

NORTH DAKOTA OLMSTEAD COMMISSION
MEETING MINUTES OF
MAY 8, 2024

1. Members Present:

- The Honorable Bruce Romanick, Veronica Zietz, Carlotta McCleary, Scott Burlingame, Julianna Horntvedt, Ryan Norrell, Senator Judy Lee, Representative Alisa Mitskog, and Wally Goulet

2. Other Attendees:

- Jana Johnson, Becky Rosenkranz, Jordan Wetsel, Cheryl Merck, Dave Klein, Michelle Rydz, Trevor Vannett, Donene Feist, Becky Gustofson, Jennifer Henderson, Jeannie Krull, Melanie Gaebe, Jake Reuter, Roxanne Romanick, Kayla Trzpuć, Maggie Williams, and Susan Dingle

3. Welcome and Introductions:

- The meeting was called to order at 1:00 p.m. and introductions were made by everyone present.

4. Agenda Approval:

- The agenda covering the Workforce & Technology Pilot Project, Panel Discussion on Housing Barriers, Commission Planning, and Public Comment was approved.

5. Minutes Approval:

- Judge Romanick motioned, and Carlotta McCleary seconded, to approve the minutes from the February 14, 2024 meeting as presented. The motion passed.

6. Workforce & Technology Pilot Project presentation, Jordan Wetsel:

- Team Members: Pam Mack, Rebecca Gustofson, Jana Johnson, and Jordan Wetsel. Additional team partners were shared during the presentation.
 - Issue Addressed: The shortage of Direct Support Professionals (DSPs) for individuals with Intellectual and Developmental Disabilities (I/DD).
 - Solution: Integration of Assistive Technology (AT) – defined as any item, equipment, software, or system used to increase, maintain, or improve the functional capabilities of individuals with disabilities.
 - Taskforce Efforts: Protection and Advocacy (P&A) is leading a taskforce focused on researching technology, establishing a pilot project, exploring funding, and conducting cost-benefit analysis.
 - Pilot Project Phases:
 - Planning and Selection

- Assessed Needs
- Research and Order AT
- Participants: A description of the four Pilot Project participants was provided.
- Collaboration: P & A's collaboration with Warehouse 13 and their goals were shared.
- Next Steps:
 - Conduct a Cost-Benefit Analysis
 - Determine Pathways for Funding
 - Improve individuals' quality of life
- Discussion:
 - Judge Romanick emphasized that better assistive technology could reduce the need for staff, reallocating them to individuals who need direct support.
 - Ms. Horntvedt highlighted the importance of prioritizing individual choices when setting up AT.
 - Ms. McCleary shared personal experiences, supporting AT while cautioning that it cannot entirely replace support staff, as AT support varies per individual.
 - Ms. Wetsel described cloud-based services from Warehouse 13 that alert staff without requiring constant presence, outlining a calling tree system for emergencies.
 - Mr. Goulet raised concerns about privacy in AT usage, emphasizing the need for careful consideration of legal aspects.
 - Ms. Gustofson noted a successful facility in Moorhead, MN, currently using such technology.
- Conclusion: Mr. Goulet acknowledged the challenges faced by North Dakota in serving its population and emphasized the need for greater state efforts. Ms. Wetsel was thanked for her informative presentation.

7. Panel Discussion – Housing Barriers:

The panel focused on the significant housing barriers experienced by individuals with disabilities, highlighting the challenges that their respective agencies are currently addressing.

- Cheryl Merck (Money Follows the Person Housing Program):
- Barriers Highlighted:
 - Affordability: Many individuals cannot afford current housing rates, making it extremely difficult to secure adequate housing.
 - Accessibility: There is a critical shortage of accessible housing units, which are in high demand.

- Application Challenges: Individuals often struggle with housing applications due to issues like owing back rent, previous evictions, and dismissed warrants.
- Landlord Education: An educational series is provided every Tuesday for landlords, aimed at fostering better understanding and cooperation.
- Michelle Rydz (Great Plains Housing Authority):
 - Discrimination: Her agency is actively working to stop discrimination and promote the integration of people with disabilities who have been historically segregated. A significant portion of the calls they receive are from people with disabilities (65% of 611 calls last year).
 - Violations of the Fair Housing Act: Examples include landlords misrepresenting access to units, evicting tenants because of their disabilities (such as seizures), and improperly charging higher rents for individuals with emotional support animals.
 - Barriers: The cost of renting versus low incomes, landlords refusing rent vouchers, and the impact of criminal background checks are key challenges.
 - Eviction Concerns: Landlords are increasingly refusing to rent to individuals on assistance, exacerbating the eviction rates among these populations.
 - Tenant Bullying: Ms. Rydz expressed concern over the bullying faced by tenants with disabilities from other tenants.
- Dave Klein (High Plains Fair Housing)
 - Criminal History: Issues related to housing for individuals with criminal histories were discussed, with federal funds and HUD regulations limiting options.
 - Reasonable Accommodations: While available, many tenants are unaware of their right to request these accommodations, leading to unnecessary evictions or housing denials.
 - Attrition Rates: North Dakota faces one of the highest attrition rates, with many individuals cycling out of housing due to these barriers.
- Discussion and Legislative Implications:
 - Senator Lee's Perspective: Senator Lee shared insights from her experience as a former property owner, emphasizing the challenges landlords face, including property damage, noise issues, and abuse of the service animal provision. She underscored the importance of protecting landlords' investments while also addressing tenant needs. Collaboration among service providers was highlighted as a key area needing improvement.
- Response from the Panel:
 - Ms. Merck appreciated Senator Lee's perspective but reiterated that the panel was convened to discuss barriers faced by tenants. She acknowledged the existence of responsible landlords and emphasized the collaborative

efforts between housing facilitators, transition coordinators, and tenants to promote successful tenancies.

- Future Actions:
 - Representative Mitskog suggested that relevant legislation, such as HCR 3030, should be reviewed, and potential amendments to the 1915i waiver could be explored to address unmet housing support needs. She expressed willingness to work with Commission members on these issues.
- Additional Comments:
 - Kayla Trzpuc (Money Follows the Person): Highlighted the need for North Dakota to take advantage of the 1115 waiver, as other states have done, to increase flexibility in funding streams.
 - Transition Age Youth: The discussion touched on the need to better educate transition-age youth about independent living skills, including managing a household, understanding rental agreements, and navigating public transportation. Mr. Klein mentioned Great Plains Housing Authority's efforts to partner with schools to address these educational gaps.
- The discussion provided valuable insights into the complexities of housing for individuals with disabilities and underscored the need for continued advocacy, legislative action, and inter-agency collaboration to overcome these barriers. The Commission members agreed to further explore these issues in future meetings and work towards implementing solutions that balance the needs of both tenants and landlords.

8. Commission Planning – Term Limits:

- Discussion:
 - Ms. Johnson explained that Commission members serve three-year terms, with a limit of two consecutive terms, all at the Governor's pleasure.
 - Mr. Norrell discussed the ongoing process to address term limits, including the upcoming clean-up executive order from the Governor's office that will introduce staggered terms.
 - Ms. Zietz inquired about the second Citizen Member position, with Mr. Norrell encouraging members to direct potential applicants to the Governor's office.
 - Senator Lee emphasized Mr. Goulet's valuable role and the importance of retaining experienced members while respecting term limits.
 - The new executive order is expected to introduce staggered terms to ensure continuity in the Commission's work, with further discussion planned for the next meeting.

9. Public Comment: No public comments were received.

The next Olmstead Commission meeting is scheduled for August 14, 2024. The meeting was adjourned at 2:48 p.m.