

**North Dakota Olmstead Commission
Meeting Minutes of
November 12, 2025**

Voting Members Present Christopher Joseph, Veronica Zietz, Tawnya Taylor, Donene Feist, Reuben Panchol, Judge Bobbi Weiler, Representative Alisa Mitskog, Carey Goetz, Senator Kathy Hogan, Julianne Horntvedt

Voting Members Absent Scott Burlingame

Non-Voting Members Present Pat Traynor – HHS, Maggie Williams – DPI, Chad Frisinger – DOT, Jennifer Henderson – Housing Finance Agency, and Anthony Bauer – ND Indian Affairs

Other Attendees Becky Rosenkranz, Stephanie Bouche, and Micah Olson, P & A Project; Trevor Vannett; Tom Schiwal, Vocational Rehabilitation; Joyce Johnson, Health and Human Services; and Molly Goebel

Welcome and Introductions

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

Agenda Approval

The agenda covering Approval of Agenda, Approval of August 2025 minutes, Note from the Olmstead Commissioner, Olmstead Plan Review Goal #7, Customized Employment, Workers with Disabilities Medicaid, Olmstead Plan Review Goal #4, Housing Update, Olmstead Advisory Council Update, Choose Upcoming Meeting Dates, and Public Comment was reviewed. **MOTION:** A motion was made by Ms. Zietz, and seconded by Ms. Goetz, that today's agenda be approved as presented. The motion passed.

Minutes Approval

MOTION: A motion was made by Ms. Zietz, and seconded by Ms. Goetz, that the August 2025 meeting minutes be approved as typed. The motion passed.

Note from the Olmstead Coordinator

Ms. Bouche stated that as she has been doing one-on-one meetings with Commission members, there was a request made that people wishing to speak during a meeting announce themselves so that everyone attending virtually knows who is speaking.

Olmstead Plan Review Goal #7 Employment opportunities & incomes

Ms. Bouche shared some information on Customized Employment. She noted that Customized Employment provides individuals with the most significant disabilities the opportunity to work toward competitive, integrated employment. She shared North Dakota's Definition of Customized Employment and who is eligible to participate including the four (4) criteria that must be met. She shared the process: Discovery is a person-centered process that explores a job seeker's interests, skills, and ideal work conditions. New opportunities are created based on the job seeker's vocational theme, including self-employment options. Extended Supported Employment Services provides ongoing support to ensure long-term success for both the individual and the employer. NDCPD offered a 12-week Customized Employment training course. Providers are compensated at a standard rate of \$55 per hour and are paid for a 40-hour block although most individuals do not require the full 40 hours to complete the Discovery process. 11 providers have participated in the training, but not all providers are currently utilizing Customized Employment because of staffing issues. Some barriers to the program include: Staffing Shortages, High Staff Turnover, and Staff Training Time Not Reimbursable by VR. NDCPD has been awarded funding through the Disability Innovation Fund Grant to support Customized Employment training. The grant does not compensate providers for the staff time required to complete the training. Upon completion of the training, employment specialists are eligible for a one-time \$400 payment. They hope to train a minimum of 25 employment specialists plan to be trained during this 4-year grant.

Mr. Joseph asked if the \$400 goes to the employee; and whether he/she is also being paid to do the training by the provider. He wondered if this is double dipping. This would be up to the provider. The employer being reimbursed sounds like the best way to go. Ms. Goetz asked if the high turnover rate is due to lower wages. Ms. Zietz stated that there are a lot of reasons there are provider shortages. Senator Hogan shared some information about someone she knows who was involved in this program and there was a problem with the work description. Senator Hogan stated that the job description kept changing for this individual until there was no place for him to go. Mr. Schiwal stated that this individual should call his local VR office and services can be restarted to save a job. Senator Hogan stated that jobs change and people change.

Ms. Bouche shared Colorado's approach to Customized Employment. Colorado structured their Customized Employment fee schedule to include both hourly rates and milestone payments. Colorado is looking to connect job seekers with employees-in-training, allowing providers to be compensated for the portion of training where staff apply their skills by working directly with job seekers.

Ms. Bouche shared some additional information on Kentucky's, Minnesota's, and Montana's Approach to Customized Employment. She noted that Colorado's Approach seems to be the most effective.

