

## **Olmstead Subcabinet Meeting Minutes**

Monday, February 24, 2020 • 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 provided meeting logistics.

### **2) Roll Call**

**Subcabinet members present:** Jennifer Ho, Minnesota Housing; Colleen Wieck, Governors Council on Developmental Disabilities (GCDD); Roberta Opheim, Ombudsman Office for Mental Health and Developmental Disabilities (OMHDD); Jan Malcolm, Minnesota Department of Health (MDH); Jodi Harpstead, Department of Human Services (DHS) arrived at 3:10 p.m.; John Harrington, Department of Public Safety (DPS) arrived at 3:20 p.m.; and Paul Schnell Department of Corrections (DOC) participated in agenda item 7c.

**Designees present:** Tim Henkel, Department of Transportation (MNDOT); Wendy Wulff, Metropolitan Council; Mike McElhiney, Minnesota Department of Veterans Affairs (MDVA); Scott Buetel, Minnesota Department of Human Rights (MDHR); and Michelle Smith (DOC); Dee Torgerson, Department of Employment and Economic Development (DEED) arrived at 3:30 p.m.

**Guests present:** Mike Tessneer, Rosalie Vollmar, Diane Doolittle, Mary Catherine, Zoua Vang and Sue Hite-Kirk, Olmstead Implementation Office (OIO); Anne Smetak and Ryan Baumtrog (Minnesota Housing); Erin Sullivan Sutton, Adrienne Hannert, Karen Sullivan Hook and Natasha Merz (DHS); Tom Delaney and Holly Anderson (MDE); Kate Erickson (DOC); Kristie Billiar (MNDOT); Ann Schulte and Mark Kinde (MDH); Justin Page, Minnesota Disability Law Center; Mary Kay Kennedy, Advocating Change Together (ACT); Beth Fondell, University of Minnesota Institute on Community Integration (ICI); Barbara Morghon, OIO Community Engagement Workgroup member; Kara Carlson, Ramsey County; Mary Fenske, Susan Hankner, Shelley Madore, Sheri Meyers, Christy Caez, Bradford Teslow, and Jack Wahlquist (members of the public).

**Guests attending by phone:** None

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

### **3) Agenda Review**

Commissioner Ho asked if there were any changes needed to the agenda. No changes were requested.

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

#### **a) Subcabinet meeting on December 16, 2019**

Commissioner Ho asked if there are any changes needed to the minutes for the December 2019 Subcabinet meeting. No changes were requested.

**Motion:** Approve December 16, 2019 Subcabinet meeting minutes

**Action:** Motion – Henkel

Second: Buetel

In Favor – All

## 5) Reports

### a) Chair

- Commissioner Ho provided a brief overview of what was discussed at the January 14, 2020 Executive Committee Meeting. The meeting minutes were included in the meeting materials.
- Commissioner Ho provided an update on the selection process for the OIO Director.
- Commissioner Ho announced that there is a Status Conference scheduled with the Court on April 2, 2020.

### b) Legal Office – There was no report.

### c) Compliance Office

Mike Tessneer reviewed the plan for the oversight of Olmstead workplans. This change will be included in the March 2020 Revision of the Olmstead Plan.

## 6) Action Items

### a) February 2020 Quarterly Report

Mike Tessneer reviewed the Executive Summary of the February 2020 Quarterly Report.

#### Questions/Comments:

Roberta Opheim (OMHDD) asked if the Transition Services goals include individuals who have moved back into the specific facilities as well as those who have moved out. Mike Tessneer confirmed that the Transition Services goals report the number of individuals who move out of a segregated setting to an integrated setting. The number of individuals who move in would be available from DHS but it is not included in the reporting for these goals.

**Motion:** Approve the February 2020 Quarterly Report

**Action:** Motion – Wulff

Second – Beutel

In Favor - All

### b) Potential Areas of Focus for Olmstead Subcabinet under EO 19-13

Commissioner Ho reviewed the discussion held by the Executive Committee. The Executive Committee discussed 4 potential areas of focus for the Subcabinet that involve significant intersection of the Subcabinet agencies. Commissioner Ho asked if the Subcabinet could support the following 4 areas.

