

# Minnesota Olmstead Planning Subcabinet – 8/13/13 Meeting & Listening Session Notes

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## Meeting Details

**Date:** August 13 2013

**Start/End Time:** 1:00 – 4:00 p.m.

**Location:** City Council Chambers, Duluth

**Chair:** Lt. Governor Yvonne Prettner Solon

**Facilitator:** Judy Plante, Management Analysis & Development (MAD), Minnesota Management and Budget

**Subcabinet members (or alternates) in attendance:** Cynthia Bauerly, Deputy Commissioner, Department of Employment and Economic Development (DEED); Dr. Edward Ehlinger, Commissioner, Department of Health (MDH); Lynette Geschwind, Affirmative Action Manager, Department of Transportation (MnDOT); Lucinda Jesson, Commissioner, Department of Human Services (DHS); Kevin Lindsey, Commissioner, Department of Human Rights (MDHR); Roberta Opheim, Ombudsman for Mental Health and Developmental Disabilities (*ex officio*); Thomas Roy, Commissioner, Department of Corrections (DOC); Mary Tingerthal, Commissioner, Minnesota Housing Finance Agency (MHFA); Colleen Wieck, Executive Director, Governor’s Council on Developmental Disabilities (*ex officio*); Robyn Widley Supervisor, Interagency Partnerships Team, Department of Education (MDE);

**Others in attendance:** Rebecca Anington, CCD; Brian Annis, Trillium Services; Laurie Berner, Udac, Inc.; Kristie Billiar, MnDOT; Jodie Billstrom; Laura Birnbaum, SAM & Arc Northland; Dan Brouse, Beltrami County; Katie Buchman, Choice, Unlimited; Amanda Burcar-Annis, Trillium Services; Ann Buscher, St Louis County Public Health & Human Services; Nancy Cashman, Center City Housing; Roberta Cich, Access North - CILNM; Loren Coleman, DHS; Amanda Crosby, Access North - CILNM; Linda Curran, St Louis County; Chris Dahlberg, St. Louis County Commissioner; Terry Donovan, DEED; Lori Dusan; Tom Engstrom, Arc Northland; Charlie Fedora; Sherri Fedora; Laura Fredrickson, Duluth Public School Special Services; Gregory Gray, DHS; Graden Grobe; Danielle Gross, Trillium Services; Cheryl Gullickson, MDI; Angela Gustafson, Trillium Services; Brad Gustason, Goodwill; Rick Hammergren, MOHR/Opportunity Partners; John Hansen, McCarthy Manor; Holly Hansmeyer, Trillium Services; Jessica Hill, MDI; Rep. Thomas Huntley, Minnesota House of Representatives; Julie Jeantran; Kristin Jorenby, MnDOT; Dave Karvonen, MDI; Jenny Kempfert, Arc Northland; Mary Kirsling; Doyle Klebs, MDI; Stephanie Larson, ARDC-AAAA; Ed Lecher, DEED; Jeff Lind, Beltrami County; Bart Martinson, Lakeside Manor, Inc; Terry McCabe, St Louis County Public Health & Human Services; Mary Metger, Itasca Life Options; Diane Meyer, MDI; Mike Mills, DRCC; Lori Muller, Cass County Human Services; Alicia Munson, Opportunity Partners; Representative Mary Murphy, Minnesota House of Representatives; Mark Nelson, St Louis County; Jon Nelson, RSI; Kim Nylander, Access North - CILNM; Julie Reimer, Cass County Human Services; Margie Richardson, Cass County Human Services; Bridget Riversmith, Self-Advocates Minnesota; Sandy Roggenkamp; Len Rothlisberger, MDI; Maria Runyan, At Home Living; Mike Ryan, Arc Northland; Catherine Sampson, Arrowhead AAA; Don Samuelson, MBOA; Leslie Sauve, Arrowhead AAA; Becky Secore, Beltrami County; Linda Sjoberg, SW MN Adult Mental Health Consortium; Barb Stensland, LSS of MN; Debra Stephensor, Trillium Services; Mike Tessneer, DHS; Cathy Tryggstad, Northern Lights

SPED Coop; Rosalie Vollmar, DHS; Patricia Anne Wallace, ARC-ARCC-SAM; Richard Westcott, MDI; Jean Wood, MBOA.

## Welcome, introductions, and opening remarks

Lt. Governor Prettner Solon welcomed the subcabinet and the audience to the meeting. Subcabinet members introduced themselves.

