

## **Olmstead Subcabinet Meeting Minutes**

Monday, October 28, 2019, 3:00 p.m. to 4:30 p.m.

Minnesota Housing-Lake Superior Conference Room, 400 Wabasha Street North, Suite 400, St Paul

### **1) Call to Order**

Acting Chair Commissioner Harpstead (DHS) welcomed everyone and provided meeting logistics.

### **2) Introductions**

**Subcabinet members present:** Jodi Harpstead, Department of Human Services (DHS) and Roberta Opheim, Ombudsman Office for Mental Health and Developmental Disabilities (OMHDD)

**Designees present:** Tim Henkel, Department of Transportation (DOT); Brad Lindsay, Minnesota Department of Veterans Affairs (MDVA); Nick Thompson, Metropolitan Council; Scott Beutel, Minnesota Department of Human Rights (MDHR); Ryan Baumtrog, Minnesota Housing; Daron Korte, Minnesota Department of Education (MDE); Hamse Warfa, Department of Employment and Economic Development (DEED); Mary Manning, Minnesota Department of Health (MDH) joined at 3:15 p.m.; and Michelle Smith, Department of Corrections (DOC) joined at 3:25 p.m.

**Guests present:** Mike Tessneer, Darlene Zangara, Rosalie Vollmar and Zoua Vang, Olmstead Implementation Office (OIO); Anne Smetak (Minnesota Housing); Erin Sullivan Sutton, Adrienne Hannert, Alex Bartolic, Linda Wolford, Dominique Jones and Rick Figueroa (DHS); Holly Andersen (MDE); Stephanie Lenartz and Ann Schulte (MDH); Kate Erickson (DOC); Maura McNellis-Kubat (OMHDD); Kristie Billiar (DOT); Beth Fondell, Institute on Community Integration; Mary Kay Kennedy, Advocating Change Together; Sue Schettle, ARRM; Mary Fenske, Sheri Meyers, Bradford Teslow and Noah McCourt (members of the public).

**Guests attending by phone:** Rebecca St. Martin and Sue Hackner, members of the public

**ASL and CART providers:** Mary Catherine (Minnesota Housing); ASL Interpreting Services, Inc.; Paradigm Captioning and Reporting Services, Inc.

### **3) Agenda Review**

Commissioner Harpstead asked if any changes were needed to the agenda. She reminded any attendees interested in making public comment to sign in at the back of the room.

### **4) Approval of Minutes**

#### **a) Subcabinet meeting on August 26, 2019**

Commissioner Harpstead asked if there were any changes needed to the minutes for the August Subcabinet meeting. No changes were requested.

**Motion: Approve July 22nd Subcabinet meeting minutes as updated**

**Action: In Favor: All**

## 5) Reports

### a) Chair

Commissioner Harpstead reported that the Executive Committee met on October 4, 2019. The 2 main items for discussion included the roles of the Executive Committee and Subcabinet and the Prevention of Abuse and Neglect Campaign. Both items will be discussed in further detail later in the meeting. The minutes from the meeting were included on page 15 of the packet.

Commissioner Harpstead reminded everybody that the time of the December 16, 2019 Subcabinet meeting has been changed to the morning from 9:00 to 10:30.

### b) Executive Director

Darlene Zangara (OIO) reported that the Community Engagement Workgroup held their first meeting on October 10, 2019. The next meeting is December 12, 2019.

The public input process began with the first session on October 26, 2019. The next session will be on November 2, 2019. Subcabinet members are encouraged to attend.

### c) Legal Office

There was no report.

### d) Compliance Office

There was no report.

## 6) Action Items

### a) Executive Committee and Subcabinet Proposed Roles and Responsibilities

Anne Smetak (Minnesota Housing) reported on the discussion that took place at the October 4, 2019 Executive Committee meeting regarding roles and responsibilities of the Executive Committee and Subcabinet. She reviewed the information on pages 23 – 27 of the packet that included the Subcabinet duties laid out in Executive Order 19-13 and the list of proposed roles and responsibilities. A proposed meeting schedule was included in the materials with dates set for the Subcabinet meetings through 2020.

### Questions/Comments

Commissioner Harpstead stated that she has spoken with Commissioner Ho about this clarification of duties between the Executive Committee and the Subcabinet, and they are confident that the Subcabinet can take care of its legal, official court-appointed duties in Subcabinet meetings, and also open up a discussion for the possibilities for people in the community consistent with the Governor's Executive Order.

**Motion: Approve Executive Committee/Subcabinet Roles (page 25)**

**Action: Motion – Opheim In Favor: All**

**b) Workplan Compliance Report for September/October 2019 (OIO)**

Mike Tessneer (OIO) reported that nine workplan activities were reviewed. There are no exceptions to report. The list of activities reviewed was attached to the Workplan Compliance report.

**Questions/Comments:** None

**Motion: Approve August Compliance Report**

**Action: Motion – Korte**

**Second – Baumtrog**

**In Favor - All**

**7) Informational Items and Reports**

**a) Olmstead Plan Workplan Refresh Process**

Mike Tessneer (OIO) reported on the annual workplan refresh process.

