

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

James and Lorie Jensen, et al.,

Case No. 09-cv-01775 (DWF/BRT)

Plaintiffs,

vs.

Minnesota Department of Human
Services, et al.

**DECLARATION OF
KAREN SULLIVAN HOOK**

Defendants.

I, Karen Sullivan Hook, pursuant to [28 U.S.C. § 1746](#), hereby declare as follows:

1. I am employed by the Minnesota Department of Human Services (DHS) as Deputy Senior Counsel and Administrative Law Office Manager. This declaration is based on my personal knowledge.

2. Creation of the March 2019 Summary Report in this case and its supporting documentation consumed over 2,700 hours of staff time at the Department of Human Services.

3. DHS created an EC 103 Work Group (“Work Group”) after the Ombudsman for Mental Health and Developmental Disabilities (“Ms. Opheim”) and the Executive Director of the Governor’s Counsel on Developmental Disabilities (“Dr. Wieck”) (the “Consultants”) submitted a letter highlighting sections of the Rule 40 Advisory Committee Report they wished to discuss with DHS.

4. The Consultants were part of the Work Group, along with several DHS employees, including me.

5. The Work Group met from the summer of 2016 to November 2017.

6. During the Work Group process, the Consultants agreed that there were no advisory committee recommendations not adequately addressed by the Positive Supports Rule that were appropriate to consider as a modification to the Olmstead Plan; the Consultants also agreed that the Work Group would continue to work towards implementation of advisory committee recommendations not adequately addressed by the Positive Supports Rule through other avenues, such as DHS action. Accordingly, no suggestions were taken to the Olmstead Subcabinet or the Olmstead Implementation Office.

7. By agreement, the Work Group stopped meeting in November 2017, and the Consultants, Plaintiffs' Class Counsel, and the Court Monitor, have not presented any unresolved issues regarding Rule 40 advisory committee recommendations to the Court.

8. On December 4, 2018, Ms. Opheim asked if it would be possible for the Work Group to meet to discuss some specific issues. On December 6, 2018, I responded to Ms. Opheim and Dr. Wieck, indicating that I did not believe the Work Group was the right group to discuss the issues Ms. Opheim raised because they were not part of the advisory committee recommendations the Work Group was reviewing, and offering to convene a group more appropriate to the issues raised. On January 17, 2019, I followed up with Ms. Opheim and Ms. Wieck indicating that if there are issues related to the advisory committee recommendations, the Work Group can be reconvened. Ms. Opheim and Dr. Wieck did not thereafter request for the Work Group to be reconvened.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 7-15-19

s/ Karen Sullivan Hook
KAREN SULLIVAN HOOK