



Minnesota Department of **Human Services**

Rule 40 Advisory Committee Meeting Summary: 10.22.12

Attending:

Committee members: Steven Anderson, Kay Hendrikson, Anne Henry, Barbara Kleist, Pat Kuehn, Traci Lisowski, Tim Moore, Andrew Pietsch, Kelly Ruiz, Annie Santos, Bonnie Jean Smith, Gloria Steinbring and Colleen Wieck

DHS Staff: Rick Amado, Alex Bartolic, Donovan Chandler, Lori Dablow, Stacy Danov, Gail Dekker, Katherine Finlayson, Dan Hohmann, Jill Johnson, Jennifer Kirchen, Bob Klukas, Sandra Newbauer, Dean Ritzman, Michael Tessner, Suzanne Todnem and Charles Young

Other Organizations and guests: Mark Anderson (Barbara Schneider Foundation), Rick Cardenas (ACT), Joe Fuemmeler (Chrestomathy, Inc.), Brad Hansen (The Arc Greater Twin Cities), Renee Jenson (Barbara Schneider Foundation), Sue McGuigan (TBI Advisory Council), Chris Pritchard (Chrestomathy, Inc.) and Kelly Ryan (Chrestomathy, Inc.)

Committee Charge The Rule 40 Advisory Committee was formed as part of a settlement agreement. The committee will study, review and advise the Department of Human Services on how to modernize Rule 40 to reflect current best practices. This was the ninth meeting of the Rule 40 Advisory Committee, which met from 9:00 a.m. to 4:00 p.m.

Presentations The Committee heard a brief update from Alex Bartolic.

Alex Bartolic shared that, in regard to the advisory committee's work, providers are asking, "what does this mean for me?" Ms. Bartolic said the department will host an informational webinar to address those questions and concerns and solicit feedback.

Ms. Bartolic informed the advisory committee that the department will release a public statement about its principles and prohibited techniques soon. The statement will focus on positive practices and principles agreed to in the Jensen settlement and explain the department's intentions to apply these to services that the department licenses. Because our work happens within a complex system, the initial focus will be on home and community-based services. The department will continue to work with stakeholders across the department. Operationalizing the department's principles and values will be the challenge to implement across services, providers and positively support the many people who use our services.

Discussion

Monitoring, reporting and oversight work group

Kay Hendrikson and Anne Henry provided a summary of the monitoring, reporting and oversight work group report to the advisory committee. The summary report described the main concepts addressed at the work group meetings and the work group's recommendation to the committee. The committee members added and modified parts of the work group recommendation. Please see the attached [revised](#) monitoring, reporting and oversight work group handout to see the committee's final recommendation.

Copies of agendas and notes from each meeting were provided to the advisory committee in addition to the summary/recommendation handout.

The committee members discussed and clarified the work group's recommendation and revisited some of the issues discussed by the work group members. The advisory committee members were able to make a final recommendation to the department regarding monitoring, reporting and oversight.

Draft language

The department of human services provided a very preliminary draft of language intended to reflect the advisory committee's recommendation to the department thus far and give some idea of what that recommendation might look like in regulation language. The purpose for sharing the draft was to ask the committee members:

1. As you read these recommendations, have we heard you accurately?
2. What is missing from the recommendation?

The draft was intended show the advisory committee two things:

1. This is the department's understanding of the recommendation thus far;
2. This is what the recommendation might look like when the recommendations are stated as statute, rule or policy manual.

The advisory committee was invited to point out typos but not to wordsmith or focus on format, order of document, level of detail or where the recommendations fit in statute, rule or manual.

The advisory committee raised concerns including:

1. a lack of mental health terminology in the policy standards

2. An apparent emphasis on prohibitions and negatives rather than an emphasis on positive supports strategies and the policy standards' intent

Future meetings

December 10 – We will reconvene the committee to review draft policy language and a narrative summary. Both drafts will include language addressing monitoring, oversight and reporting and, if time permits, revisions based on feedback from the October meeting.

The December 10th meeting will be held in the conference room at the City-County Federal Credit Union building located at 840 Westminster Road, St. Paul, MN 55130. This meeting is scheduled from 9:00-3:30 pm.

Questions or comments As always, if committee members or observers have questions, please email them to the Rule 40 email box at DHS.rule40@state.mn.us

Visit our website at http://www.dhs.state.mn.us/main/dhs16_166534.