OLA Board of Nursing

Topic Selection Background Information March 2022

Program Overview	The Minnesota Board of Nursing regulates nursing education, licensure, and practice. It receives and investigates complaints—for example, regarding the ability of individuals to practice nursing safely and with reasonable skill. The Board of Nursing has 16 members, appointed by the Governor, and it has about 35 employees.
Original Evaluation Questions	To what extent has the board implemented necessary changes in response to OLA's 2015 evaluation? Has the board processed cases effectively and efficiently, and has the board been well managed? To what extent has the board met its responsibilities regarding the open meeting law, the data practices act, and licensing?
Revised Questions	Does the board process complaints effectively and efficiently? Does the board have policies and practices to ensure consistent, unbiased resolution of complaints? Does the board process licenses in a timely manner?
State Resources *Low*	In recent years, the board's annual expenditures averaged about $5 million.
State Control *High*	Board of Nursing members are appointed by the Governor, and the board's staff are state employees.
Impact *Medium-High*	As of mid-2020, about 168,000 individuals were licensed by or registered with the Board of Nursing. The number of complaints received by the board annually averages more than 1,000.
Timeliness *Medium*	Some people have expressed concerns to OLA in the past year about the Board of Nursing's management and complaint handling. However, OLA evaluated the board's complaint resolution process in 2015, so another evaluation may not be pressing.
Feasibility *High*	OLA could evaluate the Board of Nursing with traditional evaluation methods.
Balance *Low*	The Legislative Audit Commission is not considering other topics related to state licensing boards, but it is considering other topics that pertain to health-related issues. OLA issued an evaluation of the Board of Nursing seven years ago.
Discussion *Not pressing*	This is a feasible topic for OLA to evaluate, and we did so several years ago. However, the need for OLA to conduct another review of this board's complaint handling processes (or other activities) so soon after our 2015 evaluation is unclear.

OLA County Mental Health Crisis Response Teams

Topic Selection Background Information **March 2022**

Program Overview	When an individual is experiencing a mental health crisis, a local mobile crisis team may meet with that individual at their home or another location in the community to assess and resolve the crisis situation and connect them with services, if needed. Counties and some tribes provide mental health crisis response services directly or through contracted service providers. In 2021, there were 34 crisis teams operating across the state.
Original Evaluation Questions	What is the geographic availability of county mental health crisis responders across the state? How often have these responders received calls, and to what extent did they meet the requirements to respond when called? To what extent does state funding support county mental health responders?
Revised Questions	To what extent does the availability of mobile crisis teams vary across the state? How often have these teams received calls, and to what extent did they meet the requirements to respond when called? To what extent does state funding support mobile crisis teams?
State Resources *Low*	The state spent more than $27 million on mobile crisis services in fiscal years 2019 through 2020. Federal dollars also fund a portion of the work of mobile crisis teams. Counties and tribes may provide additional funding.
State Control *Medium*	The Department of Human Services (DHS) provides some support for mobile crisis teams, although counties administer these services. Medical Assistance covers some services provided by mobile crisis teams. While state statutes outline standards for these covered services, standards for covered services are also subject to federal approval.
Impact *High*	Mobile crisis teams intervene at critical times in the lives of individuals and families. DHS reported that mobile crisis teams conducted 34,707 face-to-face responses in 2018 through 2019.
Timeliness *Medium*	Mental health treatment is a timely concern. However, the Legislature made recent changes to state law regarding some standards for crisis response services covered by Medical Assistance. These changes will not be in effect until at least July 1, 2022.
Feasibility *Medium-High*	This evaluation would be a large project. We would likely need to collect information from multiple entities, including individual counties and contracted service providers. However, we have done similar evaluations in the past.
Balance *Medium*	OLA released a financial audit related to DHS Behavioral Health Services Division grants in March 2021. While there are a few other topics on this year's list involving DHS, OLA has not previously evaluated mobile crisis teams.
Discussion *Important topic*	Mental health concerns related to the COVID-19 pandemic, and a legislative change that may increase the usage of mobile crisis teams, could make this a good time to consider the availability and financial support of these services. However, because some new legislative standards for mobile crisis teams are not yet in effect, an evaluation would reflect only past standards when examining crisis responses.

