
- Comments received in the following areas: education, higher education, employment, housing, accessibility, mental health awareness, transportation and safety, staffing shortage, preventative care before a crisis and person-centered planning;
- Held separate focus groups with Minnesota Consortium of Citizens with Disabilities (Employment), Itasca County and deaf senior citizens;
- Round one of the public input process ends on January 31, 2018. The comments have been shared weekly with the Subcabinet agencies. (Information from Rochester listening session and Itasca County focus group, will be shared as it becomes available); and
- Feedback is also being collected via online survey and email.

### **Questions/Comments:**

Roberta Opheim (OMHDD) asked if comments will be categorized. Darlene Zangara indicated that topics are being identified and categorized based on themes.

### **c) Legal Office**

No report.

### **d) Compliance Office**

Mike Tessneer (OIO) followed up on Darlene Zangara's report. Agency modifications to the Olmstead Plan, based on public input comments, are due Friday, February 2, 2018.

Summaries of any issues raised during public comment period that are not resulting in modifications and the rationale are also due at the same time. The Compliance Office will be working with agencies to make sure that any modifications are in final form. Final approval of the revised Plan will be at the March 2018 Subcabinet meeting.

Mike Tessneer further stated that in previous meetings, the Subcabinet has expressed an interest in having numbers for the universe of individuals who may be affected by the work related to the measurable goals. The “universe” numbers are intended to provide context, and can be interpreted as the total number of individuals who may be impacted by the related measurable goal. Page 19 of the packet includes the information currently available for the listed goals, as well as a list of goals where work continues to gather that data in order to determine additional “universe” numbers. This information will be included in the March 2018 Plan revision.

## **6) Action Items**

### **a) Comprehensive Plan for Prevention of Abuse and Neglect of People with Disabilities**

Commissioner Tingerthal made some introductory remarks:

- The Olmstead Subcabinet created a Specialty Committee.
- The Specialty Committee was chartered to create recommendations for a comprehensive plan for the prevention of abuse and neglect to people with disabilities.
- The Specialty Committee membership included people from ethnically and racially diverse communities and people with different types of disabilities.
- Additional input was received through multiple listening sessions held in the Twin Cities and Greater Minnesota to capture broad community input.

The Executive Committee met on Thursday, January 25, 2018, for an initial review and discussion of the Comprehensive Plan. Some of the discussion included the possible next steps. Commissioner Tingerthal summarized the discussion that occurred after the presentation and questions about the report.

The presentation included:

- Two Specialty Committee members spoke as to why they believe prevention is so important.
  - Heidi Myhre - While this project is overdue, she expressed appreciation for being on the committee and making a difference in the Olmstead Plan. People with disabilities should have a voice and the same rights as others in getting services. Systems are broken and don’t look at the whole person.
  - Nikki Villavicencio - She grew up in a small town being the only one in her community with a disability. Abuse often happens under the radar and behind closed doors. She stressed how prevention of abuse is the most important thing. People with disabilities need to be respected as being whole. The social #MeToo revolution still does not mention disabilities. She asked for the Subcabinet’s help in making change happen.
- Nancy Fitzsimons (Specialty Committee co-chair and Minnesota State University Social Work professor) provided a brief background and overview of the committee framework. Professor Fitzsimons further encouraged the Subcabinet to look at the approach taken for each of the recommendations. In Promising Approaches #6, abuse

and neglect for those with intellectual disabilities, access to providers should be improved.

- Assistant Commissioner Korte (MDE and co-chair of Specialty Committee) presented the Guiding Principles and Recommendations. He then asked if there were questions on the presentation.

**Questions/Comments:**

Commissioner Tingerthal recapped the discussion that took place at the January 25th Executive Committee meeting regarding possible next steps.

- Staff from DHS, MDH, MDE and OMHDD will review the report and identify the recommendations that can be implemented by adding and updating existing strategies and workplan action items. These strategies and workplans can be reviewed at the May 2018 Subcabinet meeting.

The Subcabinet discussed a potential ongoing role for the Specialty Committee. It was decided that the agencies (DHS, MDH, MDE and OMHDD) should review the report recommendations, to determine which recommendations to target for implementation. The agencies will propose changes to strategies and workplans to the Subcabinet at the May 2018 meeting.

Following Subcabinet approval of changes to the strategies and workplans, a meeting will be convened in June which includes Specialty Committee members and participants and other selected guests. The purpose of the meeting would be to inform the attendees of the implementation actions approved by the Subcabinet. It would also include discussion to identify recommendations that might be best addressed through broader community action.

**Motion: Accept the Report and ask DHS, MDE, MDH and OMHDD to review the recommendations and report back to the Subcabinet in May on proposed strategies and workplans to implement the recommendations.**

**Action: Motion - Tingerthal      Second – Opheim      In Favor – All**

At that time the Subcabinet will evaluate if it would choose to continue work under a new charter for a Specialty Committee.

**Motion: Consider a new Charter for a Specialty Committee to address recommendations to be undertaken at the community level.**

**Action: Motion - Korte      Second – Tingerthal      In Favor – All**

b) Workplan Compliance Report for December (OIO)

Mike Tessneer reported that 46 workplan activities were reviewed this month. One is being reported as an exception (Quality of Life workplan activity 5B). He explained that the report on Recommendations to Expand, Diversify, and Improve Minnesota's Direct Service Workforce (Activity PC 4B.1) was submitted by DHS and DEED to OIO Compliance in a timely fashion. After OIO review of the report and discussion with the agencies, it was determined



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

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

- i. Vocational Rehabilitation Services (VRS)
- ii. State Services for the Blind (SSB)

- Kim Peck (DEED) presented the report for VRS.
- Roberta Opheim asked if funding resources were causing the delay when addressing pre-employment with transition students. Kim Peck responded that it is more a reflection of the change in identifying Category 1 clientele and services.
- Jon Benson (DEED) presented the report for SSB.

**8) Public Comments**

Commissioner Hardy asked those who signed up to come forward to speak to the Subcabinet.

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

- When called on to speak, it appeared that Ms. Pettman was no longer on the telephone.

**Bradford Teslow** (Member of the public)

Highlights included:

- There are many strategies within the Specialty Committee Plan that agencies are already working on, but could be improved.
- Awareness of DHS and MDH investigation reports needs to be kept in the forefront as violations continue.
- There is a need for advocates for parents with disabilities and program assistance to that group.
- Advocates for the Center for Supported Decision Making restrict giving guardians more rights.

**Heidi Myhre** (Member of the public)

Highlights included:

- She has experienced just being “a number” and part of the “data”.
- People with disabilities often need additional supports with employment.
- Decisions are often made by others and not by the individual with disabilities.

**9) Adjournment**

Commissioner Hardy adjourned the meeting at 4:45 p.m.

**Next Subcabinet Meeting:** February 26, 2018 – 3:00 p.m. – 5:00 p.m.

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