

Olmstead Subcabinet Meeting Minutes

Monday, February 25, 2019 • 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

Commissioner Ho welcomed everyone and provided meeting logistics.

2) Roll Call/Introductions

Subcabinet members present: Jennifer Leimaile Ho, Minnesota Housing; Steve Grove, Department of Employment and Economic Development (DEED); Colleen Wieck, Governor's Council on Developmental Disabilities (GCDD); Roberta Opheim, Ombudsman for Mental Health and Developmental Disabilities (OMHDD); Paul Schnell, Department of Corrections (DOC), joined at 4:10 p.m.

Designees present: Alex Bartolic, Department of Human Services (DHS); Dr. Courtney Jordan Baechler, Minnesota Department of Health (MDH), joined at 3:10 p.m.; Tim Henkel, Department of Transportation (DOT); Daren Korte, Minnesota Department of Education (MDE)

Guests Present: Nora Slawik, Metropolitan Council; Mike McElhiney, Minnesota Department of Veterans Affairs (MDVA); Mike Tessneer, Darlene Zangara, Zoua Vang, Rosalie Vollmar, and Sue Hite-Kirk, Olmstead Implementation Office (OIO); Anne Smetak (Minnesota Housing); Cathy ten Broeke, Office to Prevent and End Homelessness (OTPEH); Erin Sullivan Sutton, Kari Benson and Adrienne Hannert (DHS); Tom Delaney, Holly Anderson, Monica Rasmussen, Marikay Litzau and Emily Jahr (MDE); Darielle Dannen (DEED); Ann Schulte and Stephanie Lenartz (MDH); Kristie Billiar (DOT); Gerri Sutton (Met Council); Audel Shokohzadeh, Christina Schaffer, Mai Thor, Minnesota Department of Human Rights (MDHR); Ellena Schoop, Minnesota IT Services (MNIT); Maura McNellis-Kubat (OMHDD); Kris Jacobs, Tom Hodgson, Angie, and Mary Kay Kennedy, Advocating Change Together (ACT); Bradford Teslow (member of the public)

Guests Present via telephone: Justin Page, Minnesota Disability Law Center (MDLC); Joan Willshire, Minnesota Council on Disability (MCD)

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

3) Agenda Review

No changes to the agenda were requested. Commissioner Ho asked OIO staff if anyone had signed up for public comment and reminded any attendees to do so on the sign-in sheet at the back of the room.

4) Approval of Minutes

a) Subcabinet meeting on January 28, 2019

No changes were needed to the minutes for the January Subcabinet meeting.

Motion: Approve January 28, 2019 Subcabinet meeting minutes

Action: Motion – Wieck

Second – Henkel

In Favor - All

5) Reports

a) Chair

Commissioner Ho acknowledged the release of the Governor's budget on Tuesday (2/19). For the March meeting she requested that the Commissioners provide a brief overview of agency budget proposals that relate to implementation of the Olmstead Plan. This will be followed up with an update after the end of the legislative session on what budget proposals are adopted.

b) Executive Director

Darlene Zangara (OIO) provided an update on the status of the Public Input Process.

Questions/Comments

A request was made to release all public comments. Darlene Zangara confirmed that all individual comments will be posted.

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) February 2019 Quarterly Report

Mike Tessneer reviewed the Executive Summary (pg. 15 of 153) to highlight the areas where progress is being made and goals were met. Agency staff reported on the following goals that have been targeted for improvement (Not met or not on track) or need further explanation.

- Transition Services 2, pg. 23; Erin Sullivan Sutton (DHS)
- Transition Services 3, pg. 25; Erin Sullivan Sutton (DHS)

Questions/Comments

Dr. Courtney Jordan Baechler (MDH) asked how the housing shortage challenge is being met. Commissioner Ho stated that additional housing is needed across the board. In addition, the housing supply does not always meet the needs of those in need of the housing. More creative housing options will be needed. Roberta Opheim (OMHDD) indicated that housing not only needs to be geographically available, but county supports are needed as well. Ms. Sullivan Sutton mentioned that individuals need to have resources to pay for housing. Some only have Social Security; others may be eligible for the housing support program or a housing assistance component of the Minnesota Supplemental Aid program that provides cash assistance to those on Social Security. Ms. Opheim asked for clarification on how many cases were actually reviewed (Person-Centered Planning, Goal One, pg. 38). Ms. Sullivan Sutton confirmed 192 cases were reviewed.

