

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

James and Lorie Jensen, as parents,
Guardians and next friends of Bradley J.
Jensen, et al.,

Civil No. 09-1775 (DWF/FLN)

Plaintiffs,

v.

Minnesota Department of Human Services,
an agency of the State of Minnesota, et al.,

Defendants.

Minnesota Olmstead Sub-Cabinet Report to the Court

**STATUS UPDATE
March 1, 2014 – April 30, 2014**

Report Number 2

June 20, 2014

Olmstead Sub-Cabinet

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I. PURPOSE

On January 22, 2014 the Court provided the following direction for updating the status of the Olmstead Plan implementation:

“The State of Minnesota shall file its first update, including any amendment to the Olmstead Plan and a factual progress report that shall not exceed 20 pages, within 90 days of the date of this Order. The Court expects the parties 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. The Court needs to be in a better position to evaluate whether the Settlement Agreement is indeed improving the lives of individuals with disabilities, as promised and contemplated by the Settlement Agreement itself.

As the Court ordered on August 28, 2013, updates to the Olmstead Implementation Plan shall include activities undertaken pursuant to the Plan, documentation of such activities, and any requests for modification of the Plan’s deadlines or other elements.

The State of Minnesota shall file a revised Olmstead Plan on or before July 15, 2014, after first providing a draft to the Court Monitor on or before July 5, 2014.

This Court respectfully directs that the Olmstead Subcabinet use all of its combined resources and talents to implement the Olmstead Plan. Further, the Court respectfully directs that the Olmstead Subcabinet cooperate, communicate, and work with the Court Monitor. The Court expects the Olmstead Subcabinet to discuss ongoing implementation with the Court Monitor, as well as the Executive Director of the Governor’s Council on Developmental Disabilities and the Ombudsman for Mental health and Development Disabilities, on a 60-day report system, with feedback and communication between all parties, so that true progress can be realized in the lives of the individuals with disabilities intended to benefit from the Settlement Agreement and so their lives can truly be significantly improved.”

The Olmstead Implementation Office has adopted this schedule to report to the Sub-Cabinet, Court Monitor, Court and the public on the status of work being done by state agencies to implement the Plan. Each bi-monthly report will cover action items that were to be completed for a two month period as noted on the cover page of each report. Additionally, a preview of activities associated with action items for the following four months is included to inform on progress and potential issues. This report provides status updates on Olmstead Plan action items with deadlines in March and April 2014. Additional information is provided on action items with deadlines through August 31, 2014.

Proposed Modifications to the Olmstead Plan

In accordance with the August 28, 2013 and January 22, 2014 orders from the Court, proposed modifications were submitted to the Court Monitor for review and approval. Approved modifications and six modifications pending approval were reviewed by the Subcabinet on June 9, 2014. The Subcabinet adopted the approved modifications and provisionally adopted the six modifications pending

approval of the Monitor. The Plan with approved modifications will be submitted to the Court Monitor no later than July 5, 2014 and to the Court no later than July 15, 2014.

The Olmstead Subcabinet continues to be committed to listening to the community and working to incorporate the feedback provided into the Olmstead Plan. The Subcabinet held four listening sessions to hear feedback on the proposed modifications to the Olmstead Plan and any other concerns regarding the implementation of the Plan. These sessions took place during April and May in St. Paul, Mankato, Bemidji and Duluth. For those who were unable to attend one of the listening sessions, options were available to submit comments via email or an electronic feedback form located on the Olmstead webpage.

II. OLMSTEAD PLAN IMPACT ON LIVES OF INDIVIDUALS

The data in this section is intended to provide measures of progress toward improving people's lives to the Subcabinet, state agencies, the public and the Court. Much of the Olmstead Plan talks about processes and the way services are delivered and are necessarily monitored to insure progress. But to truly determine actual progress it is important to look at the impact of these changes to people's lives. Qualitative and quantitative data will be available once the quality of life assessments begin.

On January 22, 2014 the Court directed the following: *"The Court expects the parties 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"*

Individuals Moving from Segregated to Integrated Settings

The number of individuals moving from segregated to integrated settings is included in [Exhibit 2-1](#). Below is summary information for March and April 2014 (unless otherwise noted)¹:

- 0 individuals from MSHS-Cambridge,
- 38 individuals under age 65 with stays longer than 90 days from nursing facilities (March only)
- 11 individuals from Intermediate Care Facilities for Persons with Developmental Disabilities (ICF/DD) (March only)
- 39 individuals from the Anoka Metro Regional Treatment Center (AMRTC)
 - Admissions = 62; Deaths = 0; Average daily census = 108
- 14 individuals from the Minnesota Security Hospital (MSH)
 - Admissions = 26; Deaths = 0; Average daily census = 365

¹ Data source for this information provided reliable data for the month of March only. The next bi-monthly report will include two months of data.

Wait List Information for April 2014

Wait list information is included in [Exhibit 2-1](#). Below is summary information for April:

Number of individuals on the Disability waivers² wait list

- 3,561 for the DD waiver
- 1,359 for the CADI, CAC, and BI (CCB) waivers

Persons starting waiver services

- 30 started under the DD waiver
- 98 started under the CADI, CAC, and BI (CCB) waivers

Number of persons moving off wait lists

- 48 from DD waiver wait list
- 17 from CADI, CAC, and BI (CCB) waivers wait list

Quality of Life Assessments

The status of the Quality of Life measurement required in the Plan is addressed in the next section under [Quality Assurance and Accountability](#) action item QA 1A.

As referenced in the April 22, 2014 report, a modification request requiring a qualitative measurement process was submitted to the Court Monitor. This request was approved and is incorporated into the draft modification to the Plan to be submitted to the Court Monitor and Court in July.

² DD = Developmental Disabilities; CCB = Community Alternatives for Disabled Individuals, Community Alternative Care and Brain Injury

III. OLMSTEAD PLAN ACTION ITEMS STATUS UPDATE

The purpose of this section is to report the status of action items under each topic area that are due during this reporting period. Additional information includes follow up to items due in previous months and a preview of items due in the next four months.

ITEMS DUE IN MARCH AND APRIL 2014

QUALITY ASSURANCE AND ACCOUNTABILITY

QA 1A – By March 31, 2014 the state will select a set of quality of life outcome indicators and contract with an independent entity to conduct annual assessment of the quality of life measures listed above.

Status: The State selected a set of quality of life outcome indicators by March 31, 2014. On April 21, 2014 the Subcabinet approved the Olmstead Implementation Office (OIO) to secure a provider to implement the first phase of the Quality of Life survey. The contract was initiated on May 20, 2014. The pilot study is to be conducted by December 31, 2014. See [Exhibit 2-2](#).

EMPLOYMENT

EM 2A – By March 31, 2014 an Employment Community of Practice will be formed to identify promising and non-traditional practices and approaches and partnerships that lead to successful employment outcomes and to discuss strategies that adopt Employment First principles, informed choice and support of job seekers who choose to work.

Status: The Employment Community of Practice also referred to as the Employment Learning Community was formed and had their first meeting on January 17, 2014. Monthly meetings continue. Current work includes targeted recruitment of members with disabilities, drafting a charter to guide mission, vision, principles, assumptions and project scope. See [Exhibit 2-3](#).

EM 3A – By March 1, 2014 enhanced Person Centered Planning training components will be offered to assure employment-planning strategies and Employment First principles are understood and incorporated into the tools and planning process.

Status: The March 31, 2014 deadline was not met. In evaluating the training, it was discovered that the training module on person centered planning did not adequately address employment-planning strategies and Employment First principles. An addition to the training module has been identified. It is projected that by August 31, 2014 the enhanced person centered planning training components will be offered. A request to modify the plan has been submitted to the Court Monitor.

HOUSING

HS 5A - By March 31, 2014 establish a baseline and set annual goals to increase the number of counties providing Individualized Housing Options (thereby increasing the number of persons in Individualized Housing Options).

Status: 14 of 87 counties participated in data gathering related to Individualized Housing Options. Three of the counties currently participating, report that 162 people have received specialized Individualized Housing Options services as a direct result of a Request for Proposal (RFP)/Request for Information (RFI). Goals have been set to increase the use of Individualized Housing Options over the next three years. A request to modify the Plan regarding measurement has been submitted to the Court Monitor. See [Exhibit 2-4](#).

TRANSPORTATION

TR 2A – By March 31, 2014 community members will be convened by DHS to identify access issues and determine strategies to improve access and flexibility.

Status: Agencies and stakeholders convened a forum on March 26, 2014 to discuss transportation issues with community members. The [Olmstead Transportation Forum Final Report](#) is posted on the MnDOT website at www.dot.state.mn.us/ada/pdf/olmstead/olmstead-transportation-forum-report.pdf.

TR 2B – By March 31, 2014 develop a plan to work with transit providers to improve access and flexibility of transportation to meet the goal.

Status: The March 31, 2014 deadline was not met. On April 31, 2014 agencies met with transit providers to present an overview of the Olmstead Plan. This presentation provided information to help providers develop more robust applications to incorporate into the Greater Minnesota Transit Investment Plan to be updated in 2015. See [Exhibit 2-5](#).