OLA Energy Conservation Improvement Program

Topic Selection Background Information March 2022

Program Overview	Statutes require Minnesota electric and natural gas utilities to use a portion of their revenues from energy sales to fund conservation improvement projects. For example, utilities may provide rebates to residential, commercial, and industrial customers for installing high-efficiency appliances or pay for assessments of buildings' energy efficiency. The Minnesota Department of Commerce oversees the conservation improvement program.
Original Evaluation Questions	To what extent has this program met the objectives set in statute? Are conservation programs, such as energy audits and equipment rebates, cost-effective?
Revised Questions	To what extent has this program met the objectives set in statute? What evidence exists regarding the cost-effectiveness of conservation improvement program projects, such as energy audits and equipment rebates? To what extent have utilities devoted funds to the types of projects that are most likely to deliver cost-effective energy savings?
State Resources *Low*	Ratepayers fund utilities' conservation improvement projects. Commerce pays for its oversight activities through appropriations that support the agency as a whole.
State Control *High*	Minnesota law establishes energy-saving goals and requirements for utilities' conservation improvement projects.
Impact *High*	Because many electric and gas utilities are required to administer conservation improvement projects, a large number of Minnesota residents and businesses pay for these projects.
Timeliness *Medium*	The 2021 Legislature adjusted energy-savings goals and added more ways in which utilities can meet these goals. A private firm evaluated the economic impact of the program in 2015. OLA last evaluated the conservation improvement program in 2005.
Feasibility *Medium*	If we scope the evaluation to focus on best practices, we could use standard evaluation techniques to answer the revised questions above. However, if we scope the evaluation to focus on the cost-effectiveness of Minnesota's program, we would likely need to hire a consultant, as we did for our 2005 evaluation.
Balance *Medium*	While there are no other topics related to Commerce on this year's short list, OLA issued an evaluation in 2022 on Commerce's investigations of civil insurance complaints. Commerce was also the subject of a 2022 special review. Another topic related to energy conservation—Sustainable Building Guidelines—is also on this year's short list of topics.
Discussion *Not urgent*	The conservation improvement program is intended to help the state and utilities meet Minnesota's energy needs cost-effectively, and an evaluation of the program could provide information about the program's effectiveness. However, it is not urgent.

OLA Grants to Nonprofit Organizations

Topic Selection Background Information March 2022

Program Overview	State grants typically provide funds to support a purpose authorized by law. State grants are awarded to many different types of recipients, including nonprofit organizations, individuals, and government entities.
Original Evaluation Questions	To what extent have state agencies employed proper and transparent processes for awarding grants to nonprofit organizations?
Revised Questions	To what extent have state agencies employed proper and transparent processes for awarding grants to nonprofit organizations? To what extent have state agencies complied with the Office of Grant Management's policies for administering grants?
State Resources *High*	The state spends a substantial amount of money on grants to nonprofit organizations. For example, in Fiscal Year 2021, the Minnesota Department of Health alone budgeted over $44 million for grants available to nonprofit organizations.
State Control *High*	State law typically establishes a grant's purpose and appropriates the available funds. Sometimes, state law also identifies the grant recipients.
Impact *High*	State grants are used to support a wide array of services throughout Minnesota, such as housing assistance, education programs, and substance abuse treatment. Inadequate grant-making processes and administration could potentially result in an agency either (1) awarding a grant to an organization that is not eligible to provide services, (2) not awarding a grant to an organization that is eligible, or (3) not achieving the intended purposes of the grant.
Timeliness *Medium*	Some legislators have recently expressed concerns about grant-making and oversight by certain state agencies. OLA last specifically evaluated state grants to nonprofit organizations in 2007; OLA has completed evaluations, special reviews, and audits in recent years that assess aspects of grant administration.
Feasibility *Medium-High*	This is a large evaluation as currently described. OLA would need to focus on a sample of state agencies and grants, rather than evaluating grant-making across all state agencies.
Balance *Medium*	There are two other evaluation topics with a clear focus on grant-making that are currently under consideration for evaluation this year: (1) Minnesota Department of Education Grants Oversight and (2) Office of Justice Programs Grants.
Discussion *Useful and feasible if narrowly scoped*	This topic would be a large evaluation that would need to be further scoped. Although the Legislative Audit Commission is currently considering several other topics related to grant-making, recent concerns raised about state grant-making and oversight could make this a topic worth revisiting.

