

Olmstead Subcabinet Meeting Minutes

Monday, April 22, 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 Ho welcomed everyone and pointed out that this is the fourth meeting of the Olmstead Subcabinet under the Walz-Flanagan administration and the first meeting under the new Executive Order 19-13 reauthorizing the Subcabinet.

2) Introductions

Subcabinet members present: Jennifer Leimaile Ho, Minnesota Housing; Colleen Wieck, Governor's Council on Developmental Disabilities (GCDD); Paul Schnell, Department of Corrections (DOC); Rebecca Lucero, Minnesota Department of Human Rights (MDHR); Larry Herke, Minnesota Department of Veterans Affairs (MDVA); Steve Grove, Department of Employment and Economic Development (DEED); Roberta Opheim, Ombudsman Office for Mental Health and Developmental Disabilities (OMHDD); Tony Lourey, Department of Human Services (DHS); John Harrington, Department of Public Safety (DPS)

Designees present: Courtney Jordan Baechler, Minnesota Department of Health (MDH); Tim Henkel, Department of Transportation (DOT)

Guests Present: Gerri Sutton, Metropolitan Council; Mike Tessneer, Darlene Zangara, Zoua Vang, Rosalie Vollmar and Diane Doolittle, Olmstead Implementation Office (OIO); Anne Smetak, Rachel Robinson and Ryan Baumtrog (Minnesota Housing); Erin Sullivan Sutton, Matt Knutson, Alex Bartolic, and Linda Wolford (DHS); Tom Delaney and Holly Anderson (MDE); Darielle Dannen, Oriane Casale, and Larry Vrooman (DEED); Stephanie Lenartz, Ann Schulte and Mary Manning (MDH); Kristie Billiar (DOT); Christina Schaffer (MDHR); Maura McNellis-Kubat (OMHDD); Beth Fondell, Institute on Community Integration (ICI); Chad Williams, Minnesota Administrators of Special Education (MASE); Theresa Shim, Residential Transitions, Inc. (RTI); Christy Caez, Jennifer Pedersen and Bradford Teslow, Gladis Rosales, Rosa Aragon, Veronica Velazquez Barron, Julio Castillo (members of the public)

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

Commissioner Ho asked each Subcabinet member to introduce themselves and share something they would like to see the Subcabinet accomplish together over the next four years.

- **Commissioner Ho (Minnesota Housing)** is interested in understanding the different pathways that people with disabilities have and how it is that so many end up in jails, prisons and homeless shelters. She wants to better understand why the system of care works for some and doesn't work for others.

- **Commissioner Grove (DEED)** is focused on finding program opportunities for people from all backgrounds across the state. He would like to see DEED work more consistently with DHS to better determine their specific roles. DEED is currently working with the legislature to be sure the appropriate funding is received to allow for Category One to remain open.
- **Commissioner Lucero (MDHR)** is looking forward to focusing on the culture shift that needs to happen around these conversations. We are an aging population, a population that has more issues around disability. We need to be willing to have conversations about these shifts in culture and be proactive in creating spaces that helps employers and landlords be successful.
- **Assistant Commissioner Jordan Baechler (MDH)** is excited about the health equity work going on at MDH. There are underrepresented populations including people with disabilities that need to be included as the health equity work proceeds.
- **Assistant Commissioner Henkel (DOT)** is looking forward to how the DOT can contribute to transportation accessibility for people with disabilities.
- **Gerri Sutton (Met Council)** is hoping that Met Council can fill the transportation gaps and provide more flexibility in a cost-effective manner.
- **Commissioner Herke (MDVA)** is focused on going beyond finding homes for veterans but helping them overcome barriers and be productive members of society. Another area of focus is increase the diversity of staff and to hire more people with disabilities.
- **Commissioner Schnell (DOC)** is advocating for an Ombudsman for Corrections and to give voice to the issues facing people with disabilities within the correctional system. Because there is a lot of crossover between the work done in DOC and several Subcabinet agencies, he looks forward to increased work across agencies.
- **Roberta Opheim (OMHDD)** looks forward to the day that every person who works in a state agency understands and has sensitivity to how services are delivered to all people, including people with disabilities.
- **Colleen Wieck (GCDD)** is pleased that recent Executive Orders recently issued by the Governor that address disparities in employment. She also looks forward to supporting the upcoming prevention of abuse campaign that Roberta Opheim's Office is working on.
- **Commissioner Lourey (DHS)** recognizes the value of the person centered practices in focusing on meeting the person where they are. This will result in better planning for supports where people live, go to school, work, and play. One area of focus needs to be on youth who are transitioning to adult services.