TR 4A – By March 31, 2014 initiate discussions with Minnesota Council on Transportation Access (MCOTA) on how the MCOTA work plan can help achieve the Olmstead transportation goal.

Status: The March 31, 2014 deadline was not because the March meeting was cancelled due to lack of agenda items. On April 22, 2014 discussions began. Discussions will continue at their next meeting to be held in June. See [Exhibit 2-6](#).

SUPPORTS AND SERVICES

SS 2B – By March 31, 2014 new community based services will be available for people with disabilities as an alternative to MSHS-Cambridge.

Status: By March 31, 2104 new community based services were available for people with disabilities as an alternative to MSHS-Cambridge. The first admission occurred on March 4, 2014.

SS 4A – By April 1, 2014 the state will replace the personal care assistance (PCA) program with a more flexible personal support service, with an emphasis on self-direction, called Community First Services and Supports (CFSS).

Status: The April 1, 2014 deadline was not met. The initial request was submitted to Centers for Medicaid/Medicare Services (CMS). The CMS response required the Department to complete additional steps that were not anticipated when the initial due date was set. It is anticipated that within 30 days of CMS approval, the State will establish an implementation plan including specific actions, measurable goals, and timelines. A request for modification for this action item has been submitted to the Court Monitor for consideration.

LIFELONG LEARNING AND EDUCATION

There were no action items due for this topic area during this reporting period.

HEALTHCARE AND HEALTHY LIVING

HC 2A – By March 31, 2014 develop a plan to ensure that health messaging is targeted to people with all types of disabilities; adopt timelines and measures to ensure ongoing progress.

Status: The deadline of March 31, 2014 was not met. A request for modification for this action was submitted to the Court Monitor and approved. The new deadline was set for May 31, 2014. The full project plan was completed by May 31, 2014. See [Exhibit 2-7](#).

COMMUNITY ENGAGEMENT

There were no action items due for this topic area during this reporting period.

FOLLOW UP TO ITEMS DUE IN PREVIOUS MONTHS

This section includes status updates and follow up to action items that were due in previous months.

QUALITY ASSURANCE AND ACCOUNTABILITY

QA 3C - By December 1, 2013 the subcabinet will establish an Olmstead Implementation Office that will report to the Olmstead Subcabinet.

Status Update: Executive Director, Dr. Darlene Zangara began work with the Olmstead Implementation Office (OIO) on May 5, 2014. Two staff from the interim office remains on

board while Dr. Zangara transitions into this position. One staff member is full time through July 1, 2014 and the other is part time. During the 2014 legislative session, \$500,000 was approved for the Olmstead Implementation Office for fiscal year 2015. The Legislature additionally approved a base appropriation of \$875,000 for fiscal years of 2016 and 2017. During the 2015 legislative session, the Legislature intends to review the funding levels provided for the Olmstead Implementation Office to ensure the amounts sufficient to comply with the obligations imposed by the court's order are appropriated in fiscal years 2016 and 2017.

PREVIEW OF ITEMS DUE IN NEXT FOUR MONTHS

A preview of Olmstead Plan action items that are due from May 1, 2014 through August 31, 2014 are included in [Appendix 2-A](#).

IV. ACTIONS TAKEN BY SUB-CABINET

The Olmstead Implementation Office presented recommendations for approval by the Subcabinet. The actions taken are summarized below:

Bi-monthly Status Report

- On June 9, 2014 the Subcabinet provisionally approved the bimonthly status update contingent on restructuring the report for clarity and additional exhibits for action items due in March and April.
- On June 19, 2014 the Subcabinet unanimously approved the bimonthly status update with the structural changes and the inclusion of exhibits.

Modification of the Olmstead Plan

- On June 9, 2014 the Subcabinet unanimously approved the modifications previously approved by the Court Monitor
 - The Subcabinet provisionally approved the six modifications pending approval by the Court Monitor.

V. INDEX OF APPENDICES AND EXHIBITS

<u>Appendix 2-A</u>	Preview of Action Items for May – August 2014
<u>Exhibit 2-1</u>	Individuals Moving from Segregated to Integrated Settings
<u>Exhibit 2-2</u>	QA 1A - Quality of Life Contract
<u>Exhibit 2-3</u>	EM 2A - Employment Community of Practice Meeting Minutes
<u>Exhibit 2-4</u>	HS 5A - Individualized Housing Options Baseline
<u>Exhibit 2-5</u>	TR 2B - Transit Plan
<u>Exhibit 2-6</u>	TR 4A - MCOTA Meeting Minutes
<u>Exhibit 2-7</u>	HC 2A - Health Messaging Project Plan

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APPENDIX 2-A: PREVIEW OF ACTION ITEMS FOR MAY–AUGUST

Key to abbreviations used in Grid:

TOPIC AREAS

CE = Community Engagement

ED = Lifelong Learning and Education

EM = Employment

HC = Healthcare and Healthy Living

HS = Housing

OV = Overarching Strategic Actions

QA = Quality Assurance and Accountability

SS = Supports and Services

TR = Transportation

RESPONSIBLE AGENCY

DEED = Department of Employment and Economic Development

DHS = Department of Human Services

DOC = Department of Corrections

MDE = Minnesota Department of Education

MDH = Minnesota Department of Health

MDHR = Minnesota Department of Human Rights

MHFA = Minnesota Housing Finance Agency

MnDOT = Minnesota Department of Transportation

OIO = Olmstead Implementation Office or Sub-Cabinet

Appendix 2A - Preview of Action items for May – August 2014

Topic Area	Action #	Deadline	Brief Description of Action	Responsible Agency	Page #	Narrative of Current Status and Next Steps
EM	3E	June 1, 2014	Establish an Employment Practice Review Panel to discuss issues and successes at the individual level to facilitate action and identify policy changes	DEED, DHS, MDE, with MDHR	37	Panel members were identified by March 31, 2014. Additional members representing persons with disabilities and providers will need to be added to the member list. Initial meeting held on April 29, 2014. Next meeting is scheduled for June 3, 2014.
QA	2A	June 30, 2014	Establish Olmstead dispute resolution process	Subcabinet	28	The OIO is working on developing a dispute resolution process guided by the components outlined in the plan. OIO has identified representatives and agencies as stakeholders to begin collecting input, gather information about their existing dispute resolution/grievance processes and experiences as well as recommendations for an OIO dispute resolution process. Potential challenges for a dispute resolution process were also identified. Some input from stakeholders about the process included: a neutral entry point is needed; service must be accessible and available statewide; utilize consumer advocates in the process; and adequate training on the process will be needed. Consideration is being given to modification of this action item.
EM	1A	June 30, 2014	Baselines & goals set for increased employment of transition-age students	DEED, DHS, MDE	33	Data from the 2013 Minnesota Post School Outcome survey has been reviewed. The Special Educator's Employment First Summit was held on April 11, 2014. Ninety four individuals from twelve local education agencies attended. Teams heard about Minnesota's Olmstead Plan, learned best practices in the areas of DB101, family engagement and Person Centered Employment Planning. Each team is working on a Results-Based Implementation Framework outlining specific action steps and timelines. Members of the Employment First Coalition will review the plans and list technical assistance themes that emerge. Synthesis of these strategies to be completed by June 30, 2014.

Topic Area	Action #	Deadline	Brief Description of Action	Responsible Agency	Page #	Narrative of Current Status and Next Steps
EM	1B	June 30, 2014	Establish a baseline for measuring how many students with disabilities have at least one paid job before graduation; establish goals for annual progress.	DEED, DHS, MDE	33	Representatives from DEED, DHS and MDE met April 22, 2014 to discuss collection of data for this baseline. There is currently no comprehensive data collection system for reporting on paid work experiences for youth with disabilities. Each agency will be gathering data and the group will reconvene to review and discuss next steps on May 20, 2014.
EM	1G	June 30, 2014	Baselines & goals set for increased employment of adults with disabilities	DEED, DHS, MDE	34	Priorities for data collection have been identified as Employment Type/Work Setting (DTH, Crew, Competitive Employment, Self-Employed); Employer of record (Provider or employer); Hourly Wage; Number of hours worked per week. Existing data resources have been identified and will be used to set baseline. Once baseline is established, goals will be set and feedback will be solicited from persons with disabilities and other stakeholders.
EM	1H	June 30, 2014	Establish plan for rule change to cap enrollment for non-integrated and subminimum wage programs	DEED, DHS, MDE	34	Rule change in process. Governor's office has approved moving ahead with rulemaking process. Notice of intent to be published June 20, 2014. Initial group meeting to be held June 25, 2014. Preliminary rule making schedule to be finalized by June 30, 2014.
EM	3H	June 30, 2014	Promote the business case for hiring people with disabilities; align supports and services with business needs	DEED, DHS, MDE, with MDHR	37	VRS continuing to work on outreach to businesses. A sharepoint site is being developed for the purpose of collecting, cataloging and archiving informational materials. December 31, 2014 goal for launch of a public web portal to be used as a single point of entry for system wide information about disability and employment.
EM	3I	June 30, 2014	Provide information about effective employment strategies that make competitive employment possible for individuals with complex and significant disabilities.	DEED, DHS, MDE, with MDHR	37	Working with employment learning community and others to identify priorities, by April 15, 2014. Research and compile existing sources of information, April 30, 2014. Develop plan for sharing information May 15, 2014. Gather feedback from people with disabilities and other stakeholders, June 15, 2014. Finalize plan by June 30, 2014. One approach to information sharing is being developed with the Metro County Employment Workgroup. There may need to be additional approaches developed with rural groups as their needs may be different, it is unclear at the time of this report if this is being discussed.