Minnesota Department of Education Grants Oversight

Topic Selection Background Information March 2022

Program Overview	The Minnesota Department of Education (MDE) administers numerous programs that provide grants, aids, and subsidies to school districts, nonprofit organizations, and other entities. Legislators have recently raised concerns about MDE's oversight of one aid recipient—Feeding Our Future—that is currently the subject of criminal investigations.
Original Evaluation Questions	Does MDE have an appropriate process for making grants? To what extent has the department adequately monitored the grants it makes?
Revised Questions	
State Resources *Medium*	MDE made about $63 million available for Fiscal Year 2021 competitive grants. Only a small percentage of that amount was state-funded, but, MDE also administers numerous noncompetitive grant programs. For example, in Fiscal Year 2021, the Legislature named one recipient in law for a $200,000 grant to operate the Minnesota Principals Academy.
State Control *Medium*	Although MDE must follow federal requirements for administering federally funded grants, the state has substantial control over state-funded grant programs.
Impact *Medium-High*	The grant programs MDE administers have the potential to reach hundreds of thousands of children and adults across the state.
Timeliness *High*	An evaluation with a focus on MDE's grants management practices may address timely questions about how well the agency selects and monitors grantees.
Feasibility *High*	OLA could use standard evaluation techniques to conduct this evaluation, such as interviews and file reviews. Based on the large number of grant programs MDE oversees, OLA would need to focus on a subset of programs for in-depth review.
Balance *Medium*	In 2022, OLA released the *Minnesota Department of Education's Role in Addressing the Achievement Gap* evaluation report, but there are no other education topics under consideration for evaluation this year. OLA last evaluated MDE's general grant management policies in 2007; two other grants-related topics are being considered for evaluation this year.
Discussion *Important topic with timely concerns*	An evaluation of MDE's grant oversight could provide useful information that may address recent concerns about the agency's grant administration practices.

Minnesota Pollution Control Agency Landfill Permitting and Oversight

Topic Selection Background Information March 2022

Program Overview	The Minnesota Pollution Control Agency (MPCA) is responsible for permitting open landfills that accept different types of waste, such as municipal waste and construction waste. It also reviews monitoring reports and conducts inspections of landfill sites.
Original Evaluation Questions	Does the Minnesota Pollution Control Agency have adequate standards for permitting and expanding landfills? Does MPCA adequately monitor permitted landfills? Besides MPCA, what other public entities are involved in landfill oversight?
Revised Questions	
State Resources *Low*	MPCA estimated that annual expenditures for permitting and oversight activities for all solid waste facilities—which includes landfills—were approximately $3 million.
State Control *Medium*	Statutes and administrative rules give MPCA permitting and oversight authority over open landfills. However, landfills must also comply with federal regulations.
Impact *High*	Landfills arguably affect all Minnesotans: they accept waste produced by Minnesotans as well as waste produced during the construction of buildings and the production of goods that benefit Minnesotans. Landfills can also have significant long-term impacts on the environment and the health of Minnesotans who live near them.
Timeliness *Medium-High*	Within the last year, some Minnesota communities have identified a need to expand existing landfills before they fill up. In response, residents living near some of those landfills have expressed environmental justice and water quality concerns related to the proposed expansions. Given these recent concerns, an OLA evaluation could be timely.
Feasibility *Medium*	OLA could conduct the evaluation using standard practices, such as file reviews and data analysis. However, OLA may not have the technical expertise to evaluate certain aspects of this program, such as construction certification inspections performed by engineers.
Balance *Medium*	OLA evaluated MPCA's solid waste facility permitting—which includes landfill permitting—as part of broader evaluations in 1991 and 2011. OLA evaluated MPCA's recycling and waste reduction activities in 2015 and most recently evaluated an MPCA program in 2022 (*Petroleum Remediation Program*). This year's list of potential evaluation topics includes two other topics that could involve MPCA: (1) Grants to Nonprofit Organizations and (2) Programs Supporting Minnesotans Who Are Black, Indigenous, or People of Color.
Discussion *High impact and timely*	Landfills arguably affect all Minnesotans to some degree and Minnesotans who live near them to a significant degree. Given recent concerns related to the proposed expansion of some landfills, it could be a good time for OLA to evaluate this topic.

