

Minnesota Olmstead Planning Subcabinet – 7/9/13 Meeting & Listening Session Notes

Meeting Details

Date: July 9, 2013

Start/End Time: 2:00 – 4:30 p.m.

Location: State Office Building, Room 200

Chair: Lt. Governor Yvonne Prettner Solon

Facilitator: Judy Plante, Management Analysis & Development (MAD), Minnesota Management and Budget

Subcabinet members (or alternates) in attendance: Cynthia Bauerly, Deputy Commissioner, Department of Employment and Economic Development (DEED); Dr. Edward Ehlinger, Commissioner, Department of Health (MDH); Lucinda Jesson, Commissioner, Department of Human Services (DHS); Kevin Lindsey, Commissioner, Department of Human Rights (MDHR); Jessie Montano, Deputy Commissioner, Department of Education (MDE); Sue Mulvihill, Division Director, Department of Transportation (MnDOT); Roberta Opheim, Ombudsman for Mental Health and Developmental Disabilities (*ex officio*); Thomas Roy, Commissioner, Department of Corrections (DOC); Mary Tingerthal, Commissioner, Minnesota Housing Finance Agency (MHFA); Colleen Wieck, Executive Director, Governor's Council on Developmental Disabilities (*ex officio*)

Others in attendance: Abdihakim Abdi, MSCOD; Bob Anderson, MAAA; Alan Augustin, Smiles CIL; Alex Bartolic, DHS; Scott Beutel, MDHR; Chris Bell; Ellen Benavides, MDH; Wade Brost, DHS; Matt Burdick, NAMI Minnesota; Cathy Burton, National Association of Letter Carriers - Branch 9 Minneapolis; Dan Cain, RS Eden; Bill Chalmbach, Mental Health Resources; Kelly Chistensen, MnDOT; Loren Colman, DHS; Joe Cuoco, Supportive Living Solutions; Mary Fenske, SAM; Lynette Geschwind, MnDOT; Linda Giersdorf, MNRAA; Kate Grathwol, Vision Loss Resources; Gregory Gray, DHS; Maggie Griffitt, Spectrum Community Mental Health; Camille Groll, Accessible Space, Inc.; Julie Grothe, Guild Incorporated; Miko Gude, The Arc MN; Cheryl Gullickson, MDI; David Hancox, MCIL; John Hastings; Deb Helmke-Woeltke, Interact Center for the Visual and Performing Arts; Al Hester, St. Paul Public Housing Agency; Paul Heyl, DHS; Pam Hoopes, MDLC/MMLA; Janice Jones, MDH; Kristin Jorenby, MnDOT; Mary Kay Kennedy, ACT; Rose Keller, DHS; Dan Kitzberger, MN Coalition for the Homeless; Kim Klose, Ramsey County; Kurt Koehler, Ramsey County; Steve Larson, The ARC MN; Cindy Larson, Goodwill Easter Seals; Don Lavin, MN Employment 1st Coalition; Jennifer Lewin, Jewish Housing And Programming (J-HAP); Stefano Loverson, Vail Place; John Masiee; Rep. Sandra Masin, Minnesota House of Representatives; Barbara McCormick, Project for Pride in Living; Pam McCrea, Mains'l Services; Pat McGee; Rebecca Melang, CSH; Alicia Munson, Opportunity Partners; Stacy Myhre, DHS; Jennifer Nelson, MDHR; Steve Nelson; Bob Niemiec, MnTAT; Tim Nolan, Ramsey County Citizens Advisory Council; Kathleen O'Donnell, DHS; Daniel Olson, PCA; Linda Orrben, Mains'l Services; Wy Passo, Opportunity Services; Kim Peck, DEED; John Petroskas, DHS; Anna Randenbush, Mental Health Association; Ethan Roberts, Jewish Housing And Programming (J-HAP); Jeremy Rogness, Minnesota Emergency Communications Team; Kurt Ronzen, ARC; Jim Rooker; Dave Santelk, DHS; Bekah Satre, Arc GTC; Mimi Schafer, DEED; Jill Schewe, Care Providers of MN; Chris Schiffer, DOC; Jason Schuller, Opportunity Services; Leslie Sieleni;

Galen Smith, Adapt MN & SEIU HCMN; Dan Stewart, MN Disability Law Center; Michael Storn, GCDD; Richard Strong, DEED; Mike Tessneer, DHS; Barb Tuckner, MMB/MAD; Rosalie Vollmar, DHS; Ralph Vossberg, Achieve Services; Richard Wayman, Hearth Connection; Robyn Widley, MDE; Joan Willshire, MSCOD; Andrew Wirth, Urban Sprout

Welcome, introductions, and opening remarks

Lt. Governor Prettner Solon welcomed the subcabinet and the audience to the meeting. Subcabinet members introduced themselves.