- **Area 1:** Examine the relationship between students with disabilities and involvement in the juvenile and adult criminal justice system.
- **Area 2:** Examine the connection between the workforce shortage and career opportunities for individuals with disabilities.
- **Area 3:** Implement the abuse and neglect prevention plan for people with disabilities.

- **Area 4:** Examine data collection practices to ensure agencies are collecting data to identify and address disparities.

There was consensus in support of the four areas of focus. There was also agreement that Area 1 should be split into two, one focusing on students and one focusing on adults. There was also a decision to add another area related to increasing affordable and accessible housing options.

Commissioner Ho stated there will be follow up to solidify which agencies want to be involved in workgroups for each issue, as well as identifying leads and agency point people. The new OIO Director will be asked to guide this work.

## **7) Informational Items and Reports**

### **a) Update on Olmstead 2020 Plan Amendment Process**

Mike Tessneer (OIO) provided an update on the Olmstead Plan Amendment process. The March 2020 Revision of the Olmstead Plan will be reviewed for approval at the March 23, 2020 Subcabinet meeting. The document will be sent out to the Subcabinet, well in advance of the next meeting.

#### **1) Public Input Themes and Agency Response**

Mike Tessneer reviewed the Report on Round One Public Input Themes and Agency Response document. He outlined how the comments received compared to those in the past comment periods and how the agency responses were gathered.

**Questions/Comments:** None

### **b) OIO investment in Prevention of Abuse and Neglect Campaign**

Mike Tessneer reviewed the plan for the next steps of the Prevention campaign.

#### **Questions/Comments:**

Roberta Opheim (OMHDD) thanked OIO and Mr. Tessneer for assistance with this project. She also announced that the website is being updated to provide a specific tab for cultural issues, including materials in other languages.

Commissioner Ho noted that the OIO budget has sufficient funds for the OIO investment. She encouraged agencies to contact Mr. Tessneer if they are able to also contribute funds.

### **c) Department of Corrections listening sessions**

Kate Erickson (DOC) provided an overview of the DOC listening sessions. Commissioner Schnell (DOC) and Ms. Erickson provided a summary of the feedback received. The presentation included a PowerPoint presentation with handouts provided at the meeting.

**Questions/Comments:**

Commissioner Ho co-hosted one of the events and observed how powerful it was for those who were incarcerated to realize they were talking directly to the Commissioner of Corrections. She is aware that some Minnesota Housing partners look for ways to screen out those who have criminal justice involvement. Instead the agency needs to find ways to “screen in” those individuals. If we focus on housing for those exiting DOC, with a focus on disability and race equity, the rest of the population will also benefit.

Colleen Wieck (GCDD) asked for clarification about transition plans. She referred to three examples that came up in the listening sessions: a woman who said she was just dropped off at a bus stop in the middle of a blizzard; several women were told they had to return to the county that committed them; and there were several women in wheelchairs who mentioned the lack of accessible housing.

Ms. Erickson stated that DOC is committed to addressing these kinds of situations. Commissioner Schnell (DOC) added that many times, a transition plan is impossible for those that are in and out of the system within days. He acknowledged that accessible housing is an issue. He also expressed significant concern about those who are profoundly and seriously mentally ill being incarcerated. Insufficient treatment centers in Greater Minnesota is also a concern. He added that there is an opportunity now to strengthen agency services at the community level. This effort would help those within correctional facilities, state agencies such as DPS, DOC, MDH, DHS, etc., and build community capacity to create better neighbors.

Commissioner Harpstead (DHS) drew the comparison of the Minnesota Sex Offender Program (MSOP) where treatment programs are funded, while the correctional system does not have such programs. There is an opportunity to learn from the MSOP and strive for the possibility of treatment programs being provided on day one of incarceration.

Roberta Opheim (OMHDD) stated that we often look at a person failing a treatment program rather than a program failing a person.

Commissioner Malcolm (MDH) asked that more information be captured than the intersection of disability and the correctional system. Race should also be a priority.