Lt. Governor Prettner Solon opened the meeting with several remarks:

- Minnesota has long been a leader in services for people with disabilities and continues to look for opportunities to help people live as independently as possible and have choices about their lives.
- The draft Olmstead Plan carries on the work of past advocates and charts a course that ensures Minnesotans with disabilities have the opportunity to learn, work, and enjoy life in the most integrated setting desired.
- The Olmstead Plan subcabinet was created by Governor Dayton. Subcabinet agencies are collaborating to improve the way state government provides supports and services for persons with disabilities.
- The subcabinet is holding these listening sessions early in the process because we want people's help in shaping the plan. We need to know from individuals:
  - What are you expecting in the plan?
  - What are you hoping to see in the plan?
  - What are your concerns?
  - What are your suggestions?
- The subcabinet's job today is to listen carefully and be sure we understand your suggestions and concerns. We've been working very hard and we want to do the right thing and make the best plan possible, but sometimes we get locked into our own ideas and have difficulty seeing beyond them.
- The Olmstead plan is important for Minnesota: for service providers, for advocates, for families; most of all, it is important for people with disabilities.
- Based on your feedback and the input of disability experts, the subcabinet will revise its draft plan and present a final version for consideration in November.
- People can make statements to the subcabinet today. People can also submit comments [online](#).

## Overview presentation

Judy Plante provided a presentation about the *Olmstead* decision and the Olmstead Subcabinet's work:

- What is an Olmstead Plan?
- Why is Minnesota preparing an Olmstead Plan?
- What was the Jensen v. DHS case about?
- Who is on the Olmstead Subcabinet?
- Development of the Olmstead Plan
- Minnesota's Olmstead Plan Goals
  - Overall goal: Minnesota will be a place where people with disabilities are living, learning, working and enjoying life in the most integrated setting.
- Olmstead Plan Topic Areas:
  - Community Engagement

- Employment
- Healthcare and Healthy Living
- Housing
- Lifelong Learning and Education
- Supports and Services
- Transportation

## Listening session

People were asked to speak for three minutes or less to allow time for everyone who wanted to speak. Some people signed up to speak before the meeting, others signed up at the meeting. Before the close of the meeting, Lt. Governor Prettner Solon asked if anyone else wished to speak, and several individuals did.

## Comments included (in order of speaker):

### Laurie Berner, Udac, Inc.

- UDAC offers a wide spectrum of programs, based on individual choice.
- People gain choices through education and opportunities for experience.
- Supports are needed to get people ready for post-high school experiences—parents need help too.
- People need assistance in integrating into the community—and this help should come from the community too.
- She urged the subcabinet to listen to people as they develop the plan, to listen to families and care providers. Keep in touch with the day to day experiences of people—people and issues are diverse.
- Funding is critical—funding is lacking for people who want jobs in the community.
- Transportation is needed—both urban and rural.

### Len Rothlisberger, Minnesota Diversified Industries

- He is speaking from different perspectives: chair of MDI board, former school administrator, parent of daughter with developmental disabilities.
- Olmstead Plan should encourage further development of the affirmative business enterprise model of employment services for people with disabilities in Minnesota. Affirmative business enterprise is a social enterprise, usually non-profit, created specifically to provide jobs with competitive wages and benefits for people with disabilities.
- This model produces positive outcomes, high levels of integration, competitive wages and benefits.
- The model has been studied from a social return on investment perspective—there are tangible benefits to individuals and to taxpayers.
- On a personal level, he has seen his daughter thrive in her employment at MDI.

### Richard Wescott, Minnesota Diversified Industries

- He works for MDI—the wages, benefits, and supports are better than at other jobs. He is an active member of a great team.
- He has hearing and speech impairments, and MDI staff have helped with things like phone calls and paperwork.

### **Dave Kavonen, Minnesota Diversified Industries**

- He works for MDI—appreciates the learning opportunities and cross-training, the support, and the ability to prove himself and move up.
- MDI has provided accommodations he needs to maintain his job and be successful. He is now able to maintain fulltime work and is no longer receiving social security benefits.

### **Jon Nelson, Residential Services, Inc.**

- RSI provides services in a range of settings.
- Concern with DHS section of the plan: seems to indicate that providers are part of the problem or a barrier—that's not the case.
- The statewide association of providers has been leading the way in reform ideas, but DHS has yet to act on these ideas.
- Some delays in moving reforms have to do with CMS & federal government—the Olmstead Plan may help push reforms forward.
- A good, qualified workforce to support people in the community is necessary.
- The current plan is missing a discussion of technology. Technology is very important in community integration and crosses every goal in the Olmstead Plan: virtual staff and support help address transportation and housing issues.
- A big picture issue: broadband capability across the state. There are people who could live in the community with technology, but who can't because we don't have the broadband capacity in those areas.