- Annually the Subcabinet agencies and OIO review the workplans to determine which activities are complete and which need to continue or be modified. That process began in September. In November, the summary of the annual review and the proposed workplans will be reviewed for Subcabinet approval.
- Currently, OIO Compliance reports monthly on the status of workplans. OIO Compliance is proposing a modification to that process during the Plan amendment process in March 2020. The agencies and Compliance Office will do the same work, but there will not be a routine report to the Subcabinet unless there is an exception. This will free up the Subcabinet to do additional activities around the major goal areas.
- This also anticipates that the number of reports generated by the workplans that are required it come to the Subcabinet will focus on the major priority areas in the Olmstead Plan and that will reduce the number of reports to the Subcabinet.

**b) Olmstead Plan Amendment Process**

Mike Tessneer (OIO) reviewed the annual Plan amendment process.

- The Olmstead Plan as it currently exists requires an annual amendment process. That process has begun. A timeline has been developed and shared with agency staff.
- As mentioned earlier, the public input process is underway. The information gathered during this time will inform the plan amendment process.
- The Subcabinet will review the first draft of proposed amendments at the December meeting and a second draft at the February 2020 meeting. The final amendment of the Plan will be reviewed for approval at the March 2020 Subcabinet meeting.

**c) Olmstead Interagency Communications**

Zoua Vang (OIO) reported that a working group convened to identify a set of key messages about Olmstead. As a result, some new communication materials were developed including a brochure about the Olmstead Implementation Office and a booklet titled “What’s in the Olmstead Plan.” These materials will be available at public input sessions and eventually on the website.

In addition, OIO has reconvened an interagency communications group made up of communication staff from the Subcabinet agencies. The purpose of the group is to coordinate messaging around the Olmstead Plan and Olmstead work.

**d) Prevention of Abuse and Neglect Campaign**

Roberta Opheim (OMHDD) provided a written update on the Prevention of Abuse and Neglect campaign. The website is scheduled to launch by early November. Additional videos are being made that reflect the race and ethnicity of Minnesotans.

There is still a need for additional partnerships to help finance the distribution of materials and rolling out of the awareness campaign to the public. The steering workgroup will continue to meet to monitor implementation and keep the Subcabinet updated on the progress.

**e) Workplan activities requiring report to Subcabinet**

Agency staff presented the following informational reports to the Subcabinet.

**1) Direct Care Workforce 2A – Direct Support Connect promotion (DHS)**

Linda Wolford (DHS) presented this report.

**2) Direct Care Workforce 6A – Promote use of assistive technology (DHS/MDE)**

Alex Bartolic and Linda Wolford (DHS) presented this report.

**3) Direct Care Workforce 7B – Incident report data (DHS)**

Linda Wolford (DHS) presented this report.

**4) Transportation 3F – Engagement efforts about transportation (DOT/Met Council)**

Kristie Billiar (DOT) presented this report on behalf of DOT and Met Council.

**5) Crisis Services 2F – Crisis services reform implementation (DHS)**

Alex Bartolic and Dominique Jones (DHS) presented this report.

**8) Public Comments**

Commissioner Harpstead asked those who signed up for public comment to speak to the Subcabinet.

**Rebecca St. Martin**, member of the public (on the phone)

The Public Comment Intake form was offered. An outline of Ms. St. Martin's comments was not received. Highlights included:

- She expressed concern for a family whose request for use of seat belt restraints for their child was denied.

- A poll revealed that recipients of Disability Services are discouraged by the appeal process.
- Ms. Meyers files approximately two appeals annually and finds the process futile and oppressive.
- Case managers are inconsistent in the review and approval of supports and in the application of the Consumer Directed Community Supports guidelines.
- The appeal process should be more transparent to the public.

**Sheri Meyers**, member of the public

The Public Comment Intake form was offered at the meeting. An outline of Ms. Meyers' comments was not received. Highlights included:

- The Olmstead Plan is not helping if people with disabilities are still victims of discrimination, threats, physical assaults and abuse.
- There is lack of enforcement of code violations for disability parking.
- Medical facilities discriminate and abuse people with disabilities.

**Brad Teslow**, member of the public

The Public Comment Intake form was offered at the meeting. An outline of Mr. Teslow's comments was received. Highlights included:

- People with disabilities in Substance Use Disorder Residential Treatment Centers as well as individuals with mental health and substance use disorders are not receiving appropriate services.
- Many co-occurring treatment centers have repeat citations and violations.
- A workplan goal to focus on the reduction of violations at mental health treatment centers would be helpful.

**Noah McCourt**, member of the public

The Public Comment Intake form was offered at the meeting. An outline of Mr. McCourt's comments was not received. Highlights included:

- There are issues around accessibility for people with disabilities to attend meetings such as The Governor's Blue Ribbon Council.
- Integrated employment data only factors in who has been asked if they would like to work in an integrated setting, and does not show how many actually are working in an integrated setting. If there is data to show the latter, he would like access to it.
- He requested more data focused on the federal initiative to phase out 14(c) regarding people with disabilities choosing to stay in a sheltered workshop setting versus integrated employment. He would like to see the Subcabinet take on this issue.

**Kim Pettman**, member of the public

The Public Comment Intake form was offered. Ms. Pettman provided other documents that were made available to the Subcabinet at the meeting.

**9) Adjournment**

Commissioner Harpstead made reference to an article from the Star Tribune written by Commissioner Grove regarding hiring people with disabilities. Copies were made available at the meeting.

**Next Subcabinet Meeting:** November 25, 2019 – 3:00 to 5:00 p.m.

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