OLA Office of Justice Programs Grants

Topic Selection Background Information March 2022

Program Overview	The Office of Justice Programs (OJP) within the Department of Public Safety was created in 2003 and brought together programs from several state agencies intended to reduce crime and provide support to crime victims. OJP administers grants, provides training and technical assistance, provides research and data to stakeholders, and issues reparations benefits to victims of violent crime.
Original Evaluation Questions	Does OJP have a reasonable process for awarding grants? What has been the impact of the office's programs?
Revised Questions	To what extent do OJP's processes for awarding grants comply with statutory, agency, or federal guidelines? What has been the impact of the office's programs?
State Resources *Medium*	OJP administered 424 active grants in Fiscal Year 2021, totaling an estimated $117 million; OJP spent an additional $9 million in operating expenses. More than $75 million of OJP's expenditures came from federal funds.
State Control *Medium*	OJP administers both state and federal grants. Some federally funded OJP grants are tightly constrained and require OJP to closely adhere to federal guidelines, but others allow for more flexibility.
Impact *High*	OJP administers grants that impact thousands of people, including grants for youth crime prevention programs, domestic violence emergency shelter and assistance programs, and reparations for victims of violent crimes.
Timeliness *Medium*	There is no compelling reason to review OJP's grant administration process at this time, but there is also no compelling reason not to review it.
Feasibility *High*	OLA could look at OJP's process for awarding grants with typical research methods. Because OJP administers many different types of grants with varying criteria and levels of state control, we would likely select a subset of specific programs to examine in greater depth.
Balance *High*	OLA has not evaluated OJP before. OJP administers grants to some nonprofit organizations and, therefore, this topic may overlap with the proposed Grants to Nonprofit Organizations topic. One other topic being considered—Minnesota Department of Education Grants Oversight—would also focus on the administration of grants.
Discussion *Important topic, would need to be scoped*	OJP administers grants to programs that provide vital services, such as youth intervention, domestic violence emergency shelters, and crime prevention. This topic could provide useful information if scoped appropriately. OLA would consult with legislators when determining which particular OJP grant programs to examine more closely.