- Positive Supports 3, pg. 43; Erin Sullivan Sutton (DHS)
- Crisis Services 1/2, pg. 57 and 59; Erin Sullivan Sutton (DHS)

Questions/Comments

Commissioner Ho asked if DHS has the ability to further determine within Crisis Services where individuals end up for other services, or if the issue of percentages fluctuating represents individuals who are not receiving other DHS services. Ms. Sullivan Sutton stated it is possible individuals may end up in the criminal justice system rather than DHS program.

- Positive Supports 4/5, pg. 52 and 55; Tom Delaney (MDE)

Questions/Comments

Daron Korte (MDE) informed the Subcabinet that the Restrictive Procedure workgroup has reached consensus among school districts and advocates on the measurable targets for reduction of use of seclusion in educational settings. This will help in holding school districts accountable and in reaching goals for next year.

- Employment 1, pg. 46; Darielle Dannen (DEED)

Questions/Comments

Nora Slawik (Metropolitan Council) asked for clarification of goals set versus goals reached. Mike Tessneer (OIO) provided background information on goals and how to measure, with routine reporting. Commissioner Ho expressed the importance of transparency; especially if goal outcomes and measurements are not moving in the right direction.

Motion: Approve the February 2019 Quarterly Report

Action: Motion – Henkel Second – Dr. Courtney Jordan Baechler In Favor - All

b) Olmstead Plan Amendment Process

i. Public Input Themes and Agency Response

Darlene Zangara (OIO) reviewed the process used to solicit public input on the Plan.

Mike Tessneer (OIO) reviewed the Report on Public Input Themes and Agency Response document (pg. 71), and how the comments received compare to those received in 2016, 2017, and 2018.

Comments included two types of themes:

- Themes that relate to topic areas in the Plan
- Themes that relate to topics not currently addressed in the Plan (Guardianship and Public Safety).

Commissioner Ho proposed that white papers be drafted on the issues of Guardianship and Public Safety.

Questions/Comments

Colleen Wieck (GCDD) suggested consulting with the National Center on Excellence around guardianship. In addition, the Attorney General's Task Force on Sexual Assault may be a good resource for public safety issues of concern. She recommended review of what is already existing and happening before preparing white papers. Alex Bartolic (DHS) agreed and suggested a report be made to the Subcabinet at the March 25th meeting. Commissioner Ho concurred.

ii. Proposed Amendments to the Olmstead Plan

Agencies provided a brief summary of the proposed changes and any modifications from the December 2018 drafts.

Motion: Provisionally Accept the Amendments pending final public comment

Action: Motion – Henkel Second – Korte In Favor - All

c) Workplan Compliance Report for February

Mike Tessner (OIO) presented the February Workplan Compliance Report. There were no exceptions to report.

Motion: Approve the Workplan Compliance Report

Action: Motion – Schnell Second – Henkel In Favor – All

7) Informational Items and Reports

a) Workplan activity reports to be presented to Subcabinet

Commissioner Ho asked the agency staff to present the reports to the Subcabinet. No action was needed.

1) **Transition Services 1A.8 – Individualized Home Supports;** Alex Bartolic (DHS)

2) **Timeliness of Waiver 1H – Waiting List Legislative Report;** Alex Bartolic (DHS)

Questions/Comments

Ms. Bartolic was asked and provided an example of a service provided under Individualized Home Supports. She further stated that Medical Assistance pays for these services.

8) Public Comments

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

Brad Teslow (member of the public)

Written copy of testimony was provided after the meeting and will be filed appropriately with the official meeting records. Copies were not provided to Subcabinet members. Highlights included:

- expressed gratitude to Department of Public Safety (DPS), Minnesota Department of Veterans Affairs (MDVA) and Metropolitan Council for representation at today's meeting;
- introduced Angie and Tom, peers in the Olmstead Academy;
- stated there may be a gap in collection of data for individuals with mental health issues receiving person-centered transition services;
- encouraged Department of Corrections (DOC), Department of Transportation (DOT) and Department of Employment and Economic Development (DEED) to work collaboratively for individuals transitioning from the criminal system.

Questions/Comments

Commissioner Ho explained that DPS, MDVA and Metropolitan Council are not yet members of the Olmstead Subcabinet. The Governor's office has yet to issue the Executive Order which would continue the Subcabinet and name any additional agencies as members. She emphasized more housing is needed, and assured Mr. Teslow that members of the Subcabinet are committed to working collaboratively.

9) Adjournment

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

Next Subcabinet Meeting: March 25, 2019 – 3:00 p.m. – 4:30 p.m.

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