



Minnesota Department of **Human Services**

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January 28, 2016

The Honorable Donovan W. Frank  
United States District Court  
346 Federal Building  
316 N. Robert Street  
St. Paul, MN 55101

Re: *Jensen, et. al. v. Department of Human Services, et. al.*, Civil No. 09-cv-1775 (DWF/BRT)

Dear Judge Frank,

I write to clarify a statement found on page 61 of the Olmstead Plan, located in the fourth bullet point. The paragraph states, in part, "Limits on growth are based on legislative appropriations and the federally approved waiver plan. The federally approved DD waiver plan currently has a limit on funding growth of 300 persons/year."

To clarify, the federally approved DD waiver plan currently caps funding growth to serve, on average, approximately 306 additional persons per year, subject to limitation by Minnesota legislative appropriations.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Charles E. Johnson', is written over a large, stylized, handwritten letter 'C' that serves as a background for the signature.

Charles E. Johnson  
Deputy Commissioner

cc: Shamus O'Meara, Attorney for Plaintiffs  
Roberta Opheim, Ombudsman for Mental Health and Developmental Disabilities  
Colleen Wieck, Executive Director for the Governor's Council on Developmental Disabilities  
Emily Johnson Piper, Commissioner, DHS  
Mary Tingerthal, Chair, Olmstead Subcabinet  
Al Gilbert, Solicitor General  
Scott Ikeda, Assistant Attorney General