

# Minnesota's Olmstead Plan: Annual Report

# 2014

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This report summarizes activities during the period from Nov. 1, 2013 – Dec. 31, 2014.

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## Executive Introduction

The vision of the Minnesota Olmstead Plan is to transform our state's communities to welcome, engage and respect people with disabilities more than ever before. This means people with disabilities will have opportunities to live where and with whom they choose, choose what services and supports are best for them, have good jobs with fair wages and benefits, and be a part of their community – opportunities that are just like everyone else in Minnesota. To transform our communities in this way, we must build, remodel and enhance state services. It's a process that will take time, but it's worth it.

This report is a review of Olmstead work that has happened between Nov. 1, 2013, and Dec. 31, 2014. During this timeframe, activities were focused in large part on administrative and operational processes. These are critical structures that the State will rely upon as it transforms our communities through implementation of the Plan. These processes continue to evolve and improve.

As these processes become formalized, we will focus more of our efforts on the outcomes that most directly affect people. Our goal is to bring the promise of Olmstead to life by improving the options for Minnesotans with disabilities.

## Report summary

- The promise of Olmstead can only be achieved with cross-agency collaboration and dedication. Staff roles were formalized and clarified for the Olmstead Subcabinet, Olmstead Implementation Office, Agency Leads and Compliance function.
- Plan activities were focused in these five primary areas: implementation, reporting, modification, community engagement and quality improvement.
- The Subcabinet and Olmstead staff engaged members of the disability community in order to learn from their perspective as well as build partnerships for Plan implementation.
- Financial activities by, or on behalf of, the Olmstead Implementation Office took place throughout the reporting period. A summary is provided.

## Section 1: Who we are

### Subcabinet

Governor Mark Dayton established an Olmstead Subcabinet in January 2013. This is the group of state agency leaders who are charged with developing and implementing Minnesota's Olmstead Plan.

The Olmstead Subcabinet has ten members and a chair. They include:

- A Chair appointed by the governor
- One representative from each of eight state agencies with responsibilities to implement the Plan
  - Department of Corrections
  - Department of Education
  - Department of Employment and Economic Development
  - Department of Health
  - Department of Human Rights
  - Department of Human Services
  - Department of Transportation
  - Minnesota Housing Finance Agency
- Two ex-officio members from the Governor's Council on Developmental Disabilities and the Office of the Ombudsman for Mental Health and Developmental Disabilities

### Olmstead Implementation Office

As defined in the Olmstead Plan, the primary responsibilities of the Olmstead Implementation Office (OIO) are:

- Develop communication tools to explain Minnesota's Olmstead Plan, including a fully-accessible overview of the Plan itself
- Monitor the quality of life and process measures
- Convene regular meetings to update the Subcabinet on implementation
- Draft an annual report to be issued by the Subcabinet
- Maintain social media and website presence to keep the public aware of progress on the Plan
- Monitor audit and performance reports from all public agencies on issues relevant to the Olmstead Plan
- Develop and implement the Olmstead Quality Improvement Plan
- Collaborate across all relevant departments

#### *Olmstead Implementation Office staff*

Staff members from the OIO work on behalf of the Subcabinet to help coordinate and carry out the Plan goals.

The OIO began on interim basis beginning in December 2013. It was transitioned to a permanent office in June 2014, when the Executive Director came on board.

*Executive Director*

The Executive Director provides managerial leadership for all aspects of the OIO. Her primary objective is to successfully lead the OIO in support of the Subcabinet's goal to fully implement the Plan.

The OIO Executive Director is a 1.0 position. She was appointed in May 2014.

*Assistant Director*

The Assistant Director focuses on Plan compliance, interagency coordination, quality assurance and community relations. She also manages certain office operational tasks. These will be reassigned when additional staff members are added to the OIO.

The OIO Assistant Director is a 1.0 position. She was appointed in August 2014.

*Communications Manager*

The Olmstead Communications Manager focuses on planning, development and delivery of Olmstead messaging. This includes building communications infrastructure, executive presentations and media relations.

The Communications Manager is a .5 position. She began work with the OIO in October 2014.

**Agency Leads**

Each Subcabinet agency named a staff member to serve as its agency lead. The lead is a point-person who monitors agency progress towards the Plan's goals. They advise agency Subcabinet representatives on goal progress. The lead represents the agency at various cross-government meetings and events.

**Compliance**

The Department of Human Services was assigned the lead for monitoring compliance of Plan activities. This work began with the onset of the interim office and continued through the reporting period. There are two full-time staff members working on compliance.