**d) Community Engagement Workgroup**

Barbara Morghon, OIO Community Engagement Workgroup member, provided a report on the ongoing work of the workgroup with highlights as follows:

- Feedback was provided on the public input process
- Recommend partnering with other community agencies for a broader input
- Recommend participating in city/neighborhood events to expand knowledge of The Olmstead Plan
- Staff from the offices of the Governor and Secretary of State were present to obtain feedback regarding accessibility of their website for boards and commissions application process.

## 8) Public Comments

Commissioner Ho suggested that as the Subcabinet moves to a new format, efforts should be made to solicit public comments on the specific issues that will be before the members. Relevant public comments would happen at the beginning of the meeting as a way to focus members. She asked those who signed up for public comment to speak to the Subcabinet.

- **Mary Kay Kennedy**, Advocating Change Together (ACT)

Ms. Kennedy provided an update on ACT activities. The *2019 Disability Integration Projects* report was provided to all members. Brad Teslow (former graduate) was recognized for his role as a support ally. Testimonies from ACT 2020 graduates describing what it means to be included in the community, were also distributed.

- **Susan Hankner**, member of the public

The Public Comment Form was offered at the meeting. An outline of Ms. Hankner's comments was not received. Highlights included:

- Her two sons both have disabilities; one lives in a group home and the other in an ICF
- She expressed concerns for the group home not being adequately staffed and staff not receiving appropriate training
- Their business model appears to be administrative heavy, with direct service staff not being paid enough. She suggested having a better understanding of group homes business model be acquired before providing additional funding.

- **Brad Teslow**, member of the public

The Public Comment Form was offered at the meeting. An outline of Mr. Teslow's comments was not received. Highlights included:

- Mr. Teslow advocated for the Subcabinet Focus Area 1
- He suggested the development of a specialty committee to include representation by the courts, DPS and DOC.

- **Sheri Meyers**, member of the public

The Public Comment Form was offered at the meeting. Ms. Meyers provided the script she read at the meeting. This statement will be filed appropriately with the official meeting records. Highlights included:

- Ms. Meyers appreciated hearing about the DOC efforts for public comment. People with disabilities who are incarcerated, are often victims of abuse
- She dared all to challenge their biases and prejudices
- She asked that people with disabilities be more empowered, and that communities be part of lifting up people with disabilities
- People with disabilities have a need to be safe, receive support services to include medical care, and have equal access throughout the community

- **Christy Caez**, member of the public

The Public Comment form was provided and will be filed appropriately with the official meeting records. Highlights included:

- Ms. Caez has two children with disabilities. Both have graduated from Head Start

- Her challenge now is finding appropriate child care for them
  - Her own appointments are either cancelled or she must take her children with her, which is very disruptive.
  - She stressed the need for more day care providers who are both well trained and paid.
- **Jack Wahlquist**, former CommonBond (Kimball Court) employee  
 The Public Comment Form was offered at the meeting. Mr. Wahlquist provided a report he summarized at the meeting. This document will be filed appropriately with the official meeting records. Highlights included:
    - He recently left his position with CommonBond, the sixth largest nonprofit housing organization in Minnesota, after just seven months of employment.
    - The report on Kimball Court, a.k.a. American House, contains information about widespread problems for vulnerable adults and people with disabilities. There are no actual programs or weekly activities, no vans to take residents to events, no support groups, and no future planning
    - Initiatives or possible solutions for empowerment, interconnection, healthy and beneficial relationships ,whether coming from residents or staff, were ignored or treated as wrong during his time at CommonBond
    - He listed issues he saw almost daily/ at least weekly: trespassers, blocking or squatting in bathrooms, lack of community, hazards such as: needles, blood splatter from heroin use, sewage, poop, mold, flooding kitchen sinks and bathrooms, general maintenance neglect for months, unsecured mailboxes, faulty exit/entry fob systems, individuals drunk or high and in conflict with others, stealing, criminalization of residents for lease violations and eviction notices, domestic violence, vulnerable adult abuse, unchecked medical and mental health issues, threats and fights between guests, trespassers and residents.

## 9) Adjournment

The meeting was adjourned at 4:45 p.m.

**Next Subcabinet Meeting:** March 23, 2020 – 3:00 p.m. – 4:30 p.m.

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