Topic Area	Action #	Deadline	Brief Description of Action	Responsible Agency	Page #	Narrative of Current Status and Next Steps
EM	3K	June 30, 2014	Information on employment in the most integrated setting is available for individuals, families, schools, service providers and businesses	DEED, DHS, MDE, with MDHR	37	New suite of informational materials for transition students, families and counselors has been developed. Presentations will be available by June 30, 2014. August 31, 2014 is the target set for completion of a web update targeted to youth and young adults as well as a transition orientation video. September 30, 2014 is the target date for publication of third autism/employment booklet for families of individuals with autism spectrum disorders.
TR	4B	June 30, 2014	Report to subcabinet on MCOTA's work plan alignment with Olmstead plan	DHS, MnDOT	50	Develop 2015 MCOTA work plan incorporating Olmstead – April – July 2014. Approve 2015 plan August 2014.
ED	1A.1	June 30, 2014	School districts will report summary data on their use of restrictive procedures (annual report)	MDE	59	On February 28, 2014, MDE submitted " A Report on Districts' Progress in Reducing the Use of Restrictive Procedures in Minnesota Schools " to the Legislature. Changes to §125A.0942 have been submitted and are awaiting legislative action. MDE will continue to convene the stakeholder group to review data and discuss the use of restrictive procedures in schools.
ED	1B	June 30, 2014	Develop and maintain lists of training programs and experts to help individualized education program teams reduce the use of restrictive procedures.	MDE, DHS	59	A revised list of training programs to reduce the use of restrictive procedures is being developed by June 30, 2014. An additional list of experts that may be potential resources for districts is being developed for posting on the MDE website by June 30, 2014.
ED	1C	June 30, 2014	Establish a process for school districts so students with complex disabilities can access crisis services	MDE, DHS	60	Establish a stakeholder group including agencies, organizations, crisis service providers, parents, consumers and consumer advocates. Determine what crisis services are available and what can be built on/changed, by February 20, 2014. Establish triage with external resources, with standardized guidelines and protocols for working in schools, March 14, 2014. Develop expectations for consistency. Review service needs, April 16, 2014. Review plan progress, May 22, 2014. Collect data comparing external crisis utilization to seclusion restraint data to guide future practice. Report to Sub-Cabinet June 30, 2014.
ED	5A	June 30, 2014	Review data on students and develop prototype reintegration plans to transition students to more integrated settings	MDE, DOC	61	Review data and evaluate for planning, April 7, 2014. Begin investigation of current integration plan used by districts, states, counties, April 20, 2014. Develop prototype using data and potential examples, May 15, 2014.

Topic Area	Action #	Deadline	Brief Description of Action	Responsible Agency	Page #	Narrative of Current Status and Next Steps
HC	2C	June 30, 2014	Develop plan to improve access to dental services for MHCP recipients	DHS	65	Completed dental study submitted to legislature, February 2014. Internal DHS review of findings and identify actions based on study results, May 30, 2014. Circulate plan for approval to be submitted to 2015 legislative session, June 30, 2014.
QA	1B	July 1, 2014	Identify the survey instrument that will establish a baseline and allow ongoing evaluation of quality of life outcome indicators.	Subcabinet	28	The survey instrument was approved by the Subcabinet on April 21, 2014.
EM	2B	July 1, 2014	Convene Interagency Employment Panel using Employment First principles to align policy and funding	DEED, DHS, MDE	35	Panel members have been appointed by the Commissioners of DHS, DEED and MDE. MDHR representative is in progress. First meeting scheduled for May 23, 2014.
EM	3M	July 1, 2014	Establish an outreach plan for families regarding competitive employment and individual benefits	DEED, DHS, MDE, with MDHR	37	Establish outreach priorities by April 15, 2014. Review previously obtained stakeholder feedback. Draft proposal for outreach plan by April 30, 2014. Gather additional feedback from people with disabilities and other stakeholders, May 31, 2014. Incorporate stakeholder feedback, June 15, 2014. Finalize outreach plan, June 30, 2014.
SS	3C	July 1, 2014	Create an inventory and analysis of policies and best practices across state agencies related to positive practices and use of restraint, seclusion or other practices which may cause physical, emotional, or psychological pain or distress	DHS, MDE, DEED	55	At the April meeting of the Subcabinet this action item was reassigned to those agencies providing direct services, DHS, MDE and DEED.
SS	3D	July 1, 2014	Report outlining recommendations for a statewide plan to increase positive practices and eliminate use of restraint or seclusion	DHS, MDE, DEED	55	At the April meeting of the Subcabinet this action item was reassigned to those agencies providing direct services, DHS, MDE and DEED.
SS	3E	August 1, 2014	Statewide, develop a common definition of incidents (including emergency use of manual restraint), create common data collection and incident reporting process.	DHS, MDE, DEED	55	At the April meeting of the Subcabinet this action item was reassigned to those agencies providing direct services, DHS, MDE and DEED.

Topic Area	Action #	Deadline	Brief Description of Action	Responsible Agency	Page #	Narrative of Current Status and Next Steps
SS	3I	August 1, 2014	Develop and implement a coordinated triage and "hand-off" process across mental health services and home and community-based long-term supports and services	DHS	55	Identify participants for the development of plan including consumer advocates, consumers, family members and other interested stakeholders, February 15, 2014. Develop a common language to refer to crisis, emergency and other related events. Clarify the groups that this triage and handoff service will be designed to serve, meeting set for March 6, 2014. Identify similar services that already exist. Explore the use of current services as a mechanism of service delivery rather than creation of new service. March 20, 2014. Logistics of service, May 27, 2014. Submit plan to Olmstead Subcabinet identifying current implementation activities, proposed plans and recommendations on or before August 1, 2014.
TR	3A	August 31, 2014	Complete MnDOT ADA Transition Plan, including Olmstead principles	MnDOT	49	First draft of updated transition plan available May 1, 2014. Public involvement and feedback period June – mid-July 2014. Revisions to the plan incorporating stakeholder feedback, August 2014. Publication of revised plan August 2014.

**EXHIBIT 2-1: NUMBER OF INDIVIDUALS MOVING FROM
SEGREGATED TO INTEGRATED SETTINGS**

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Exhibit 2-1: Number of Individuals Moving from Segregated to Integrated Settings**NUMBER OF INDIVIDUALS MOVING FROM SEGREGATED TO INTEGRATED SETTINGS**

Action	Setting	# of individuals who moved to integrated settings	
		11/1/13 to 2/28/14	3/1/14 to 4/30/14
SS 2B	MSHS – Cambridge	3	0
SS 2C	Nursing Facilities under age 65 - stay longer than 90 days	170 172 (125 on MA) Revised May data ¹	March: 26 on MA
SS 2C	ICF/DDs ²	25 28 Revised May data	March: 11
SS 2D	Anoka Metro Regional Treatment Center (AMRTC)	51 discharged 34% do not meet hospital level of care and await discharge	39 discharged 33% do not meet hospital level of care and await discharge Admissions: 62 Deaths: 0 Average daily census: 108
SS 2F	Minnesota Security Hospital (MSH)	33 discharged ----- 41 are in a stage of the discharge process 76 % have been in their stage of discharge for 180 days or less 24% have been in their stage of discharge for more than 180 days ----- 0 readmissions within 6 months of discharge	14 discharged ----- 60 discharges in progress 77% in their stage of discharge for 180 days or less 23% in their stage of discharge for more than 180 days ----- 0 readmissions Admissions: 26 Deaths: 0 Average daily census: 365

¹ Medical Assistance billing databases are being used to track these items. Variations from month to month may be due to billing and accounting practices.

² Intermediate Care Facilities for Persons with Developmental Disabilities

WAIT LIST INFORMATION

The information below is taken from the data that is currently available. The Olmstead Plan requires that by September 30, 2014, DHS will report to the Olmstead Subcabinet, recommendations on how to improve processes related to home and community-based supports and services waiting list. The proposal to submit to the subcabinet will include recommendations for collection, analysis of data necessary to measure progress in the wait list moving at a reasonable pace.

