

EXECUTIVE DIRECTOR  
Jeremy Lane

LEGAL DIRECTOR  
Pamela S. Hoopes

ADMINISTRATOR  
Brenda Jursik

SUPERVISING ATTORNEYS  
Roderick J. Macpherson III  
Steven P. Elliot

## MINNESOTA DISABILITY LAW CENTER

THE PROTECTION & ADVOCACY  
SYSTEM FOR MINNESOTA

430 FIRST AVENUE NORTH, SUITE 300  
MINNEAPOLIS, MN 55401-1780  
(612) 332-1441  
(TDD) 332-4668  
Toll Free 1-800-292-4150  
FAX (612) 334-5755

[www.mnlegalservices.org/mdlc](http://www.mnlegalservices.org/mdlc)

ATTORNEYS  
Jennifer E. Giesen  
Luther Granquist  
Kathleen Hagen  
Anne L. Henry  
Bonita Kallestad (Willmar)  
Kathy S. Kosnoff  
Barbara J. Kuhn  
Anne M. Robertson  
Barnett I. Rosenfield  
Patricia M. Siebert

ADVOCATES  
Linda Bonney (Grand Rapids)  
Kursten Dubbels (Fergus Falls)  
Cynthia M. Jarvi (Minneapolis)  
Sandra M. Moore (Duluth)  
Janna Peterson (Moorhead)  
Rochelle Roehrich (Minneapolis)  
Sharon Sanders (Duluth)

### THE CONSUMER DIRECTED COMMUNITY SUPPORTS OPTION

A review of the current service available  
and summary of impending changes to Minnesota's  
Home and Community-based Waiver programs

September 20, 2002

#### Background

In 1998, Minnesota received federal approval to amend its home and community-based waiver program for persons with mental retardation or related conditions ("MR/RC waiver") to include a new service called "Consumer-Directed Community Support Services," or CDCS. This new waiver category was broadly described as including "supports and services which provide support, care and assistance to a person, prevent the person's institutionalization, and allow the person to live an inclusive community life." The purpose of adding CDCS to the waiver was to increase the waiver's ability to meet individual service and support needs while giving the consumer greater control over what services and supports would be used and by whom they would be provided. However, the actual service description for CDCS contained little detail on what services and supports could or could not be purchased. It also failed to clearly delineate the extent to which the county could limit the consumer's authority over service planning and choice.

In 2001, legislation passed requiring DHS to add a CDCS option to the Community Alternatives for Disabled Individuals (CADI), Community Alternative Care (CAC), and Traumatic Brain Injury (TBI) waiver programs. The intent of this legislation was to extend flexibility and control to all persons in Minnesota who use waiver services to avoid placement in institutional facilities.<sup>1</sup>

<sup>1</sup> The Legislature also passed a law in 2000 requiring DHS to (1) seek federal approval to extend the CDCS option in the MR/RC waiver statewide, and (2) ensure that such services would be in place by January 2001. For a variety of reasons going back to the state employees' strike, DHS did not meet these deadlines.