### **Graden Grobe**

- His son has had physical and mental disabilities since he was nine years old, and the family has struggled for over 50 years to keep him out of institutional settings
- His son lost Housing Redevelopment Authority (HRA) support because of accusations of fraud and criminal behavior.
- Despite investigators' determination that there was no evidence of a crime, the HRA still insists that the family owes over \$50,000.
- Pressure to institutionalize his son has been enormous—lack of essential housing and medical supports has been devastating.

### **Roberta Cich, Access North Center for Independent Living of Northeast Minnesota**

- The Center's mission is to assist people with disabilities to live independently and have the same choices and opportunities as all people—very in line with Olmstead Plan.
- All services are consumer-directed and self-determined.
- The subcabinet should consider the state's Centers for Independent Living as resources—people involved have been doing the work for many years and know what's working and what doesn't work.
- Some counties lack independent living services because of lack of resources—these services are needed across the state.
- She urged the subcabinet to look beyond policies and procedures—*Olmstead* was a civil rights decision, not a social welfare decision.
- She is speaking as executive director and also as person with a disability—the subcabinet's work is very important.

### **Bridget Riversmith, Self-Advocates Minnesota**

- She has lived in institutions, group homes, and shelters—she was told she was a drain on society. She has worked sheltered settings like Goodwill—she was told she was unfit for higher education and training, or for employment opportunities at anything more than sub-minimum wages.
- She has navigated the system over many years and has achieved independence by advocating for herself.
- She got help in writing a business plan and has had her own business for almost 10 years
- The Olmstead Plan focuses on jobs, but there’s no mention of entrepreneurship or higher education, mentoring, apprenticeships, professions, business ownership, or partnerships.
- The plan should focus on universal design principles in all areas—remove barriers from physical and social aspects of the community.
- She suggests that there be community innovation centers, which would focus on person-centered planning, education, mentoring, entrepreneurial training and incubation, sustainable environmentally focused business planning, art and science.
- The subcabinet agencies should realize that the agencies themselves are sheltered environments, perpetuating stereotypical and institutionalized stigma about people with disabilities. The state agencies themselves need to transition from these sheltered environments and listen to people, and to get out of their ruts.
- Many of the services discussed in the plan are already being done by volunteers. Don’t replicate that—support the people who are already doing that work.

### **Laura Birnbaum, Self-Advocates Minnesota and Arc Northland**

- Olmstead Plan presents opportunities for real change.
- Northeast region of the state is in need of increased leadership training opportunities for self-advocates. By including self-advocacy, peer-to-peer support and leadership training support into the Olmstead plan, self-advocates would have an increased ability to create change within the system that impacts their lives on a daily basis.
- Informed choice is not telling someone what their options are—it’s really about increasing life experiences so that individuals have more experience to draw from to make choices.
- Peer to peer supports are critical to promoting community inclusion.
- The People First chapter in Duluth asked her to relay their comments to the subcabinet (many work and were not able to be here today):
  - Accessible employment opportunities are most important—more than custodial or food-prep jobs, people want real work for real pay.
  - Transition support and services for youth with disabilities.
  - Person-centered planning should be at the core of the plan.
  - In the move to more competitive employment, avoid unintended and harmful consequences—work with rehabilitation programs and community based services.

### **Julie Jeatran, Arrowhead Alliance of Artists with Disabilities and Harmony Club**

- Needed services are not available: Bridge House, for example, was closed last year. This was a place people could go instead of going to the hospital.
- She has had challenges herself this year with transportation and housing, and has had challenges over the years with employment. She is self-employed now, and has had great help from organizations and people who assisted her with solving transportation and housing problems.

- Volunteerism should be encouraged—some people may not be able to work in traditional settings but can add value to the community.
- She urged subcabinet members to get out into the community to hear from people: at drop-in-centers, for example.
- The plan as it is now is something like a tin man—a big heart, but bulky from all the agencies working from the top down instead of the bottom up.

#### **Don Samuelson, Minnesota Board on Aging**

- The experience of older adults should be considered in this plan—over 2/3 of people 85 years old and older have at least one disability, and many older adults experience disability for the first time in their later lives.
- Several important issues for the Olmstead plan:
  - Ensure that older adults who are experiencing disabilities have access to in-home supports regardless of their pay sources (care-giver support, home maker, home-delivered meals, assisted transportation, personal emergency response systems, and environmental modifications).
  - Ensure a strong transportation system is in place.
  - Support older adults who choose to age in place, including a cohesive system and support for home modifications.
  - Continue work to integrate health care and long-term services and support.