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**Section 2: Plan activities**

This report summarizes Minnesota's Olmstead Plan activities between Nov. 1, 2013 – Dec. 31, 2014. During this time frame, action was taken in these areas:

- Plan implementation
- Plan reporting
- Plan modification
- Community engagement
- Quality improvement

**Plan implementation**

In 2013, the Subcabinet established structures to better facilitate collaboration among state agencies. This work focused on three primary areas:

1. **Agency lead meetings**  
Agency leads meet monthly (originally, they met bi-monthly) to report on their agency's progress, discuss current issues and potential collaborations. The leads use this information to update and advise their Subcabinet member. Leads also hold additional meetings on an issue-by-issue basis and as needed.
2. **Working groups**  
Multiple cross-agency working groups were established to focus on goals within specific sections of the Plan. These working groups grew out of agencies collaborating on specific action items.
3. **Governor's appointed councils**  
Representatives from the agencies and the OIO began conversations with the 23 Governor-appointed councils, committees, commissions and boards on best ways to engage these groups to help monitor and implement the Plan. A full list of these groups is available on page 133 of the Olmstead Plan in appendix E.

## Plan reporting

### *Bimonthly Reports*

The bimonthly reports outline the progress and compliance on Plan implementation. The reports are reviewed and approved by the Subcabinet at their bimonthly meetings. Once approved, the report is submitted to the Court by the 22<sup>nd</sup> day of even-numbered months. These are public documents and can be viewed on [Minnesota's Olmstead website](#).

### *Subcabinet Meetings*

The Subcabinet meets every other month to conduct business, review and approve status reports to the Court and review other reports and action items in a timely manner. All approved Plan documents and meeting minutes are published on the website. The Subcabinet also held three special meetings, to deal with time sensitive items that required action by the Subcabinet.

## Plan revisions and modifications

### *Revisions*

In January 2014, the Court provisionally accepted the Olmstead Plan, but required certain revisions. These were filed with the Court in July 2014. The Court, however, initially declined to accept the revised Plan, instead requiring the Subcabinet to submit "measurable" goals in November 2014.

### *Modifications*

In addition to the revisions, the Court ordered a separate process for the Subcabinet to seek modifications to the Plan through requests to the Court Monitor. Through this process, the Court Monitor can approve proposed modifications if there is "good cause." In the summer of 2014, the Subcabinet submitted a number of modification requests through this process. Many of these requests were approved by the Court Monitor.

## Community engagement

Initial community engagement activities focused around a few key activities.

- **Public listening sessions**  
Members of the state's disability community were invited to attend public listening sessions to discuss Olmstead issues with members of the Subcabinet and the OIO. These meetings were held in the spring and fall in multiple locations across the state through a combination of in-person and a virtual venue.
- **Website**  
Information about the Olmstead Plan is available on [Minnesota's Olmstead website](#). In addition, community information, concerns or comments are welcome through the website or by email.
- **Individual communications**  
Incoming calls and emails made directly to OIO are archived. Complaints are forwarded to relevant agencies and followed up to determine disposition.

## Quality improvement

- **Engaged Governor's appointed councils and advisory committees**  
OIO has engaged the Governor's appointed disability councils and advisory committees in monitoring Minnesota's Olmstead Plan.
- **Quality of Life survey**  
One of the cornerstones of the Plan is the implementation of a quantitative Quality of Life survey that will measure changes in the lives of people with disabilities over time. The pilot Quality of Life assessment was concluded on December 31.

Results from the pilot survey process provided useful operational information, including:

- The survey works successfully across all disabilities, all ages and all settings.
- Better understanding of the survey application, which will help with future surveys.
- Many of the surveyors hired to work on the pilot were people with disabilities. This approach was successful.

The Quality of Life survey will begin implementation in 2015.

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## Section 3: Partnerships

The promise of Olmstead can only be achieved with collaboration throughout the disability community. In 2014, we talked to a number of community groups to share information about the Plan, get input and build partnerships for future Plan implementation. The list of groups included:

- Disability rights advocates
  - Disability policy experts and researchers
  - Courts
  - Faith communities
  - Federal government agencies
  - Higher education institutions
  - Health insurers
  - Housing developers
  - Law enforcement organizations
  - Legislature
  - Local communities
  - Local government
  - Social Service Providers
  - Regional development commissions and planning groups
  - School districts
  - Self-advocacy organizations
  - State agencies, boards, councils, and ombudsman offices
  - Technical assistance/accommodation experts
  - Tribal governments
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### Section 4: Financial activities