- **Commissioner Harrington (DPS)** is excited to look at prevention and intervention activities as well as statewide education for law enforcement, fire departments and Emergency Medical Services on effective and appropriate intervention and responses.

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 March 25, 2019**

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

Motion: Approve March 25th Subcabinet meeting minutes

Action: Motion – Jordan Baechler

Second – Schnell

In Favor - All

5) **Reports**

a) **Chair**

Commissioner Ho acknowledged that Governor Walz issued Executive Order 19-13 on March 29th to continue the role of the Subcabinet and expand its membership to include the Department of Public Safety, Department of Veterans Affairs and the Metropolitan Council.

b) **Executive Director**

Darlene Zangara (OIO) reported that two other Executive Orders were issued that relate to people with disabilities. Executive Order 19-14 provides for state agency coordination of the Americans with Disabilities Act. Executive Order 19-15 provides for increased state employment of individuals with disabilities.

c) **Legal Office**

Anne Smetak (Minnesota Housing) reported that the Olmstead Plan March 2019 Revision was filed with the Court by the end of March as required by court order. There was a Status Conference with the Court on April 16 where Commissioner Ho provided an update to the Court on Olmstead Plan implementation. This included an overview of goal areas where progress has been made and goal areas that are targeted for improvement. The Court was also informed of the Quality of Life Survey and the Olmstead Plan amendment process including how public comments were reviewed throughout the process.

Roberta Opheim (OMHDD) and Colleen Wieck (GCDD) also participated in the status conference. The Court was complimentary about the Executive Order, the current administration and the trajectory and momentum it brings to Olmstead Plan implementation.

It is unclear what will happen next. The Court indicated they will be issuing an order in the next few weeks. For now, jurisdiction extends through December 4, 2019, which means there will be three quarterly reports to be filed within that timeframe.

d) Compliance Office

Mike Tessneer (OIO) reported that now that the March 2019 Revision of the Plan was finalized, the Subcabinet agencies are asked to propose adjustments to the workplans that may be needed as a result of the Plan amendment process. Proposed workplans will be presented to the Subcabinet at the June Subcabinet meeting. OIO Compliance will be reaching out to Subcabinet agencies this week to discuss the process and timelines for workplan adjustments.

Now that the Executive Order has been issued and there are three new agencies on the Subcabinet, designees and agency leads will be needed from each agency. The agency lead is the primary contact person for the agency when information is needed or reporting is due. The OIO will be in contact with the new agencies to discuss this further.

6) Action Items

a) Workplan Compliance Report for April (OIO)

Mike Tessneer (OIO) reported that of the 17 workplan activities were reviewed, 17 were completed. There were no exceptions to report.

Motion: Approve April Compliance Report

Action: Motion – Lucero Second – Opheim In Favor – All

b) Proposed Adjustment to Workplan Activity (OIO)

1) Communications 2E.9 – Report on public input process for Plan amendments (OIO)

Darlene Zangara (OIO) requested an adjustment to this workplan activity. This particular activity requires a report with recommendations related to the public input process. The first portion of the report was submitted, however, the remainder of the report which will include recommendations, will require further input from the Subcabinet Chair. That report will be presented to the Subcabinet in July 2019.

Questions/Comments:

Roberta Opheim (OMHDD) expressed concern that the input provided by the public was not addressed in the final Plan amendments. Darlene Zangara (OIO) stated that they will be looking at how to maximize the voice of the people who provided input.

Commissioner Ho added that we need to consider what the Governor meant when he said “communities most impacted.” How does that change what we do, where we go, who we listen to, and what we hear? It’s one thing to do a listening session, it’s another thing to really have a constant, inclusive input cycle that leads to changes in what we do, how we do it, and for whom.

Motion: Approve adjustment to the workplan activities

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

7) Informational Items and Reports

a) Workplan activity reports to be presented to Subcabinet

1) Direct Care Workforce 1C.1 – Report on options to maximize worker benefits

The report was presented by Oriane Casale (DEED) and Linda Wolford (DHS).

