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Minnesota Department of Human Services  
[dhs.spa.comments@state.mn.us](mailto:dhs.spa.comments@state.mn.us)

**Re: MDLC Public Comment re Amendments to State Plan Amendment Terminating  
Housing Stabilization Supports Program  
Comment Period Ending September 20, 2025**

Greetings:

We are writing on behalf of the Minnesota Disability Law Center (MDLC) and Mid-Minnesota Legal Aid (MMLA) regarding Minnesota Department of Human Services (DHS) proposals to amend the State Plan to terminate the Housing Stabilization Supports (HSS) program. We appreciate the opportunity to provide public comment on this proposal and acknowledge efforts of DHS staff and policy makers to respond appropriately to recent reports of fraud and mismanagement of the program. As outlined below, however, we strongly urge DHS to either continue the program, with appropriate oversight, or at the very least ensure that HSS services critical to our client communities be transitioned, seamlessly, to the new program.

The Minnesota Disability Law Center (MDLC) is a state-wide project of Mid-Minnesota Legal Aid (MMLA), a private, non-profit legal aid office. With a more than 100-year history of high-quality representation, MMLA is designated by the Governor of Minnesota pursuant to federal statutes, including the Protection and Advocacy for Individuals with Developmental Disabilities Act, 42 U.S.C. § 15041, et seq., and the Protection and Advocacy for Individual Rights Act, 29 U.S.C. § 794e, et seq., to serve as the statewide Protection and Advocacy System for persons with disabilities in Minnesota. MMLA performs this function through MDLC.

MDLC works to advance the dignity, self-determination, and equality of individuals with all types of disabilities through direct legal representation, advocacy, education, and policy analysis. As part of its Protection and Advocacy work, MDLC frequently represents individuals with disabilities who need HSS services to maintain or find new housing. Notably, MDLC brought the class action housing integration case, *Murphy by Murphy v. Minnesota Dept. of Human Services*, Case No. 16-cv-2623 (D. Minn. filed Aug. 3, 2016), brought to ensure that Minnesotans with disabilities in group homes have the individualized services for access and

support they need to move into more integrated housing settings. Key to resolving that lawsuit through settlement was DHS' provision of services under the HSS program.

### **Critical Need for HSS Services**

Without housing stabilization and support services, Minnesotans with disabilities will return to a residential service system limiting their individual autonomy, choice and integration into the community. The integration mandate in Title II of the Americans with Disabilities Act (ADA) requires states to "administer services, programs, and activities in the most integrated setting appropriate to the needs of qualified individuals with disabilities." 28 C.F.R. §35.130(d). Key to that goal are services that provide individual informed choice and the realistic opportunity to receive residential services in the most integrated setting. The HSS program provides many of those services, focusing on planning, finding new housing and moving into housing that matches their individual goals and needs. These services are critical to Minnesota fulfilling its obligations under the ADA's integration mandate.

Every day, Minnesota Disability Law Center attorneys and advocates support and represent clients with disabilities dealing with housing instability. In many cases, HSS workers are the only supports available to ensure that our clients can obtain, maintain, and retain housing accessible to their needs. In one case, Minnesota Disability Law Center staff supported a client using a wheelchair whose building elevator had been broken for months. The client's HSS worker stepped in and triaged a response for the client, ensuring that the client was not stranded in her home without supports and access. In another case, a HSS worker was the sole source of support for an individual being terminated from their Integrated Community Support setting, ensuring the client did not return to a cycle of homelessness. Clearly, HSS services, although imperfect, are critical to minimizing segregated housing settings for Minnesotans with disabilities.

### **Transition to New Housing Supports Program Should Ensure No Gap in Service Provision**

We understand that DHS intends to redesign and relaunch HSS program services. MDLC's experience with DHS is that roll-out of new programs can take months if not years. In the meantime, housing searches for people with disabilities wanting to leave institution-like and provider controlled settings will be set back, likely for years. Having to live in segregated settings like group homes will also foster and solidify behaviors unhelpful in living more independently. Put simply, our clients cannot afford to lose time in moving to more integrated housing settings. DHS should continue HSS services to eligible individuals, particularly those with high needs during the program redesign process.

Our hope through the IHO case was that state-administered housing support services, rather than county administered, would make such services more consistent state-wide. Terminating the program without a plan to provide services in the meantime or transition seamlessly to the new program, will be a disservice to clients living out-state where county-administered disability services are not as strong.

Moreover, we note that many of the individuals currently accessing HSS services are not on MA waivers. If DHS' intent is to provide such services in the meantime through a waiver funding mechanism, many people not on waivers, especially those with disabilities who are homeless, will receive no services at all.

DHS states that it will be working to help program recipients "transition" upon conclusion of the HSS program but does not state what services they will transition to or how exactly that will work. Minnesotans with disabilities deserve better and should not be left without HSS services once the program terminates.

**DHS Oversight of HSS Programs Can Be Strengthened Without Terminating All Services**

We understand that allegations of fraud in the existing HSS program need to be addressed. Those HSS programs operating effectively and with integrity, however, should be allowed to continue services so that individuals with disabilities who need them are not left in the lurch. Surely DHS can oversee these programs to prevent future fraudulent behavior without terminating the program and services completely.

Indeed, both DHS and the Minnesota Legislature have already taken action, this year, to improve oversight of the program, vetting providers more stringently and adding tools to investigate fraud. These new program integrity measures, which have not had time to be properly assessed, should be continued so that public resources are protected and necessary services continue to be provided.

In sum, as HSS services are critical to ensure people with disabilities have the housing supports they need to live in the least restricted settings possible, we urge DHS to continue providing HSS services or create a more effective plan to transition those services to the new program without discontinuing them entirely.

Sincerely,

*/s/ Anne M. Robertson*

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