Programs Supporting Minnesotans Who Are Black, Indigenous, or People of Color

Topic Selection Background Information March 2022

Program Overview	Minnesotans who identify as Black, Indigenous, or People of Color (BIPOC) comprise an increasing share of the state's overall population, yet disparities exist between White and BIPOC Minnesotans in employment, homeownership, and other areas. The Legislature has created and funded various programs that may help reduce some of these disparities.
Original Evaluation Questions	Within DEED, DHS, MPCA, and MHFA, what programs are focused on supporting BIPOC Minnesotans? How much funding has been allocated and spent on these programs, and were the resources utilized as intended? Which organizations received funding from programs meant to support BIPOC communities?
Revised Questions	
State Resources *Unclear*	How we define programs "focused on supporting BIPOC Minnesotans" when scoping this evaluation would affect the amount of state resources devoted to this topic. If we focus on a smaller group of programs with the singular goal of supporting BIPOC Minnesotans, state resources may be low. If we include all programs that have as *one* of their goals providing support to BIPOC Minnesotans, state resources may be much higher.
State Control *Medium*	If we focus our review on state-authorized and funded programs, the Legislature will have control of program parameters and funding. If we decide to also include federally funded programs, state control may be lower.
Impact *High*	More than 1.3 million Minnesotans identify as BIPOC and, depending on their circumstances, may potentially qualify to receive support through state-funded programs.
Timeliness *Medium*	Legislation passed last session dedicated funding to a variety of programs intended to support BIPOC Minnesotans in economic recovery and other areas. While it may be too early to review some program results, we could review funding awards.
Feasibility *Medium*	We could conduct this evaluation using standard evaluation methods, although it would require significant scoping to decide which programs to review across the four agencies. Further, it may be too early to review program results.
Balance *Medium*	Six other potential evaluation topics may involve some of the same agencies included in this topic. We have performed evaluations at all four agencies in the past five years but have not focused on this topic.
Discussion *Other topics better suited to an OLA evaluation*	This evaluation could provide descriptive information about the amount of funding and number and types of programs within these four state agencies that support BIPOC Minnesotans. However, given that the questions of interest are largely descriptive, rather than evaluative, and likely involve public data, other agencies could answer them. Therefore, other topics on the list may be better suited to an OLA evaluation.

OLA RentHelpMN and COVID-19 Housing Assistance Program

Topic Selection Background Information March 2022

Program Overview	Minnesota Housing Finance Agency (MHFA) programs have provided assistance to low-income households struggling to make housing-related payments due to the COVID-19 pandemic. In 2020, MHFA accepted applications for the COVID-19 Housing Assistance Program (CHAP) from both renter and homeowner households and made assistance payments through 2021. From 2021 through early 2022, MHFA accepted RentHelpMN applications from renter households only, and disbursement of program funds is ongoing.
Original Evaluation Questions	To what extent did MHFA consistently apply eligibility criteria for these programs? Does the agency have proper controls in place to avoid fraudulent payments? Did the agency process applications in an efficient manner and within a reasonable timeframe? Did MHFA utilize its funding to maximize the total amount of direct-assistance payments?
Revised Questions	
State Resources *Low*	MHFA was allocated about $560 million and $100 million in federal funding for RentHelpMN and CHAP, respectively. The Minnesota Legislature has not appropriated state funds for either program.
State Control *Low*	MHFA is the state agency designated to administer direct assistance grants to Minnesota households through the RentHelpMN and CHAP programs, but the programs must meet federal requirements and are subject to federal oversight.
Impact *High*	Nearly 24,000 Minnesota households received assistance through CHAP in 2021. RentHelpMN provided assistance to more than 12,500 households in 2021, and MHFA anticipates that the program will support roughly 50,000 households from 2022 to 2023.
Timeliness *Medium*	Landlords expressed concerns about technical problems with RentHelpMN applications and delays in receiving assistance payments. While applications for these short-duration housing assistance programs are now closed, some legislators have introduced a bill to reopen RentHelpMN to new applications.
Feasibility *High*	This topic could be evaluated using standard evaluation techniques, such as interviews, file reviews, and surveys.
Balance *Medium*	OLA last evaluated MHFA in 2019. There are no other housing programs being considered for evaluation this year, although MHFA is included in the proposed topic to evaluate Programs Supporting Minnesotans Who Are Black, Indigenous, or People of Color.
Discussion *Little state control*	RentHelpMN and CHAP have provided assistance to many low-income Minnesota households impacted by the COVID-19 pandemic. An evaluation might answer questions about program administration that would be useful if the Legislature decides to reopen RentHelpMN to new applications. However, there is limited state control over these programs, as the federal government provides funding and guides program requirements.