Senator Hogan stated that she is interested in getting more information on subminimum wage in the workforce as it relates to competitive job positions. What percentage of individuals are receiving subminimum wage and what percentage is not. She knows there are clients getting paid above subminimum wage. Do we have that information.

Ms. Zietz stated that she recently visited with the state VR office. She noted that they stated that the subminimum wage group is getting smaller. She added that VR and the DD Division see different pieces of it. Ms. Zietz stated that the waiver system for pre-vocational services inadvertently directs people to lower paying jobs. Senator Hogan stated that there is so much movement out of sheltered workshop that it's good to see the whole picture. Ms. Goetz stated that her brother works at a subminimum wage job and feels he is being exploited. She added that nobody has ever asked him what he would like to do. She sincerely hopes that the number of subminimum wages jobs is going down. Senator Hogan stated that she doesn't see this goal being met at all. Ms. Bouche stated that Labor Dept. statistics are trending down. Ms. Zietz stated that 16 or 17 states have put together laws focused on phasing out subminimum wage. Subminimum wage comes from the federal level and we cannot change those requirements. We could put together legislation that says North Dakota is not going to be entertaining new 14(c) certificates. It would have to be at the state level.

Senator Hogan stated that we need to look at all disabilities. There are those that are physically disabled, but very bright. Mr. Bauer stated that those that are blind come with a completely different skill set. He noted that those that are hearing impaired can often read lips, but someone with a visual impairment stands alone. These individuals rely on public transportation in rural areas and they are just unable to get there consistently.

Mr. Schiwal stated the concern is that we can train people in Customized Employment, then with turnover we lose those who are trained. In the Discovery process, everyone that is important in this person's life needs to come together. He stated that we need one or two people across the state to serve all the communities to meet and consult re: the process. Ms. Goetz stated that when people are sick or elderly there are different levels of care/training: CNAs, nurses, doctors. It seems that, for Customized Employment, we have a lot of CNAs, but no doctors or nurses. No one with that higher level of expertise. If we want to

draw people into Customized Employment; we must increase those professional roles. To pull people from education or social work, to be competitive, the pay would have to increase. Mr. Schiwal reiterated that having a couple of people serve the entire state would be more consistent. People are confused by the process and the concept.

Ms. Zietz stated she doesn't think having one or two people around the state do this will get the outcome that is needed. It is better to have someone within the agency instead. Mr. Panchol stated we need to determine the cause of turnovers before we can do anything else.

Mr. Bauer stated businesses are cutting corners all the time with Executive Directors doing training to get individuals up to speed. It has been a challenge to get people to train. Ms. Zietz added that the work force in general has become a challenge. We are not the only ones trying to solve this problem. Senator Hogan asked what types of providers we are training. Mr. Schiwal stated that VR works with any group. If they need a job coach, separate from the DD system; it doesn't matter what the individual's disability is. Senator Hogan asked how many providers are there – 20 or 200 – and how do we engage them. Ms. Zietz asked specifically about the 1915i providers. It has been a struggle to retain those providers as well.

Chair Joseph stated that the group will discuss additional ideas at its next meeting.

Workers with Disabilities Medicaid – Joyce Johnson, HHS

Ms. Johnson stated that individuals with disabilities may be enrolled in Workers with Disability (WWD) Medicaid they are gainfully employed, at least sixteen, but less than sixty-five years of age, and are not a recipient of any other Medicaid benefits. Financial Eligibility Assets include: \$3,000 for a one-person household; \$6,000 for a two-person household; an additional \$25.00 per household member; and an additional \$10,000 for WWD.

Earned income includes: wages, self-employment, and other paid work. Unearned income includes: SS & SSI, pensions, and Life Estate income. Disregarded income includes 3rd and 5th pay checks, interest income, occasional small gifts, and Part B premiums refunded by the SS Admin.

Senator Hogan stated that asset limitations are very low. This is being studied during the interim. Asset limits haven't changed in forever, while people on disability are pressured to go to work. They are often at risk of losing their

Medicaid when they work extra hours. That 3rd and 5th paycheck can mess up eligibility very quickly. Ms. Johnson shared several WWD Case Examples.