Lt. Governor Prettner Solon opened the meeting with several remarks:

- Minnesota has long been a leader in services for people with disabilities and continues to look for opportunities to help people live as independently as possible and have choices about their lives.
- The draft Olmstead Plan carries on the work of past advocates and charts a course that ensures Minnesotans with disabilities have the opportunity to learn, work, and enjoy life in the most integrated setting desired.
- The Olmstead Plan subcabinet was created by Governor Dayton. Subcabinet agencies are collaborating to improve the way state government provides supports and services for persons with disabilities.
- The subcabinet is holding these listening sessions early in the process because we want people's help in shaping the plan. We need to know from individuals:
 - What are you expecting in the plan?
 - What are you hoping to see in the plan?
 - What are your concerns?
 - What are your suggestions?
- The subcabinet's job today is to listen carefully and be sure we understand your suggestions and concerns. We've been working very hard and we want to do the right thing and make the best plan possible, but sometimes we get locked into our own ideas and have difficulty seeing beyond them.
- The Olmstead plan is important for Minnesota: for service providers, for advocates, for families; most of all, it is important for people with disabilities.
- Based on your feedback and the input of disability experts, the subcabinet will revise its draft plan and present a final version for consideration in November.
- People can make statements to the subcabinet today. People can also submit comments [online](#).

Overview presentation

Judy Plante provided a presentation about the *Olmstead* decision and the Olmstead Subcabinet's work:

- What is an Olmstead Plan?
- Why is Minnesota preparing an Olmstead Plan?
- What was the Jensen v. DHS case about?
- Who is on the Olmstead Subcabinet?
- Development of the Olmstead Plan
- Minnesota's Olmstead Plan Goals
 - Overall goal: Minnesota will be a place where people with disabilities are living, learning, working and enjoying life in the most integrated setting.

- Olmstead Plan Topic Areas:
 - Community Engagement
 - Employment
 - Healthcare and Healthy Living
 - Housing
 - Lifelong Learning and Education
 - Supports and Services
 - Transportation

Listening session

People were asked to speak for three minutes or less to allow time for everyone who wanted to speak. Some people signed up to speak before the meeting, others signed up at the meeting. Before the close of the meeting, Lt. Governor Prettner Solon asked if anyone else wished to speak, and several individuals did.

Comments included (in order of speaker):

Joan Willshire, Minnesota State Council on Disability

- MSCOD has been working on these issues for many years. MSCOD is here to help the subcabinet in any way they can.
- The *Options Too* report in 2006 covered many of these same concerns—looking at gaps, housing, transportation, human services. Unfortunately, many of these same issues are discussed in the plan today. There should be ongoing monitoring of the plan so that it is implemented and so we're not looking at these same issues again years later.
- A big missing piece in the plan: data.
- DOC's section of the plan should be a model for other agencies.
- The current plan is too segmented—agencies must work together more towards common goals.
- Additional work should include these significant issues: competitive employment, affordable housing, transportation (especially in rural areas), collaboration with private sector, educating and engaging state employees and county workers to make sure changes happen.
- People must understand that living independently is the new norm.

Leslie Sieleni, parent & advocate

- The plan focuses too much on ages 18 and up—there must be more done to ensure integration while at school, at younger ages.
- She has seen students with disabilities be pulled out of the classroom or segregated at the back of the classroom.
- She has had to advocate on her son's behalf to ensure that he has opportunities to participate and to learn.

Steve Larson, The Arc of Minnesota

- Public dollars should be viewed as an investment.
- People with disabilities must be able to build integrated lives with services they chose and that help them attain personal outcomes.
- Two keys to accomplishing this:
 - MNCHOICES will allow for individual budgets, and move to more community supports. Minnesota should move rapidly on this.

- Programs to allow better individual control of housing, such as through Moving Home Minnesota, Housing Access Services, and other programs and initiatives. Focused efforts can achieve results.