OLA Southwest Light Rail Transit

Topic Selection Background Information March 2022

Program Overview	Southwest Light Rail Transit (SWLRT) is a 14.5-mile project now under construction that will provide fixed-rail transit between Eden Prairie and downtown Minneapolis. Recently, the Metropolitan Council—which oversees the project—announced that the project's budget has been increased to $2.75 billion, more than double the estimate from nine years ago. The estimated completion date has been delayed until 2027.
Original Evaluation Questions	What are the primary reasons for delays and cost increases in the SWLRT project? Has the Metropolitan Council properly managed the project's schedule and costs? Was there sufficient Metropolitan Council scrutiny of the route decisions and design choices that have subsequently required substantive changes to project costs or plans?
Revised Questions	
State Resources *Medium*	As noted above, the project's total budget is currently estimated to be up to $2.75 billion. Funding for most of the project will come from the federal government and Hennepin County; the State of Minnesota's share will total about $30 million.
State Control *High*	The Metropolitan Council is the lead agency managing SWLRT. The Council is a Twin Cities regional planning and operating agency whose members are appointed by the Governor.
Impact *High*	This rail line is projected to provide 30,000 rides per day, and the Metropolitan Council expects train stations to have significant impacts on development in the cities through which the line travels.
Timeliness *High*	The Minnesota House and Senate have been advancing bipartisan bills requesting completion of an OLA review of this project's management.
Feasibility *Medium*	SWLRT is a large, complex project. OLA can evaluate the project management questions identified above, but it cannot address technical issues—such as those related to the quality of the work or the adequacy of the project's engineering. OLA will need to carefully scope this evaluation so that—through the combined efforts of OLA's evaluation and special review staff—it can address key questions posed by legislators.
Balance *High*	There are no other transportation topics under consideration by the Legislative Audit Commission this year. OLA has not issued a transit-related evaluation since 2011.
Discussion *Keen legislative interest in this evaluation*	Legislators from both parties have asked OLA to review the SWLRT project—through an evaluation, a special review, or both. An evaluation would allow OLA to devote a team to this project for several months, supplementing other inquiries OLA is conducting using its special review authority. The evaluation would be challenging, but OLA could identify key factors that have contributed to project cost overruns and delays.

OLA Sustainable Building Guidelines

Topic Selection Background Information March 2022

Program Overview	In 2001, the Legislature directed the Department of Administration and other agencies to develop sustainable building design guidelines for state buildings in an effort to improve the energy efficiency of state buildings. By law, the guidelines apply to all buildings and major renovations receiving funding from bond proceeds. The Department of Administration's Construction Services team currently seeks to ensure that all state government buildings follow state guidelines.
Original Evaluation Questions	To what extent have new state buildings and major renovations that received funds from the bond proceeds fund been compliant with sustainable building guidelines, as required in *Minnesota Statutes* 2021, 16B.325? What is needed to ensure that such state buildings and major renovations comply with this statute before money is encumbered on a project? Who is in charge of enforcing this statute, and does this need to be clarified in law?
Revised Questions	
State Resources *Unclear*	Sustainable building guidelines could have implications for the cost of constructing and renovating state buildings, the extent of which is unknown. Expenditures for the Department of Administration's Real Estate and Construction Services—which has responsibilities pertaining to sustainable building guidelines, among others—were about $3.2 million in Fiscal Year 2020.
State Control *High*	Per state statutes, the departments of Administration and Commerce must develop and revise the sustainable building guidelines referenced in law. The Department of Administration also oversees their implementation.
Impact *Low/Unclear*	By law, sustainable building guidelines must focus on achieving the lowest possible lifetime costs for new buildings and major renovations. While ensuring sustainable building design may not directly affect the general population, it may result in lower costs to the public for government services.
Timeliness *Medium*	An evaluation could be useful but does not appear urgent.
Feasibility *Medium*	OLA staff do not have the technical expertise to evaluate whether specific buildings or renovations met sustainable building guidelines. OLA would need to rely on outside assessments of whether building projects met these guidelines, and it is not clear to what extent those data are available.
Balance *High*	There are no other evaluations pertaining to the Department of Administration on the list of possible topics for 2022. The Legislative Audit Commission is considering one other topic related to energy conservation—the Energy Conservation Improvement Program.
Discussion *Could prove informative*	While aspects of this evaluation may be challenging, OLA has never looked at this area of state government and an evaluation could provide helpful insight.