Ms. Johnson described the Medically Needy Client Share Vs. WWD. She noted that Medically Needy individuals are typically: Aged; Blind; Disabled. If they have income over the federal poverty level (FPL), in order to be Medicaid eligible, recipients need to spend down to the FPL limit. What has to be spent down is called Client Share. She described Client Share as the monthly amount an individual must pay in medical bills before Medicaid will pay for care received; works like a monthly deductible. Medicare and private health insurance premiums and other costs, can reduce monthly client share. The premium is calculated at 5% of gross countable income.

Ms. Johnson noted the WWD Process and Updates which included the Legacy Vision System, COVID 19, WWD Automation to test for eligibility delayed due to time sensitive updates needed in the system; and Supervisors are monitoring WWD Cases monthly to get processed timely; Member newsletter sent out on 11/5/25. Medicaid Policy Staff monitoring premium payments and entering in SPACES; information sent to zones to test for WWD at application and at review; meetings with the supervisors of the Human Service Zones have been occurring to talk about testing individuals.

Some helpful websites include: Medicaid Eligibility/Health and Human Services ND; Website for Self Service Portal; Financialhelp; and Human Service Zone Locations.

Ms. Bouche asked when notices started going out to the Human Service Zones and when the meeting with the zone supervisors started. Ms. Johnson stated that they started in August of this year. Ms. Zietz asked when automation will be in place to automatically test individuals. Ms. Johnson said sometime in 2027. Ms. Zietz asked if folks are being contacted and then tested. Ms. Johnson stated that anyone that comes into apply is tested. Anyone on Medicaid needs to be tested also. Ms. Bouche asked if there is any effort to go back and check on those that are paying client share right now. Ms. Johnson stated no, it's just when people come in.

Folks do need to pay the \$100 lifetime enrollment fee before they are put on the program. Senator Hogan stated that sometimes even a \$100 payment can be a barrier for folks. Senator Hogan asked if that enrollment fee was a federal requirement. Ms. Johnson thought it was, but Senator Hogan said if it's not a federal requirement, that might be something we want to change. Ms. Johnson was thanked for her very informative presentation.

Olmstead Plan Review – Goal #4 Improve and expand housing options
Housing Update – Jennifer Henderson, Housing Finance Agency

Ms. Henderson noted that the ND Housing Finance Agency (NDHFA) is a self-supporting and mission-driven state agency dedicated to making housing affordable for all North Dakotans. NDHFA offers affordable home financing to low-to moderate-income families and help ensure the continued affordability of suitable rental housing for households of modest means, while focusing on the overall housing needs of our state’s growing communities.

Ms. Henderson shared the interconnected foundations of wellbeing: Economic Health; Behavioral Health; and Physical Health.

The ND Housing Finance Agency works collaboratively with: the Olmstead Commission; DOJ Settlement Agreement (HHS-Aging Services); Behavioral Health Council; Behavioral Health Plan (HHS Behavioral Health); ND Statewide Housing Needs Assessment (NDHFA); and Housing Services Collaborative (MFP). Initiatives being addressed include: the Olmstead Plan, DOJ Settlement Agreement; DOCR Housing Task Force; Free Through Recovery; ADRL Resource Link; Behavioral Health Plan; Community Connect; 1915(i) State Plan Amendment Apply for Help – Economic Assistance & Medicaid Self-Service Portal; Money Follows the Person Housing.

Ms. Henderson stated that the ND Housing Finance Agency did a 2024 ND Statewide Housing Needs Assessment. The Assessment addressed Population Trends; Age; and Income Levels. Poverty Rate by County; Median Wages by Region; and Cost of Housing by County. Affordability by Household Income 2022 was also mentioned. Housing Cost-Burdened Households in ND by Age of Household and Cost-Burdened Households by County were also made available.

Ms. Henderson shared some of the housing needs seen by the ND Housing Finance Agency. Housing priorities may need to focus on lower income households. Development of new housing and rehabilitation of existing housing should consider needs of aging populations and lower-income working households. Rehabilitation and preservation of existing affordable housing is as important as new construction where needed. Projections suggest more than 20,000 housing units (single and multi-family) are needed by 2027.

Resources to make housing affordable include: Development Assistance; Tenant-Based Rental Assistance; Project-Based Rental Assistance; and things that are Naturally Occurring.

Chair Joseph stated that rental assistance is federally set and there's nothing keeping a landlord from increasing rent. Senator Hogan asked if Ms. Henderson knew how many people were being kicked out of housing due to the increase in their rent.