Questions/Comments:

Commissioner Lucero (MDHR) asked for clarification on what percentage of PCAs are working for non-profit organizations. There is a new option available for non-profits in Minnesota through the Minnesota Council of Non-Profits, and am wondering if that health care option could apply to some PCAs. Linda Wolford (DHS) reported that whether the PCA worked for a non-profit was not something they looked at when Institute on Community Integration (ICI) conducted the survey. It is something they can ask them to consider in future surveys.

2) Direct Care Workforce 2C.1 – Legislative report on transportation

Matt Knutson (DHS) presented this report. He provided a supplemental handout that provided a summary of the legislative report.

Questions/Comments:

- Roberta Opheim (OMHDD) asked for clarification on who was included in the stakeholder feedback described in the report. Matt Knutson (DHS) stated that individuals with disabilities who use waiver transportation services were included as well as several providers of transportation services.
- Robert Opheim (OMHDD) asked if there was consideration on how to resolve inconsistency with services across the counties. Matt Knutson (DHS) stated that one of the primary recommendations was to have a set of consistent standards across counties and providers. Commissioner Lourey (DHS) clarified that these issues would need to be proposed to the Legislature.

3) Transportation 3F – Semi-annual report on engagement efforts on development of transportation opportunities

Kristie Billiar (DOT) presented this report.

Questions/Comments:

There were no questions or comments.

4) Communications 1C/ 1C.1 – Report on communication tools/evaluation

Darlene Zangara (OIO) agreed to present this report at the May Subcabinet meeting.

b) Workplan activity reports to be reviewed by the Subcabinet

The remaining reports included in the packet were not presented to the Subcabinet. Agency staff were available to answer any questions, but there were no questions.

Questions/Comments:

Colleen Wieck (GCDD) wanted to bring an issue that may impact the outcome of Community Engagement Goal One to increase the number of people with disabilities who participate in Governor appointed Boards and Councils. She reported that if you go to the Secretary of State website to apply for a Board or Commission, it takes four clicks plus a long scroll to find information about accommodations. This causes barriers for people with disabilities who want to apply for appointments to those positions.

Commissioner Lucero (MDHR) appreciated the issue being raised and would be happy to work with the Secretary of State Office to address this issue.

8) Public Comments

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

Rosa Aragon (member of the public)

The Public Comment Intake form was not provided. Highlights of the comments included:

- It is difficult for her as a parent to know how to access help for her 2 family members with disabilities (a 27-year old son with autism and a 10 year old son with intellectual disabilities).
- The 10 year old came home from school with bruises. The school and social worker had no explanation as to how he got the bruises and he is unable to speak.
- She applied for services at the county. A social worker came out and told her there was nothing they could do to help her. After her doctor followed up with the county, another social worker came out and said she would check into a few options. She has not heard back from her.

Veronica Velazquez Barron (member of the public)

The Public Comment Intake form was not provided. Highlights of the comments included:

- Her youngest of six children has Down Syndrome. She is trying to get as much information as possible to know what services are available to him now and in the future.
- She has had to reduce her hours at work to provide care for her son. She can't afford to reduce hours but needs to care for her son. She wants to know what her options are for help.

Questions/Comments:

- Commissioner Schnell (DOC) applauded the women for their efforts in advocating for their children. He appreciates the difficulty in navigating the system and noted that all children deserve that same access to services.
- Commissioner Lourey (DHS) assured the women that he would have DHS staff get their contact information and follow up with the county staff to help connect them with the right services.
- Commissioner Lucero (MDHR) stated that under the Minnesota Human Rights Act, it is not allowed to treat people differently, especially if it is due to a person's disability. She offered to follow up with the families if they feel they did not get answers or the support they needed from the school.

Gladis Rosales (member of the public)

The Public Comment Intake form was not provided. Highlights of the comments included:

- She has a 15 year old child with Down Syndrome. She is also a facilitator with a Latino Parent Group for those who have children with Down Syndrome.
- She is currently working with 11 families who need help with accessing services. Some of the parents are scared to ask for help because of their legal status.
- She would like to have someone come talk to the group about waiver services. They have heard there are long waiting lists for waived services.

Questions/Comments:

Commissioner Ho (Minnesota Housing) asked for her contact information so that Subcabinet agency staff could be in touch with her.

9) Adjournment

The meeting was adjourned at 4:40 p.m.

Next Subcabinet Meeting: May 20, 2019 – 3:00 p.m. – 5:00 p.m.

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