Joe Cuoco, Supportive Living Solutions

- Concern that GRH board and lodge programs will be classified as institutions.
- These programs are not institutions—people choose these programs because they are important to their recovery, people stay for 3-6 months (not permanent).
- Congregate living is important for some people, offers structured program with people in the same situation.
- Forcing people into other settings may increase negative outcomes like relapse, ER admission, or jail.
- Courts have held that people with chemical dependency and alcoholism have a right to choose to live together.

Richard Wayman, Hearth Connection

- Fully support the housing goal, but there has to be more work on data to demonstrate achievement of this goal.
- Data should be shared with the public so that people can see whether progress is being made
- There should be a balance between housing models: scattered site (with mobile case management teams) or site-based housing.
- There should be a survey to identify how much state resources are used for the different models.
- There should be coordinated and joint goals to expand supportive housing, specifically between DHS and MHFA.

Jennifer Lewin, Jewish Housing and Programming

- Consider the continuum of need. Disability groups are clumped together in this document, but there are very divergent needs (people with HIV/AIDS, people with severe autism, people coming out of criminal justice systems).
- Good that the agencies are considering a continuum of choice. There must be a true choice, not designated choices. Make sure that people can preserve choice to live in any setting.
- Choice should not be limited to arbitrary caps.
- If people choose to live with peers, that should not be limited.
- Community integration is not the same as inclusion. Integration is about demographics; inclusion is about feeling welcome and belonging.

Ethan Roberts, Jewish Housing and Programming

- Measures that are tangible are important (ex: *I have my own lease* is a measure of independence).
- Arbitrary caps like a 25% cap on housing do not allow for good housing models. Move from arbitrary numbers and move to true choice.
- We can avoid returning to institutions like those in the Olmstead decision while still honoring choice.

Al Hester, St. Paul Public Housing Agency

- Public housing hasn't been part of discussions, but may offer insight.
- Public housing is integrated housing—people are not placed in public housing, they have choices. People have their own living space, bath, and kitchen.
- Public housing isn't the problem under *Olmstead*, and it isn't the solution. Capacity is limited, and there is a waiting list.
- Tenant-based Section 8 allows true choice of residence (with some qualifications).
- Project-based Section 8 may have some concentration of people with disabilities because of targeted funding. We think this should continue and be supplemented because it is an important option.

Matt Burdick, NAMI Minnesota

- Many of the recommendations seek a one-size fits all approach, which may not serve the needs of people with mental illness.
- Services designed from the perspectives of people with developmental disabilities have often failed to meet needs of people with mental illness.
- The plan does not include many services that are effective, such as the certified mental health peer specialist program, adult mental health rehabilitation services, and drop-in centers.
- The system must move away from a *fail first* model.

Cathy Burton, National Association of Letter Carriers - Branch 9 Minneapolis

- Carrier Alert is a program where letter carriers partner with local social service agencies—watching out for people who may need assistance.
- Letter carriers are in the community and can act as eyes and ears. Right now, some letter carrier somewhere is saving a life in America.
- Letter carriers support the subcommittee's work.

Don Lavin, MN Employment 1st Coalition

- Employment is critical gateway – it drives individual choices. All the goals of *Olmstead* connect to competitive employment.
- Despite longstanding laws like Section 504 of the Rehab Act, the ADA, IDEA, and the *Olmstead* decision, the current participation rate of people with disabilities in competitive employment is 20% nationally, and Minnesota is not much better.
- Minnesota should adopt an Employment First policy.

Linda Orrben, Mains'l Services

- Personal and professional experience: supports for people with disabilities are inflexible.
- Supports an *Olmstead* education goal—individuals leaving high school don't have many choices other than transition schools, day programs, or work programs.
- If students can learn skills (social skills, vocational skills, independent living, and academic skills) early in life, they may need less supports later.
- Funding is a priority: funding structures don't support choice.

Kurt Ronzen, ARC of Minnesota

- Remember that not everyone fits in the same box—each person should be looked at separately, and then we help that person any way we can.
- Supports at the right time, when younger, helped him to succeed. 25 years ago, he would have been sent to a state hospital—now, he has services as an individual.
- We have to recognize the individual as separate.

Daniel Olson, PCA

- Other speakers aren't addressing the experiences that his clients and he goes through every day: treated as a fraud by the system, spoken to disrespectfully, waiting for a long time on the phone.
- It's fine to talk about the grand scope, but look at experiences on the ground—look at how hard it is to even get the basic services.