Mr. Traynor asked whether Public Health administered these things too. Ms. Henderson said they do not. In the Emergency Solutions Grant and the ND Homeless Grant, there are emergency shelters managed by Public Health and HFA does fund a portion of their budget for emergency shelter operations. It was noted that HFA does not fund any temporary rental assistance programs. Ms. Henderson noted that Housing Finance does help coordinate the response under Continuum of Care.

Ms. Panchol stated that Tenant Based Assistance sounds like Section 8 Housing. Ms. Henderson stated, yes, it is. The individual takes their voucher and uses it to find the right place to live. It is provided so that a person has to pay no more than 30% of housing costs. Ms. Henderson stated that there are 83 properties that accept HUD Section 8 funding in the state.

Chair Joseph asked if project based or tenant-based housing is more helpful to the individual. Ms. Henderson stated that there is no preference. She added that tenant-based allows for more choice, close to employment or school. She stated that a housing voucher can also go with the person to another state. Senator Hogan asked about waiting lists to get into housing and Ms. Henderson stated that the wait in Bismarck is about 12-16 months.

There is money available for Maintaining Housing, i.e. Accessibility Upgrades; Homeowner Rehabilitation/Weatherization; Reasonable Accommodation/Modification; and Landlord/Tenant Relationships. Preventing and Overcoming Homelessness includes: a Continuum of Care; Emergency Solutions Grant (ESG); and the ND Homeless Grant (NDHG).

NDHG/ESG Eligible Activities cover Street Outreach: locating and engaging with unsheltered individuals; Assessing and Addressing needs; and Connecting with Supports. Emergency Shelters cover maintenance; Rent; Utilities; Supplies/Food. Essential Services cover Employment Assistance; Life Skills/Budget/Planning; and Mental Health/Medical Services. NDHG/ESH Eligible Activities also cover: Rental Assistance: Short Term Assistance and Renter Arrears; Financial Assistance: Rental Application Fees; Security Deposit; and Utility Assistance. Housing search/Stability management includes: Searching and applying for housing;

Setting Budgets and Goals; and applying for other benefits (SNAP/TANF/Child Care).

The 2025 Application Round included funding for the Emergency Solutions Grant (ESG) and the North Dakota Homeless Grant (NDHG) which provided funding to local non-profit organizations to support individuals and families experiencing homelessness and those who are at-risk of homeless by funding emergency shelter operations, housing stabilization and case management services, including short term rental assistance. These Activities funded Shelter, Rapid Rehousing, Homeless Prevention; HMIS and Administration. Ms. Henderson stated that the Study of Homelessness is coming up next week. The Housing Task Force is looking at its membership right now.

Ms. Henderson shared the Tenant Rights Bills that Passed and Failed in 2025. She noted some of the Appropriations for Housing being made available.

Senator Hogan stated that there is an increase in elderly and disability-related issues for people who are ending up homeless in Fargo and Bismarck. She added that it is at a crisis level. She wondered how Housing is factoring this into their planning. Ms. Henderson noted that the 8 Community Action agencies across the state have other programs to help these individuals. The Cooper House, Lagrave and Edwinton are also available to assist these folks. We need to help providers help people with HCBS. It seems that all the funds are in one pot to assist with activities of daily living. Senator Hogan stated that Basic Care facilities are discharging folks into homelessness.

Ms. Henderson was thanked for her very informative presentation.

Olmstead Advisory Council Update – Stephanie Bouche

Ms. Bouche stated that letters to the six people chosen to serve on the Olmstead Commission Advisory Council will be sent out tomorrow.

Choose Upcoming Meeting Dates

Ms. Bouche asked that everyone respond to the Doodle Poll under Item 11 on the agenda. Meeting at Job Service continues to be a good option.

Ms. Zietz asked if there were any action items that the Olmstead Commission wants to take action on at this time. Ms. Bouche stated that she can see the Olmstead Commission writing a white paper on some of the issues going on. She would like to provide that overview at the Commission's next meeting.

Public Comment

Ms. Goetz thanked all of the presenters for their input to today's meeting. There was no other public comment made.

Meeting Adjourned

Chair Joseph adjourned the meeting at 3:23 p.m.