Disability Waiver³	March 2014	April 2014
	# of recipients on waivers	
DD	15,279	14,206 ⁴
CCB	18,930	17,668
	# of persons on wait lists	
DD	3,563	3,561
CCB	1,355	1359
	# of persons starting waiver services	
DD	39	30
CCB	215	98
	# of persons moving off wait list⁵	
DD		48
CCB		17

³ DD = Developmental Disabilities; CCB = Community Alternatives for Disabled Individuals, Community Alternative Care and Brain Injury

⁴ Medical Assistance billing databases are being used to track these items. Variations from month to month may be due to billing and accounting practices.

⁵ It is important to note that a person with urgent need does not go on a waiting list but goes directly to receiving waiver services.

EXHIBIT 2-2: QA 1A – QUALITY OF LIFE CONTRACT

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Management
Analysis
& Development

MAD Project Number: 2014-116 INTERAGENCY AGREEMENT for MANAGEMENT ANALYSIS & DEVELOPMENT SERVICES

Financial Agency: Minnesota Housing Finance Agency

MAD Contact: Renda Rappa

Accounting Information: Business Unit – G1001, Financial Dept ID – G1031500, APPRID – G100085, Fund – 5200, Accounts - 670011.

Agency:	Fiscal Year:	Vendor Number: ID G100000000, Location 001
Total Amount of Contract: \$89,870.00	Amount of Contract First FY:	
Commodity Code: 80101500	Commodity Code:	Commodity Code:
Account Code:	Account Code:	Account Code:
Amount:	Amount:	Amount:

Accounting Distribution 1:	Accounting Distribution 2:	Accounting Distribution 3:
Fund:	Fund:	Fund:
Appr:	Appr:	Appr:
Dept ID:	Dept ID:	Dept ID:
Account Code:	Account Code:	Account Code:
Amount:	Amount:	Amount:

Processing Information: (Some entries may not apply.) Begin Date: _____ End Date: _____

Contract: _____
 Number/Date/Entry Initials

Order: _____
 Number/Date/Signatures
*[Individual signing certifies that funds
 have been encumbered as required by
 Minn. Stat. §§16A.15 and 16C.05]*

This is an agreement between the Minnesota Housing Finance Agency (Financial Agency) and Minnesota Management & Budget, Management Analysis & Development (Division).

1. Services to be Performed:

The Division agrees that through its Master Contract with The Improve Group the Division will sub-contract with The Improve Group to provide the services and/or perform the tasks identified in Attachment A, dated April 15, 2014, titled Olmstead Plan Quality of Life Survey Pilot Proposed Scope of Work, which is incorporated and made part of this agreement.

2. Contacts:

The following persons will be the primary contacts for all matters concerning this agreement.

Management Analysis & Development: Renda Rappa

Financial Agency: Tonja Orr, MHFA

Project Implementation: Olmstead Implementation Office

3. Consideration and Terms of Payment:

In consideration for all services performed and materials provided, the Financial Agency agrees to pay the Division on behalf of the Olmstead Implementation Office as follows:

Up to 585 hours at a rate of \$100-\$225 per hour as identified in Attachment A for services provided by The Improve Group. The Division will also invoice up to \$8,170 for project management as documented by invoice and prepared by the Division. The total amount the Division will invoice under this agreement shall not exceed \$89,870. The Division will cover all travel expenses incurred by The Improve Group. In the event of any rate changes effective July 1, 2014 this agreement will need to be amended to cover all hours worked from July 1, 2014, forward.

The Financial Agency will pay the Division for services performed within 30 days of receipt of invoices submitted by the Division. The invoices will be submitted according to the following schedule:

Payment to be requested by invoice based on service performed by the Division in the previous month, with cumulative payments not to exceed the total agreed amount listed above.

4. Effective Dates:

This agreement is effective May 20, 2014, or when all necessary approvals and signatures have been obtained pursuant to MN Stat. 16C.05 subd. 2, whichever occurs later, and shall remain in effect until December 31, 2014, or until all obligations have been satisfactorily fulfilled, whichever comes first.

5. Cancellation:

This agreement may be canceled by the Financial Agency or the Division at any time with thirty (30) days written notice to the other party. In this event, the Division shall receive payment on a pro rata basis for the work performed.

6. Financial Agency's Authorized Agent:

The Financial Agency's authorized agent for the purposes of this agreement is Tonja Orr, Assistant Commissioner. This person shall have final authority for accepting the Division's services and if the services are satisfactory, will certify this on each invoice submitted as part of number 3.

7. Interagency Agreement Authorization:

Pursuant to Minnesota Statutes, Sections 16A.055 Subd. 1a.; 43A.55 Subd. 2.; and 471.59, the Division is authorized to enter into this agreement.


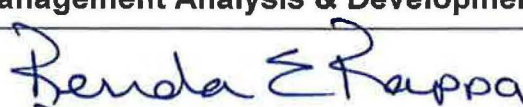
8. Amendments:

Any amendments to this agreement will be in writing and will be executed by the same parties who executed the original agreement, or their successors in office.

9. State Audit:

The books, records, documents, and accounting practices and procedures of the Division relevant to this agreement, shall be subject to examination by the Financial Agency and either the Minnesota Legislative Auditor or State Auditor, as appropriate, for a minimum of six years.

Approved:

1. Financial Agency	2. Management Analysis & Development
By:  Title: Commissioner, MN House Finance Agency Date: 5/20/14	By:  Title: Business Manager Date: May 16, 2014

ATTACHMENT A

Olmstead Plan Quality of Life Survey Pilot Proposed Scope of Work

April 15, 2014

Using insights shared by David Thompson, Colleen Wieck, and Mike Tessneer at our meeting earlier this month, and lessons learned from other studies we have done across Minnesota, focusing on quality of life issues, and with people with disabilities, we developed a proposed scope of work for the Olmstead Quality of Life Survey Pilot. The following provides a list of assumptions and suggestions for the scope of work. A budget table follows that provides some detail about the costs for the project.

1. An advisory group could strengthen the pilot by providing insights about the recruiting, administration and interpretation of data. We would like to thoughtfully engage an advisory group of 6-10 people in up to four meetings. We would invite people with disabilities and advocates to serve on this advisory group. We hope that the Olmstead Implementation Office could also provide a representative to serve on the advisory group.
2. We recognize that the Subcabinet wants representation across multiple settings, geographic locations, disability populations, and demographic populations. There will be an inherent need to balance getting the most diverse respondent pool possible with the need to reach as many participants as possible. Throughout the process, we will engage the advisory group to help guide the sample selection process.
3. We will work with an independent Institutional Review Board, and have included these fees in our budget.
4. By collaborating with the survey developer, Jim Conroy, we can finalize the survey instrument with the Minnesota context in mind (with particular attention to the demographic questions) and make sure we collect data in a way that can be compared to national results. We hope to meet with him early in the pilot project and once or twice throughout administration as we are learning about people's reactions to different questions.
5. By recruiting, training and supporting individuals with disabilities to administer the survey, we can gain multiple advantages: (1) to embody the value of "by us, for us"; (2) to help authenticate our interpretations of the data and instrument; and (3) to increase the total number of surveys we can conduct. If possible, we hope to connect with people with disabilities who have prior survey administration experience for the work. Each trained administrator will earn a stipend of \$2,250.
6. Each survey will take an average of three hours to complete, when the invitation, consent, early conversations about accommodations, travel to the person's preferred location, conducting the survey, and recording both results and reflections on the survey process are considered. We used this time when calculating the budget. However, we do hope to find some administrative

ATTACHMENT A

efficiencies as we begin conducting the survey, which would allow us to increase the total number of surveys we administer.

7. To allow us to administer a higher number of surveys, we will primarily focus on the metro area. We will choose three additional locations in greater Minnesota to provide some geographic representation, including one rural area with few services/ resources and an "outstate hub" with more services and resources. Because we have some planned travel in greater Minnesota later this summer, we will leverage that travel to streamline costs.
8. Using the above points for framing, we anticipate that the Improve Group will administer 85 surveys. We hope to administer 40-45 surveys among our staff and then reflect on and document lessons learned. At that point we will recruit and train people with disabilities to administer the surveys, and then co-administer the remaining 40-45 surveys as training and coaching opportunities. Each survey administrator we've trained would then administer up to 30-40 additional surveys. In total, we anticipate that 205 to 245 surveys will be administered.
9. To use input from the advisory group and make decisions about the survey process, including sampling approach, geographic focus, populations to be included, and needed survey administrator skills, we would meet regularly with a liaison from your office. We anticipate meeting for up to two hours each month, scheduled at your convenience. During these meetings we will provide you with updates, ask clarifying questions, and facilitate decision-making.
10. Our budget for this approach comes to \$89,870, which includes MAD's administrative fee. This budget does not include mileage reimbursements. Depending on locations selected, we anticipate the travel costs for each two-day trip to greater Minnesota will be \$328 per person for hotel, car rental and meals.