#### **Linda Sjoberg, Southwest Minnesota Adult Mental Health Consortium**

- Plan lacks specificity—different disabilities have unique needs in moving into the community.
- In southwestern Minnesota (and in other parts of the state), it is very rural. Rural areas have different needs than the metro area—transportation, access to services are significantly different.
- The state is lagging in developing peer support—peer specialist services have been delayed. Peer support is very important and should be developed.
- People need access to a full continuum of services. There needs to be better next-level, step-down care for people moving from inpatient psychiatric treatment back into the community. The state needs to play an active role in this because providers just haven't been able to meet that need.
- Services are particularly needed for the 1% of people with mental illness who have violent or aggressive behaviors and may end up in jail.

#### **Chris Dahlberg, St Louis County Commissioner**

- Speaking from perspective of a County Commissioner and as the brother of a person with developmental disability.
- Minnesota has come a long way from the institutionalized system his brother started in—now, his brother is living in a home in Brookston and works at Floodwood Vocational and has a great life.
- Some problems in Duluth should be considered by the subcabinet: safety (of clients, workers, and neighborhoods) and concentration (group homes becoming concentrated in neighborhoods).
- It is better if people live close to their homes and families—currently, people are living in Duluth in some residential programs because of lack of services in the Twin Cities.

### Charlie Fedora

- Resident of the Parkwood neighborhood in Duluth
- There is an overpopulation of group homes in the neighborhood—about 8 group homes in a neighborhood of 100 homes, and more on the way.
- The Olmstead Plan talks about choice, but these individuals may not actually have a choice in where they live because they have to go where the corporation sets up the housing.
- This is not integration in the community because there is a concentration of these homes—it's like an institutional setting.
- How can there be new group homes set up when there was a moratorium?
- He recommends a guideline to limit the number of group homes in a certain area.

### Mary Metzger, Itasca Life Options

- Employment: Suggests conversations with the Chambers of Commerce—these connections can help get employment opportunities for people with disabilities, especially in smaller communities
- Transportation: urges use of commuter transit instead of specialized buses—this enables more integration in the community, especially in rural areas.
- Training for law enforcement: so that they are better able to work with people with developmental disabilities and mental health issues.
- Training for medical communities: across disabilities so that people receive adequate care and are not just shoved off because a physician doesn't know what to do for them.
- There has to be a discussion about money—money will be needed to put this plan in place.
- People with disabilities *and* people who assist them need real pay for the real jobs they do. State workers are getting 3% pay increases, and people who work in this field need pay increases too.

### Sheri Fedora

- Resident of Parkwood neighborhood.
- She takes pride in her home and neighborhood, but is concerned about the concentration of group homes.
- Workers in these homes throw cigarette butts out their car windows, don't empty the trash, and drive in excess of the speed limit.
- There are no sidewalks, and residents of the neighborhood (including the foster homes) are in danger because of the number of cars and lack of safe speed.
- She has nothing against the residents of the foster homes—it's the workers and the number of homes in the neighborhood.
- She read a letter from a neighbor (John Melocksitch) who was unable to attend:
  - Neighborhood is being overrun by foster home operations.
  - Speed and noise increased because of workers coming and going.
  - Neighborhood feels more like an industrial park.
  - There should be a set ratio of foster care homes.
  - People should live within a set range of where they were raised—people in these group homes are not from Duluth.
  - DHS should not approve additional licenses for foster homes in St Louis County.
  - Foster care operators should pay a special per-pupil tax for residents to offset the impact to school funding that these foster homes have.



### **Mike Ryan and Tom Engstrom, Arc Northland**

- Employment is important, but we haven't heard much today about transportation—transportation is essential to employment.
- Arc provides a lot of advocacy for individuals related to housing, and could do more with more resources.
- Arc Northland has a program funded by DHS and Arc, Minnesota, which has moved 39 people into housing in the first 6 months of this year, most of them coming out of homelessness or drug treatment, and most of them on ARHMS waivers.
- It has been challenging to move people out of group homes—in the few instances the program been able to do that, the big barrier has been getting transition funds to move from group home to independent living.