Mary Kay Kennedy, ACT

ACT administers a statewide network of self-advocacy groups, SAM. The group met recently met to talk about Olmstead, and gave ten recommendations:

1. People are excited to learn more and be leaders in these changes.
2. People with developmental disabilities may need different accommodation than people with physical or sensory disabilities.
3. Graphic facilitation of meetings would be helpful—so it's not all text.
4. Informed choice can be challenging if people have very limited life experiences—it's not enough to just tell people what options are.
5. Peer support is important.
6. Person-centered planning is a priority. It should be unlinked from service provider because of potential conflict of interest.
7. Employment options are priorities—people want options to leave sheltered workshops.
8. People are excited about unlinking transportation service from other service providers.
9. Students need messages of empowerment at an early age.
10. People should have control of their own budget and own money.

Dan Stewart, Minnesota Disability Law Center

- Looking in particular at transition age students: We need to ensure that transition aged students have opportunities to be fully integrated in community, in higher ed and employment especially.
- Key: ensure informed choice.
- Concerned that MDE focused on 18-21 year olds. Transition should begin at 9th grade (around 14 years old). DHS & DEED look at 14-21, so should MDE.
- Yearly goals in the plan are not high enough.
- Segregated placements at an early age can sometimes funnel people to segregated employment later—we need to stop that trend.

Pam Hoopes, Minnesota Disability Law Center

- Minnesota should adopt an Employment First policy.
- Data should be collected on different types of employment settings, and the plan should address how that data will be collected.
- Data should be reported to the public on an annual basis to show whether efforts are successful.

- For all of plan: set goals and timetables, including:
 - The number of transition-age students who enter postsecondary education should increase by a minimum of 10% a year each year for the next five years.
 - The number of transition-age students who enter into integrated competitive employment in the community should increase by a minimum of 10% a year each year for the next five years.
 - The number of providers who offer specialized services to support employment of individuals with a mental illness should increase by at least 10% a year each year over the next five years.
 - The number of adults who enter into integrated competitive employment in the community should increase by a minimum of 10% a year each year for the next five years.

Tim Nolan, Ramsey County Community Action Council

- Is very concerned about a neighbor who had an accident after a ride on Metro Mobility.
- Transit drivers may not have enough training or people skills.
- Metro Mobility drivers are not compensated as much as other Metro Transit drivers.
- Heroin is a significant problem in our community.

Galen Smith, Adapt MN

- People with disabilities are not present enough in the plan. Every department needs to figure out where people with disabilities are leading the program—people with disabilities should be in front.
- The important thing is to think of the real people and real lives that are affected by government services—this is about freeing people from isolation, freeing people from being held back.
- As long as there is an institutional bias in Medicaid, there is no real choice.
- People are forced into poverty to get needed services.
- The subcommittee has an opportunity to create a legacy; be brave and bold.

Chris Bell

- Looking at individual level and systems level are both needed.
- The system must be turned upside down so that it is no longer based on the assumption that people with disabilities need to be taken care of.
- True integration means being able to make decisions, to get information without jumping through hoops.

Jeremy Rogness, Minnesota Emergency Communications Team

- Leads a nonprofit dealing with emergency communications & disaster relief, with subspecialty of disability support.
- An example of how services can change with input from individuals: It may be better to equip someone with a generator in their home rather than try to transport them elsewhere.

Dan Cain, RS Eden

- Olmstead is not about integration, it's really about choice & about people being able to take control of their own lives.
- Don't overreach in making changes, don't eliminate good services.
- The 25% cap on housing limits choice.
- People may choose to live in sober housing—don't limit that as part of Olmstead Plan.

Closing comments

Lt. Governor Prettner Solon offered subcabinet members an opportunity to comment:

- Commissioner Roy thanked the speakers for their comments and noted that it is very valuable to hear from people who are impacted by government decisions.
- Roberta Opheim also thanked the speakers, and added that it is important that government officials hear stories from real citizens about the challenges of navigating complex systems. She encouraged people to share information about the upcoming listening sessions.

The Lt. Governor thanked all of the speakers and audience at today's meeting. In particular, she recognized individuals with disabilities who have been strong advocates for integration and independence, including Chris Bell and Rick Cardenas.

Materials available at the meeting

- [Olmstead Plan overview document](#)
- [Olmstead PowerPoint presentation](#)

Other listening sessions

- Friday, August 2 in Moorhead
- Tuesday, August 13 in Duluth
- Monday, August 19 in Rochester

Details are at the [Olmstead Plan website](#).

Notes submitted by: Beth Bibus, Management Analysis & Development, Minnesota Management & Budget