Submitted by:

Leah Goldstein Moses, President/ CEO; leah@theimprovegroup.com; 651-315-8916

Elizabeth Radel Freeman, Research and Evaluation Director; lizf@theimprovegroup.com; 651-315-8922

The Improve Group

700 Raymond Avenue, Suite 140

St. Paul MN 55114

ATTACHMENT A

		Director (\$165)	Senior Analyst (\$125)	Analyst (\$110)	Assistant (\$100)	CPO (\$225)	Consulting fees	Expenses	Costs
Initiation Task	Dates								
Kick-off meeting	May-14	4	3			3	\$1,710.00		\$1,710.00
Design Tasks	Dates								
Determine need for IRB approval and develop application.	Jul-14	6	16				\$2,990.00	\$1,200.00	\$4,190.00
Coordinate with developer of tool to discuss administration best practices	May-14	4					\$ 660.00		\$660.00
Develop recruitment and communication tools	Jun-14	2		10			\$1,430.00		\$1,430.00
Develop consent language and materials	Jun-14	2		10			\$1,430.00		\$1,430.00
Develop instrument for interviewers to document feedback after each survey tool administered	Jun-14	2	6				\$1,080.00		\$1,080.00
Develop alternative methods of administration for people who prefer a phone or online version	Jul-14	2			10		\$1,330.00		\$1,330.00
Data collection Tasks	Dates								
Improve Group staff administer surveys in Metro locations, plus at least 3 communities outside of the metro area.	Jul-14 to Aug-14		30	225			\$28,500.00		\$28,500.00
Provide training and technical assistance for 4 individuals with a disability to administer the survey.	Aug-14 to Oct-14	16	16	24			\$7,280.00	\$9,000.00	\$16,280.00

Prepared by the Improve Group for the Olmstead Implementation Office
April 15, 2014



ATTACHMENT A

		Director (\$165)	Senior Analyst (\$125)	Analyst (\$110)	Assistant (\$100)	CPO (\$225)	Consulting fees	Expenses	Costs
Analysis and Reporting Tasks	Dates								
Quantitative analysis; develop summary of data gathered.	Oct-14	4		20			\$2,860.00		\$2,860.00
Qualitative analysis; develop summaries of survey administrator reflections.	Oct-14	4	8	30			\$4,960.00		\$4,960.00
Develop preliminary report that describes challenges and strengths of the pilot process; provides lessons learned for the future baseline study; shares preliminary data (recognizing that it is from the pilot, not a full sample), and provides ideas for the Implementation Office as they plan for the baseline study, including issues to consider by population surveyed	Nov-14	4	12	20			\$4,360.00		\$4,360.00
Finalize report.	Dec-14	4		12			\$1,980.00		\$1,980.00
Project Management Tasks	Dates								
Regular check-in meetings with staff liaison. We envision that the meetings will occur weekly during the initial design and in the reporting phase, with monthly check ins during the data collection phase.	Ongoing	18					\$2,970.00		\$2,970.00

ATTACHMENT A

		Director (\$165)	Senior Analyst (\$125)	Analyst (\$110)	Assistant (\$100)	CPO (\$225)	Consulting fees	Expenses	Costs
Convene advisory group of persons with disabilities and advocates to: help shape the sampling strategy, review consent and demographic information gathered from tool, assist with recruiting participants, and review findings	Ongoing	24	24		10		\$7,960.00		\$7,960.00
MAD Cost-Plus Fee								\$8,170.00	\$8,170.00
Total Fees							\$71,500.00	\$18,370.00	\$89,870.00

EXHIBIT 2-3: EM 2A – EMPLOYMENT COMMUNITY OF PRACTICE MEETING MINUTES

Exhibit 2-3: TR 2A Employment Community of Practice Meeting Minutes

**The MN Employment Learning Community
Minnesota Department of Human Services
540 Cedar Street, St. Paul, MN
01-17-14 -- 8:30 a.m. to 3:30 p.m.**

Present: Derek Nord – ICI; Jon Alexander – MN Employment 1st Coalition, Don Lavin – Arc MN, Andrea Zuber – Ramsey County, Mary Alice Mowry & Alex Bartolic – DHS, Kim Peck & John Sherman – DEED, Jayne Spain & Robyn Widley – MDE, Rick Cardenas & Mary Kay Kennedy – Advocating Change Together (ACT)/ Self Advocacy Minnesota (SAM), Rie Kennedy-Lizotte – NASDDDS

National Picture

DOJ recognizes that the Medicaid Waiver has poor policies & outcomes around employment

Rhode Island – DOJ initially investigating about fraud but ultimately found it's because we missed the education piece

Medicaid community living regulations/HCBS Definition of Community Settings – newly released; about non-public support for life's – applies to all settings, not just residential. MN is going to need to have our response to this within 120 days of when it's effective in March. Includes Day Training and Habilitation programs, which also need to meet the HCBS definition of community setting. How do we do this? Close the front door, attrition, supports to bridge closure. Develop infrastructure for where they go (Employment!). ICI just produced a paper on how people are doing this w/o accessing the system. Focus on what we CAN do, not about what we can't do. Talk about poverty, living wages, quality of life.

Core Indicator States: (MN is just starting to become one.) Nationally, core indicators show that people are safer in community settings. Families want that but they need to work and we don't have the other supports built up. There are monthly discussions with all states involved.

Role of the Minnesota ELC:

What role does this group play in relationship to Olmstead? The plan says an Employment Learning Community would be convened. The group is supposed to focus on some specific part of the Olmstead Plan. We learn from each other, figure out what we know, learn about the other members of the group do, and pay attention to how we all affect and influence e/o. Examples: shared principals, authority for each to meet principals,

Olmstead also has a cross agency group that results in a shared vision. Use this group as a way to get there. Members of Interagency Panel will include members of this group.

Implementation committee

Define employment – use employment first definition

Link to Housing Access Services

Review State of Massachusetts Blue print (they are no longer going to direct public funds to segregated employment)

Full supports for full inclusion

This group can draft Employment First Policy to be reviewed by the Interagency Panel, who will in turn recommend it to the sub-cabinet for adoption

Person-centered thinking/assessment/targeted Case Mgmt

DTH is providing necessary Day Care; address

We need to define: Vision, mission, definitions, core principals --- our group do this?

Represent all disability groups.

What might we do around services, programs, funding that we'd focus in on IDD population

Capstone project around collaboration and doing this in a different way. Who really makes decisions when you are working across state government? Melissa Stone and Kathy Quick.

Regional Employment Panel – different work-group or an outgrowth of this group?

Agreement on how each member of the learning community can carry the learnings forward and into their own agency

We want a visual around where we fall in the grand scheme of recommendations/decision making

Next Steps:

Our first work is about the structural framework, the practices we can do regarding the communication we use, this how we want to do this.

1. Look and see what needs to be done by when – ex) March 31 form to identify promising and non-traditional practices (need principals and priorities for next steps)
2. Derek will schedule Feb, Mar, Apr meetings
3. Work plan – when would we want to expand it (by deliverables)
4. Anyone else we want at the table
 - a. Rep from Metro County Employment Group
 - b. Issac Mendez – Dependable – doing some good stuff around housing and employment
5. Look at Virginia's principals
6. Looking at RBA – facilitator through MAD

2/21/14 ELC Meeting Minutes

Attendees: Alex Bartolic (DHS), Kim Peck (DEED), Jayne Spain (MDE), Robin Wilde (MDE), Andrea Zuber (DHS), Jon Alexander (Kaposia), Don Lavin (Arc MN), Rick Cardinas (ACT), Mary Alice Mowry (DHS), Derek Nord (UMN/ICI)

1. Hopes/expectations for meeting
 - a. Hopes to see EF work and vision into the state's work.
 - b. Job one for the state of MN is to get a policy in place – with the state's intent and vision for what it wants to see happen.
 - c. Hoping this conversation will lay the ground work for the cross-agency collaboration needed for implementing the Olmstead Plan.
 - d. Sees this work as a mechanism to reach advocates. A good place to learn about and inform others in the community.
 - e. Opportunity to bring state agencies together.
 - f. A way to leverage collective wisdom to achieve Olmstead Plan.
 - g. Get a more focused voice on employment and decreasing the barriers to employment.
 - h. Learn from each other, find ways to support and gain support to advance employment.
2. CONTEXT - Employment First
 - a. Handout – MN's Employment First Initiative FAQ & Virginia document
 - b. Defined EF and employment
 - c. Employment in community with or without support – real choice based on person experiences.
3. Clarify mission, values, purpose of ELC
 - a. Identify approaches that keep us from achieving EF and those that aid in achieving EF.
 - b. Stay on what we are for.
 - c. The core principles need to be defined.
 - d. What is your 'why' related to being here (see note below)

<i>What is your 'why' related to being in the group?</i>
<p>This is civil rights issue – people with disabilities are the only group allowed to discriminate in our services.</p> <p>Civil rights and equality</p> <p>Poverty is horrible in MN for people with disabilities, especially compared to people without disabilities. This handcuffs people into a life of dependence.</p> <p>It is people's right and we can expect it.</p> <p>Responsibility to do what I can to move the system forward.</p> <p>The narrative of what is possible is incorrect.</p> <p>State agencies have a leadership responsibility to move the system forward.</p> <p>Poverty and not having 'real' choices or empowerment keeps people from being full citizens.</p> <p>Feelings of stewardship of our state dollars to achieve real outcomes – real step out of poverty.</p> <p>To help people lead and develop their own lives, for themselves.</p> <p>Unity and love – if we hide people away we will not achieve unity in our society, and when people are working where everyone else is people make relationships and are loved.</p> <p>Employment stories really show real life opportunities that come from it.</p> <p>Civil rights</p>

I wanted to see my family member to have competitive employment in the community. I hope we are able to support people to be what they want to be.