### **Rick Hamergren, Minnesota Organization for Habilitation and Rehabilitation, Minnesota Consortium for Citizens with Disabilities, and Opportunity Partners**

- He recalls the huge shifts of values and funding during deinstitutionalization in the '60s and '70s. There were problems and failures during this system change, especially for people with mental health issues and developmental disabilities as dual diagnoses.
- In this new period of systems change, don't abandon models that are working for people. People may be served well where they are.
- Don't look for a single solution for all people—that never works well.
- There should be a diverse menu of employment options. Day Training and Habilitation programs shouldn't be rejected—these programs provide options for individuals.
- At Opportunity Partners, a whole range of models are available: support employment team (work enclave), competitive employment, and other options.
- He urged the subcommittee to continue to listen to people with disabilities, their families and guardians. People should have support to make real choices about the best model for the individuals who receive services.

### **Patricia Anne Wallace, Self-Advocates of Minnesota and People First of Minnesota, Duluth**

- Currently works at Air Park DT&H. She and others are paid by how many bags they fill, but this is subminimum wage—workers should be paid hourly.
- She receives supports and services that mean she can live in the community—everyone deserves these opportunities.
- The Olmstead Plan should make sure that everyone has support and has a chance to show that they can do it.

### **Nancy Cashman, Center City Housing**

- The supportive housing model is very helpful for people who have experienced chronic problems with alcoholism and homelessness.
- Her organization uses group residential housing (GRH) funds to operate these housing programs—these programs, however, are different than other GRH-funded programs like adult foster care.
- People choose these programs voluntarily, and they choose what activities and services they wish to participate in.
- She urges the subcommittee not to make changes in housing funding that would eliminate the possibility of supportive housing for this population.



- She is also concerned about the requirement that only 25% of housing can be for people with disabilities—her organization receives funding through sources that target housing for people with disabilities.
- Some funding, like money through HUD, requires that people be homeless on entry to housing and have a disability. It's not cost effective to build a small facility because the services are scattered. Also, her organization has found that congregate living with intensive services available helps people address barriers to housing, which leads to better outcomes for individuals and families.

#### **Mark Nelson, St. Louis County Public Health and Human Services**

- He urges strengthening the adult protection system.
- As people are becoming more integrated in the community, there is an ongoing need for protective services to address physical harm, abuse, and financial exploitation.
- He recommends the Vulnerable Adult Justice Project (housed at William Mitchell College of Law) as a resource.
- Individual choice is limited by the lack of services in some counties. DHS's gaps analysis study will provide helpful information to address this problem.
- When people have no control over who they live with (who moves in or out of their residence), there's a lack of dignity, and there can also be problems from an adult protection standpoint. Resident mix is an important factor. Choice of residence is very important for dignity and safety.

#### **John Hanson, McCarthy Manor**

- People should be able to choose where they live.
- Some people may choose to live in a more congregate setting with services—don't eliminate that option.
- McCarthy Manor provides assisted living, and the demand for these services is steady. People who have not been safe or successful in a house or apartment often thrive in this setting.
- There are many people who need 24 hour care or monitoring and supervision—living in their own home with services coming in would not be feasible.
- Assisted living and housing with services can be very cost-effective.
- Older homes may be wonderful places for people to live, but they may not meet strict requirements for lockable units, separate kitchens, etc.—consider some type of grandfather clause to allow these homes to still operate.
- People are capable of making their own choices—let the market work instead of setting government restrictions and impediments.

#### **Subcabinet comments**

During the listening session, subcabinet members offered the following comments:

- Roberta Opheim commended Bridget Riversmith for her remarks and for demonstrating that people with disabilities can break down barriers and overcome stereotypes. The biggest barriers to the accomplishments of people with disabilities are the attitudes of people without disabilities.
- Commissioner Jesson explained that there is more concentration of adult foster homes in St Louis County, and DHS and the county have been working to address this. There is a moratorium on the number of licenses, but a licensed organization may close one home and open another one.

- Commissioner Jesson also emphasized that the subcabinet is more than DHS, and the focus of the Olmstead Plan is community integration across the state, in all areas. This is an approach for the whole administration.

### **Closing comments**

Lt. Governor Prettner Solon offered subcabinet members an opportunity to comment:

- Commissioner Ehlinger expressed his appreciation for the comments today. He also emphasized that the whole administration is working on this issue—it's health, housing, transportation, corrections, not just human services.

The Lt. Governor thanked all of the speakers and audience at today's meeting and encouraged people to share any additional ideas or comments at the website.

### **Materials available at the meeting**

- [Olmstead Plan overview document](#)
- [Olmstead PowerPoint presentation](#)

### **Other listening sessions**

- Monday, August 19 in Rochester

Details are at the [Olmstead Plan website](#).

**Notes submitted by:** Beth Bibus, Management Analysis & Development, Minnesota Management & Budget