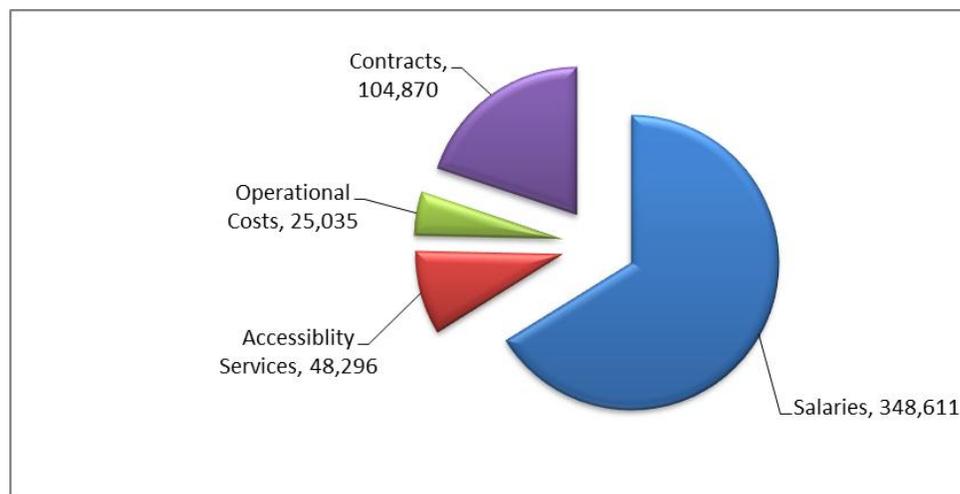
For the reporting period of November 1, 2013, through December 31, 2014, \$526,812 has been expended by, or on behalf of, the Olmstead Implementation Office.

The Departments of Human Services (DHS), Employment and Economic Development (DEED), Transportation (DOT) and the Minnesota Housing Finance Agency (MHFA) made direct financial contributions totaling \$364,919 during this timeframe.

In addition to these contributions, the 2014 Legislature allocated \$500,000 for FY2015 in its supplemental budget for the Olmstead Implementation Office. Of that FY2015 appropriation, \$161,893 has been expended to date.

DEED serves as the fiscal agent in support of the Olmstead Implementation Office.

**Total funds expended November 2013 thru December 2014 = \$526,812**



Contracts were established to secure specialized services to accomplish Olmstead Plan's action items, i.e. the Quality of Life Pilot Assessment Report and the Disincentives and Barriers Report.

## Appendix

### Chronology of Court Orders, Court Monitor Reports and Olmstead Plan revisions through Dec. 31, 2014

Date	Item	Description
1/28/2013	Executive Order	Governor established Olmstead Subcabinet to develop and implement MN's Olmstead Plan
8/28/2013	Court Order	Olmstead Plan due November 1, 2013 shall include chronological timetable of tasks and deadlines to facilitate tracking and reporting. Requests for modification shall be in writing and for good cause
11/1/2013	Olmstead Plan to the Court	Olmstead Plan submitted to Court for approval
12/31/2013	Court Monitor Report	Court Monitor recommends provisional approval of the Plan with suggested modifications
1/22/2014	Court Order	<ul style="list-style-type: none"> <li>• Court provisionally accepts and approves the Olmstead Plan subject to review after revisions based on Court Monitor, Plaintiffs' Counsel, Executive Director of Minnesota Governor's Council on Developmental Disabilities and Ombudsman for Mental Health and Developmental Disabilities</li> <li>• Orders the State to file bimonthly report by April 22, 2014 to address the progress toward moving individuals from segregated to integrated settings; the number of people who have moved from waiting lists; and the results of any and all quality of life assessments.</li> <li>• Orders the State to file revised Olmstead Plan by July 5, 2014 to Court Monitor and July 15, 2014 to Court</li> </ul>
5/14/2014	Court Monitor report	Court Monitor provides feedback on modification requests
6/18/2014	Court Monitor report	Court Monitor provides feedback on modification requests
7/10/2014	Olmstead Plan revisions	Olmstead Plan revisions as approved by the Court Monitor is filed with the Court
8/20/2014	Court Order	Court adopts modifications as previously approved by Court Monitor
9/18/2014	Court Order	<ul style="list-style-type: none"> <li>• Court declines to adopt the Proposed Olmstead Plan filed on July 10, 2014.</li> <li>• Orders a revised Olmstead Plan that establishes measurable goals be submitted to the Court Monitor by November 10, 2014</li> <li>• Court requires the State to report on: the number of people who have moved from segregated settings into more integrated settings; the number of people who are no longer on the waiting list; and the quality of life measures.</li> </ul>
11/10/2014	Olmstead Plan Revisions	Olmstead Plan revisions submitted to the Court Monitor in response to September 18, 2014 order
12/31/2014	Court Monitor report	Court Monitor issues report on Olmstead Plan: Completion of Deliverables. Court Monitor finds Defendants in Non-compliance with the Olmstead Plan due to failed completion of required action items within required timelines.