Stewardship and leadership is needed.

All hands on deck --- the number of transition-age is going to double. This and the next generation has the ability to contribute to society. There is a need to change the path and talking points about the direction MN is going to go.

4. Topic PASSED due to time
5. Topic PASSED due to time
6. Membership/feedback opportunities
 - a. Need to be clear that participation is laying the infrastructure for employment system, rather than being against closing down other services.
 - b. Groups
 - i. Families
 - ii. People with disabilities – outside of families
 - iii. Cross disability (IDD, MI, Physical, etc.)
 - iv. Different ages
 - v. Different family advocacy orgs can play a role
 - vi. Business
 - vii. Racial/ethnic diversity
 - viii. Local school and county (possibility of Metro Empl Workgroup –Andrea mentioned)
 - ix. Residential provider (Andrea mentioned and has a good contact) (ARRM)
 - x. Day/employment provider (MOHR)
 - xi. DD Council
 - xii. Representative from Human Rights

Other:

- a. EF Policy – this group will take it on to support sub-cabinet.

INFO TO BE GATHERED:

- a. Talking points for the cabinet – when you hear this, you can say this. The WHY.
- b. Derek will send out PRB on EF policies across the country.
- c. JA: Discussed the Callahan model, let's find it – two axis 1) customization vs. 2) support need.
- d. Certification of staff: APSE CESP credential information from Derek, DEED/VR curriculum information from Kim.
- e. Alex Bartolic/MA will pass on the CoP status report to the group.
- f. Jayne will get conference room info to Derek for the Google calendar invite

#1 thing to accomplish at next meeting

- Progress on policy non-negotiables
- ID key components/deliverable for the sub-cabinet (2 people)
- Get the 'why' figure out

- Get the mission/vision nailed down (3 people)
- Move along on the composition
- How we're going to move along and get feedback.

SYNTHESIZED COMMENTS TO FRAME-UP PURPOSE

<p>Civil rights:</p> <ul style="list-style-type: none"> • Eliminate discrimination in our services (14c, segregation) • Equality • Employment is a right • Not having 'real' choices or empowerment keeps people from being full citizens • if we hide people away we will not achieve unity in our society • when people are working where everyone else is people make relationships and are loved. 	<p>Poverty & dependence</p> <ul style="list-style-type: none"> • Reduce poverty for people with disabilities • Increase independence and support independence • Poverty keeps people from being full citizens.
<p>Expectations & desires</p> <ul style="list-style-type: none"> • We can expect people with disabilities to work. • The current narrative of what is possible is incorrect. • I hope we are able to support people to be what they want to be. • To help people lead and develop their own lives, for themselves. • This and the next generation has the ability to contribute to society. 	<p>System</p> <ul style="list-style-type: none"> • Responsibility to move the system forward. • State agencies have a leadership responsibility to move the system forward. <ul style="list-style-type: none"> • Stewardship and leadership is needed. • Stewardship of our state dollars to achieve real outcomes – real step out of poverty. • There is a need to change the path and talking points about the direction MN is going to go.

**MN Employment Learning Community
March 14, 2014- 1:00 to 4:00 p.m.
Minnesota Department of Education
1500 Highway 36 West Roseville, MN 55113-4266
Conference Center B – CC20**

Minutes

Present: Alex Bartolic , Don Lavin, Mary Alice Mowry, Derek Nord, Kim Peck, Jayne Spain, Andrea Zuber

Absent: Jon Alexander, Rick Cardenas, Mary Kay Kennedy, Coleen Wick

Re-cap from January – March discussions

- Grant responsibilities document



MN (1).PDF

- The majority of the initial focus for the ELC will be on adults with intellectual/developmental disabilities, ages 14-26.

Additional ELC Members

- Additional recruitment : 1 Supported Employment Services (SES) provider, 1 Residential Services provider, 5-10 people with disabilities, 1 family member, 1 local agency representative, 1 local school district representative, and 1 non-profit advocacy group serving transition age youth with intellectual/developmental disabilities.
- Recruitment process will be through an application process. Andrea will draft a solicitation.
- ELC will disseminate through multiple networks and list serves.

Charter Template: purpose/vision/assumptions/structure

- Reviewed DRAFT Charter Template
- Recommendation to use the "Project Definition" document/process from Advanced Strategy
- Andrea will make recommended additions

Learning Focus

- HCBS community setting definition & Video
 - Reviewed January 2014 CMS definition of HCBS Settings; definition further underscores the goal and purpose of the ELC and the need for MN to have strong and viable supports available to assist people in achieving employment outcomes.
 - Clarity is key.
 - Mary Alice is going to locate a related Meg Wheatly article on systems change.
- EF policy brief and discussion
 - The Policy Research Brief on Employment First policies: <http://rtc.umn.edu/prb/214/>

- The SELN document that was used in MT
<http://www.dphhs.mt.gov/dsd/ddp/selndocuments/EmploymentPolicy.pdf>

Employment First Policy Recommendations

- ELC will review information from top performing states including Maine, Washington and Massachusetts (Derek will send)
- Don will start a draft of EF policy, with technical assistance from Derek, and ELC will review at April meeting
- Plan for stakeholder feedback
- Interagency Panel brings recommendation to Sub-cabinet by June 2014

Employment Practice Review Panel

- Purpose is to review issues and success stories, and to brainstorm and recommend solutions and incentives.
- Andrea will recruit membership, including: people with disabilities, family member, SES practitioner, SSB, MCD, lead agency case manager.

Data

- Per the MN Olmstead Plan, baseline data and goal is to be set by June 30, 2014.
- For April ELC meeting, lead agencies will bring examples of the type of data they each have. ELC will make review and make recommendations for data to include in baseline, as well as for goal setting.

Meeting Schedule

- In April the ELC will meet Friday, April 11 from 9:00 am to 11:00 am at MDE (Conference Center B, CC16).
- Beginning in May, the ELC will meet the 2nd Friday of every month from 1:00 pm to 4:00 pm at MDE in Conference Center B. Direction link:
<http://education.state.mn.us/MDE/Welcome/Direc/index.html>
 - May 9, 2014 in CC20
 - June 13, 2014 in CC17
 - July 11, 2014 in CC17
 - August 8, 2014 in CC17
 - September 12, 2014 in CC17
 - October 10, 2014 in CC17
 - November 14, 2014 in CC17
 - December 12, 2014 in CC17

Additional next steps, responsibilities, timelines

- Identify priorities on employment strategies (by April 15)
- Identify priorities around services, standards & funding for the development of implementation plans (by April 15)

MN Employment Learning Community
April 11, 2014 - 9:00 to 11:00 a.m.
Minnesota Department of Education
1500 Highway 36 West Roseville, MN 55113-4266
Conference Center B – CC16
MINUTES

1. Introductions and expectations of meeting
2. Membership Solicitation
 - a. Each agency will sponsor a person with a disability as compensation isn't available.
 - b. Reviewed DRAFT Solicitation of Interest/Application Process. Andrea will add suggestions and send out final form; each agency can send it out to their e-lists.
3. Charter Template (purpose/vision/structure (30 min) - Tabled due to time – Andrea will initiate review & final DRAFT via e-mail
4. Data
 - a. Reviewed existing state agency data: Data generally includes earnings and provider name; there is some wage data collected by DEED and MDE. Definitions of employment vary, so all employment settings are captured but can't be separated out.
 - b. ELC recommends: Use the definition of integrated, competitive employment from the MN Olmstead Plan. Include data points on: employment setting, wage per hour, hours per week, payroll agent.
 - c. The level of data required by the MN Olmstead Plan and recommended by the ELC to establish a baseline on the number of adults in "integrated, competitive employment", is not currently available across all populations.
 - d. Recommendation for state agencies to establish an initial baseline using earnings, and a proxy from county-based data, with a plan to establish a new data collection system to get the information we need.
 - e. Recommendation for goal setting: ELC recommends setting a goal that employment outcomes of people with disabilities match that of people without disabilities in 10 years.
5. Learning Focus (45 min) –tabled to May meeting due to time
 - a. Informed Choice (Don Lavin & Derek Nord)
6. Employment First Policy
 - a. Reviewed 1st DRAFT of EF policy to present to the Interagency Employment Panel
 - b. Group made many recommendations; Derek & Don will do a 2nd DRAFT based on those recommendations and present to the ELC at the May meeting.
 - c. Recommendation to do business process modeling once on the 2nd DRAFT, so we can see where state agencies would need to make changes and determine feasibility.
7. Services, standards & funding – tabled to May meeting due to time.
 - a. Begin to identify priorities for development of implementation plans
8. Next steps, responsibilities, timelines and closing

MN Employment Learning Community
June 13, 2014
1:00 to 4:00 p.m.
Minnesota Department of Education
1500 Highway 36 West Roseville, MN 55113-4266
Conference Center B – CC-17
Minutes

Purpose of meeting:

- 1. Update on Membership Solicitation**
- 2. Establish Timelines for ELC responsibilities**
- 3. Review 3rd DRAFT Employment First Policy – Plain Language**
- 4. Updates on Olmstead & Employment Action Items**
- 5. ELC support for legislative prep**
- 6. Learning Focus – brainstorm leaning topics for future meetings**
- 7. Clarify next steps**

Agenda:

1. Welcome & Overview

2. Membership

The DD Council was unable to have a representative at the ELC meeting. Alex will follow up with Colleen about options for GCDD for participation.

Solicitation for participation for other members, especially persons with disabilities, will go out via e-lists. Body of e-mail will describe ELC and include a link to an eDoc application to fax or mail in. Andrea will send draft e-mail the week of June 15th for review. Andrea will send ELC final draft once eDoc is ready. ELC members will disseminate broadly.

3. ELC Responsibilities

- a. ID Promising & non-traditional practices and approaches and partnerships: By January, 2015, these discussions will inform a legislative proposal related to services & supports provided by state agencies. This will be an ongoing part of ELC meetings. Minutes will reflect pertinent discussions.
- b. Discuss strategies that adopt Employment First Principles: Olmstead Sub-cabinet to adopt an Employment First Policy by 9/30/14. The ELC is drafting Employment First Policy to be submitted to the sub-cabinet for consideration on 8-11-14.
- c. Discuss strategies that support Informed Choice: This was the ELC learning focus at the May 2014 meeting; strategies will be incorporated into the Employment First Policy that will be submitted to the sub-cabinet for consideration on 8-11-14.

- d. Discuss strategies that support job seekers who choose work: Recommendations made by the ELC in May 2014 meeting helped to shape the Interagency Employment Panel's recommendations for Implementation Plans. By January 2015, ELC discussions will inform a legislative proposal related to services & supports directed to individuals who seek employment. This will be an ongoing part of ELC meetings. Minutes will reflect pertinent discussions.

4. Employment First Policy

- a. Reviewed DRAFT #3, Plain Language DRAFT, and incorporated changes to the document – Bekah will e-mail it to the ELC for final review the week of June 15.
- b. Feedback:
 - i. ELC will maintain a list of all the feedback from people with disabilities that shaped the proposed Employment First Policy (Derek drafting for ELC review).
 - ii. The DRAFT policy will be posted on the Olmstead Website by July 1, 2014 for public review and comment.
 - iii. An e-mail will be sent to e-lists by July 1, 2014 to make people aware of the location and need for feedback, particularly from people with disabilities.
 - iv. An e-mail box will be created for comments; comments due by July 15, 2014.
 - v. Directors will make commissioners aware of the policy and this process.

5. Data & Goal Setting

Data workgroup has established desired measures.

Measure & goal reflect ELC recommendations.

Will use wage info for now; Interagency Employment Panel has prioritized state-wide data collection system for implementation plans.

System will need to be built to capture what we need.

Minnesota was chosen to receive Technical Assistance Grant from National APSE to make recommendations on statewide data collection system for legislative proposal. ELC further recommends comparing earning data to the data from the state dashboard and the NCI's.

Deadline extended to 9/30/14.

6. **ELC Support for legislative prep:** In July, the ELC will brainstorm key system changes, services, models, priorities and outcomes desired to inform legislative proposal on services & supports provided by state agencies.

7. **Learning Focus** - brainstorm topics –tabled to July Meeting

8. **Next steps, responsibilities, timelines and closing**

Discussion on addressing change management and facility-based transition to community-based services

Discuss potential legislative proposal on services & supports – brainstorm priorities for services & outcomes to inform state agency development of legislative proposals and considerations for an implementation plan

Discuss Training & Technical Assistance for providers transitioning from facility-based services to community based services – ID priorities, best & promising practices and possible TTA entities to inform implementation plan

EXHIBIT 2-4: HS 5A – INDIVIDUALIZED HOUSING OPTIONS BASELINE INFORMATION

Exhibit 2-4: HS 5A - INDIVIDUALIZED HOUSING OPTIONS BASELINE INFORMATION**Counties participating in the Multi-County Individualized Housing Options meetings:**

14 of 87 counties (16%)

1. Anoka
2. Blue Earth
3. Carver
4. Crow Wing
5. Dakota
6. Hennepin
7. Isanti
8. Olmsted
9. Ramsey
10. Scott
11. Sherburne
12. St Louis
13. Washington
14. Wright

Counties who have issued an RFP/RFI related to Individualized Housing Options**Yes:** Hennepin, Olmsted, Washington (3 out of 87 counties; 3%)**No:** Dakota, Sherburne, St. Louis**No response:** Anoka, Blue Earth, Carver, Crow Wing, Isanti, Ramsey, Scott, Wright**Number of people who have received specialized Individualized Housing Options services as a direct result of one of the RFPs/RFIs**

County	Number Served
Hennepin	82
Washington	40
Olmsted	40
Total	162

Annual Individualized Housing Options goals

2014: 17 counties participating

2015: 25 counties participating

2016: 40 counties participating

2017: All counties in Minnesota participating

EXHIBIT 2-5: TR 2B – TRANSIT PLAN

Exhibit 2-5: TR 2B Transit Plan**WORK PLAN FOR STRATEGIC ACTION TR 2B***working with local transit providers to increase access and flexibility***Purpose**

The goal of the strategic action is to introduce Olmstead principles to Greater Minnesota's transit providers. This will ensure that as transit programs are expanded and improved they are done with full consideration and inclusion of the population protected by Olmstead. This strategic action is a first step to increasing awareness at the city and county level on the role of Minnesota's Olmstead Plan in the development of transit systems so that can be more effective in targeting their investments, participating in statewide planning efforts and reaching out to a broader cross section when developing service plans.

The outreach is occurring through a series of presentations throughout the state to local transit providers. The list of presentations and engagement opportunities is below:

- Annual Spring Workshop April 30th – May 1st 2014
 - This workshop is held each spring. The workshops are available to all transit providers to learn about state of the practice and emerging needs. A session was held on Minnesota's Olmstead Plan and its effect on transit planning and operations. Attendance is not mandatory.
- Annual Application Workshop - April 29, 2014
 - The Application Workshop held each spring to provide training and assistance on completing the application for transit funding. The workshop is mandatory for anyone applying for transit funding. Applicants were notified in the workshop about the role of Olmstead in transit planning and operations and encouraged to prioritize projects that provide benefit to the Olmstead population.
- 2014 MN Public Transit Conference & Expo – September 9th - 11th, 2014
 - The conference is held each fall by the Minnesota Public Transit Association and is an opportunity to reach out to the entire spectrum of individuals and advocates who provide transit in Minnesota. MnDOT will be providing an update on Olmstead planning and progress to date and opportunities to include Olmstead needs into their planning.

Independent of Minnesota's Olmstead Plan additional state funding is being made available to increase the number of service hours throughout Minnesota's rural transit systems. The funding will be allocated through MnDOT's annual application for transit funding. As part of the process applicants are being encouraged to reach out to a broader segment in the development of service plans to ensure that the needs of transit dependent individuals (with or without disabilities) are being met.

**EXHIBIT 2-6: TR 4A – MINNESOTA COUNCIL ON
TRANSPORTATION ACCESS (MCOTA) MEETING MINUTES**

Exhibit 2-6: TR 4A MCOTA Meeting Minutes

**Minnesota Council on Transportation Access
Tuesday, April 22nd, 2014
MnDOT Aeronautics Building - 222 East Plato Blvd, Saint Paul
1:00 p.m. to 3:00 p.m.
Call In Number: 888.742.5095 Participant Code: 9282086172**

Agenda

1:00 Call to Order

1:05 Review and Approval of Agenda

1:10 Review and Approval of Minutes from 2/25/2014 meeting

1:15 Olmstead Plan Update

Kristie Billiar, MnDOT

- Action Items
- Forum
- State Quality Council

Action Requested: Information

1:35 NEMT Update

Noel Shughart, MnDOT

- Modes of Transportation
- Fiscal Note

Action Requested: Information

1:50 Mapping Project Scope Review

Sara Dunlap, MnDOT

- Overview of Scope

Action Requested: Approval

2:10 Amend Biennial Workplan

Noel Shughart, MnDOT

- What is Mobility Management
- Coordination Plan Study
- Amendment Request

Action Requested: Approval

2:40 Project Updates:

- Minnesota Help. Info Website
- State Agency Primer Study
- Common Standards Reporting

2:45 Member Reports

2:55 Public Comments

3:00 Adjourn

Future Agenda Topics:

- NW Minn Veterans Project
- VTCLI Phase 1- SW Minnesota
- West Metro Regional School Transportation Group
- Dakota County Coordination Pilot

Next Meeting: May 27th at HFCU

Minnesota Council on Transportation Access
Meeting Minutes
Tuesday April 22, 2014

Attendees

Members Present

Chair – Tim Henkel, Minnesota Department of Transportation
Vice-Chair – Joan Willshire, Minnesota State Council on Disability
Steve Masson, Minnesota Department of Human Services
Gerri Sutton, Metropolitan Council
Kelly Wosika , Minnesota Department of Education
Harlan Tardy, Board on Aging (phone)
Ron Quade, Minnesota Department of Veterans Affairs (phone)
Tim Held, Minnesota Department of Health
Mike Schadauer, Minnesota Department of Transportation
Thant Pearson, Minnesota Department of Employment and Economic Development

Others Present

Noel Shughart, Minnesota Department of Transportation
Arlene Mathison, Center for Transportation Studies
Jackie Peichel, Minnesota Department of Human Services
Colin Stemper, MN State Council on Disabilities (phone)
Kristie Billiar, Minnesota Department of Transportation
Becky Ellingson, Minnesota Department of Transportation
Sara Dunlap, Minnesota Department of Transportation
Bob Ries, Minnesota Department of Human Services

Members Absent

Tiffany Collins, Minnesota Public Transit Association
Britta Reitan, Minnesota Management and Budget

Call to Order

Chair, Tim Henkel, called to order the regular meeting of the Minnesota Council on Transportation Access (MCOTA) at 1:05 PM on April 22, 2014 at the MnDot Aeronautics Building, 222 East Plato Blvd., St. Paul, MN.

Agenda

Meeting agenda for 4-22-2014 MCOTA meeting – **Approved**

Minutes from 2/25/2014 MCOTA Meeting - **Approved**

Olmstead Plan Update (information only)

Kristie Billiar (MnDOT) presented an update of the Olmstead Plan Action Items and schedule of action/activities (handout provided). Info included some revisions to the process, upcoming meeting schedule and overview of meetings already completed, and purpose for working with MCOTA on this Plan. Mike Schadauer (MnDot) provided additional information on completion of the current process so far.

Noel Shughart (MnDOT) reviewed the “3-26-14 Olmstead Transportation Forum” handout provided and expanded on the difficulties faced with this project. Some issues relate to what info is needed, what info can be obtained, how best to get the data needed, how to best use the data obtained, etc. as not all groups have same needs or perspective on how to get the best demographics to provide usable data. Although the disabled population has some unique situations needs and difficulties for transportation, it was found the disabled and non-disabled individuals in the rural areas face many of the same challenges for obtaining appropriate and timely transportation services to their activities of daily living.

Noel also provided an overview and information related to the **State Quality Council** (handout provided) who’s responsibility is to work towards improving the quality of services provided to people with disabilities. Another example of a group with some goals similar to those of MCOTA yet is not a highly visible group.

Additional discussion took place during the entire agenda item.

NEMT Update (information only)

Noel Shughart (MnDOT) presented a summary overview of the non-emergency medical transportation (NEMT) legislation that was introduced in the legislature this session. The legislation would revise the current access transportation services (ATS) and special transportation services (STS) NEMT process currently in place in Minnesota for the fee-for-service Medicaid (MA) clients. Noel provided a handout of the proposed transport type/classification change and intake process to determine the least costly appropriate level of transport for the needs of the client. Rates, RUCA, NEMT Advisory Committee, effective dates, and oversight/administration language was also included. Steve Masson (DHS) provided additional information on the current status of the legislation and some of its changes. Additional discussion took place during the entire agenda item.

Mapping Project Scope Review (Action requested)

Sara Dunlap (MnDOT) provided an overview summary (handout provided) of the “provider service delivery area” mapping project. The mapping is to show overlaps and deficiencies in transportation services areas across the entire state for services to the elderly and disabled. This will include web site development and visual references for delivery areas and providers.

Discussion noted some areas of concerns and situations that may affect this project. Motion to move the mapping project forward with consideration that a correction in direction or process may be needed later to accomplish the greatest number of goals for the project.

ACTION VOTE = Approval = Unanimous

Amendment to the Biennial Workplan (Action requested)

Noel Shughart (MnDOT) provided a handout that included the current and proposed Workplan language change. Noel also presented information on the concept of “Mobility Management”. Discussion of the Coordination Plan Study basically showed that when looking at transportation process there is no single process in place or that will meet all the needs. The essence of the Workplan change is to allow for a greater number of options for statewide coordination rather than a “single = one size fits all” process. Discussion took place.

ACTION VOTE = Approval = Unanimous

Projects Updates (Information)

- *Minnesota Help Info Website* = Noel Shughart (MnDOT) provided an update that the site has been developed and is up and running. The site will continue to be updated as situations indicate.
- *State Agency Primer Study* = Noel Shughart (MnDOT) provided an update on this. The purpose of the state agency survey is to better understand the current use of transportation processes and the funding associated to it. Many different services being provided with most not being aware of the other or being able to access.
- *Common Standards Reporting* = Noel Shughart (MnDOT) provided an update of the work of the Humphrey Institute and statewide standards.

Member Reports

None provided

Public Comments

No members of the public present

Adjourn

2:50 PM

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EXHIBIT 2-7: HC 2A – HEALTH MESSAGING PROJECT PLAN

Plan last updated on: 6/4/14/14

Project plan: Olmstead – Communications Office HC 2A		Date 4/22/14		
Project manager: Margaret Etta Meyer		Project sponsor: Mike Schommer		
Customers: Olmstead Implementation Office; Minnesotans with disabilities				
Business need: Ensure that Minnesotans with disabilities are not disadvantaged by inability to access and understand health information provided by MDH.				
Project objectives (solutions) Assess MDH messaging, then work with program staff to revise information to be more accessible and understandable while raising understanding of the need and expectations under the law.				
Deliverables in: <ul style="list-style-type: none">• Capacity• Input via network connections		Deliverables out: <ul style="list-style-type: none">• Improved MDH messaging• Greater compliance with laws that require accessibility and understandability		
Risk description: <ul style="list-style-type: none">• Program-level resistance to CO oversight of their mandated improvement efforts• Efforts fall short of OIO expectations		Risk plan: <ul style="list-style-type: none">• Leverage EO and HST support of goals and tasks to reach goals		
Milestones		Est. completion date	Act. completion date	
Update implementation report due May 14		5/12/14	5/16/14	
Plan update due May 31		5/26/14	5/27/14	
Completion of focus groups		9/23/14		
Completion of expanded work plan with measureable goals		11/30/14		
Communication plan		Estimated date	Actual date	
Outreach to CHP Director Don Bishop (EF)		5/22/14	5/22/14	
Acceptance criteria: Plan and implementation progress acceptable to M.Schommer and M.Munson-Regala				
Justification (cost vs benefit)				
Constraints Capacity and program staff cooperation				
Assumptions Upper management support and expectations trump resistance from program staff				
Work breakdown structure				
Task	Responsibility	Est. hours	Est. date	Actual date
Add details to project plan	MeM and Edie French	1	4/25/14	4/25/14
Create Strategic Initiatives subsite of EO site that will feature Olmstead, AHE, RBA, and Plain Language	MeM	2	4/28/14	4/28/14
Report to Stephanie Lenartz	M.Etta	1	5/12/14	5/16/14
Finish internal scoping process,	MS, MeM, EF	.5	5/13/14	5/13/14

including topic areas on which to focus, and list of conditions/disabilities to target				
Begin meeting with MDH managers responsible for messaging within scope	Edie	2	6/1/14	5/22/14
Obtain names of community members for interviews or focus groups	Edie	10	Begin by 7/15/14	
Conduct first interview/focus group to determine audience preferences and priority topics	Edie	4	9/01/14	
Complete interviews with focus group members	Edie	40	9/23/14	
Analyze feedback obtained from focus group interviews	Edie, MeM	20	9/30/14	
Expand work plan for message improvement	EF, MS, MeM	30	11/30/14	
Develop measureable goals for message improvement	Edie and MeM	5	11/30/14	

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

James and Lorie Jensen, et al.,

Case No. 09-cv-01775 DWF/FLN

Plaintiffs,

vs.

CERTIFICATE OF SERVICE

Minnesota Department of
Human Services, et al.,

Defendants.

I hereby certify that on June 20, 2014, I caused the Minnesota Olmstead Sub-Cabinet Report to the Court, Report Number 2, with Exhibits, to be electronically filed and served by CM/ECF upon:

David Ferleger, Esq.
david@ferleger.com
office@ferleger.com

Shamus O'Meara, Esq.
SPOMeara@olwklaw.com

I further certify that the above-named documents were provided electronically to:

Dr. Colleen Wieck
colleen.wieck@state.mn.us

Roberta Opheim
roberta.opheim@state.mn.us

Dated: June 20, 2014.

OFFICE OF THE ATTORNEY GENERAL
State of Minnesota

s/ Scott H. Ikeda

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