

Assisted Living Facility Licensing

Program Evaluation Description

July 2025

BACKGROUND

Assisted living facilities offer long-term personal care for individuals who live in a common residential setting, such as a group home or an apartment complex. Assisted living facility residents typically need daily services and supports, such as meals, assistance with housekeeping, or help with medications, but may not require the intensive care provided in a nursing home. Different facilities may offer different levels of services and supports.

In 2019, the Legislature developed a licensing structure for assisted living facilities and directed the Minnesota Department of Health (MDH) to implement it. The Legislature created two categories of licensure: assisted living and assisted living with dementia care. Facilities licensed in the second category must meet additional requirements related to the specialized care they provide.

MDH began issuing assisted living licenses in 2021. As of June 2025, MDH had licensed over 2,300 assisted living facilities. Over 1,200 of these were small facilities with a licensed capacity of five or fewer residents. After initial licensure, MDH monitors assisted living facilities for compliance with state requirements, mainly through inspections at least once every two years.

The introduction of assisted living facility licensing in 2021 was a substantial change in how Minnesota regulated such facilities. Four years into the licensure process, legislators and stakeholders have questions about how well MDH has implemented the Legislature's intent and the extent to which licensure has improved facility operations and resident experiences.

EVALUATION ISSUES

1. To what extent does MDH's licensing process for assisted living facilities contribute to transparency and accountability?
2. To what extent does MDH's licensing process contribute to quality care?
3. How well has MDH complied with legislative requirements regarding licensing?

DISCUSSION

To conduct this evaluation, we will analyze MDH licensing and inspection data, and review selected applications for initial licensure, license renewals, ownership changes, and relocations. We plan to visit assisted living facilities and speak with administrators, staff, and residents. We also plan to conduct a statewide survey of assisted living providers. To the extent that national standards or best practices exist for certain licensing procedures, we will compare them to MDH's procedures.

As originally recommended by the Legislative Audit Commission Evaluation Subcommittee, this evaluation encompassed both assisted living facilities and nursing homes. Due to the large scope of the recommended topic and staff constraints, we have focused this evaluation on assisted living facilities.

This evaluation is scheduled to be completed in Spring 2026. For additional information, contact David Kirchner, evaluation manager, at 651-296-3322 or David.Kirchner@state.mn.us.

Minnesota Agricultural Water Quality Certification Program

Program Evaluation Description

July 2025

BACKGROUND

Minnesota has vast water resources, including almost 12,000 lakes and over 10 million acres of wetlands. Agriculture, a key industry of the state's economy, can negatively impact water quality. The Minnesota Agricultural Water Quality Certification Program (MAWQCP) attempts to support agricultural producers in implementing conservation practices that protect water quality.

MAWQCP is a voluntary program that recognizes agricultural producers who mitigate risks to water quality across their entire operations. MAWQCP-certified producers receive assurance that they are considered in compliance with water quality regulations for ten years, recognition for their conservation efforts, and priority for technical and financial assistance.

MAWQCP began in 2012 as a federal-state partnership. In 2013, the Minnesota Legislature established MAWQCP in statute, and the program launched statewide in 2015. At the end of 2024, the program included more than 1,500 certified producers and 1.1 million acres of certified land.

The Minnesota Department of Agriculture (MDA) is responsible for program administration and works with Soil and Water Conservation Districts (SWCDs) across the state to implement the program at the local level.

MDA has received annual appropriations for MAWQCP from the state's Clean Water Fund. Between fiscal years 2014 and 2025, state funding for MAWQCP increased from \$1.5 million to \$3.5 million. Much of the program funding goes to SWCDs to administer the program and to agricultural producers to support their implementation of conservation practices.

EVALUATION ISSUES

1. To what extent has MDA complied with MAWQCP requirements in state and federal law?
2. How well has MDA managed MAWQCP?
3. What impact, if any, has MDA demonstrated MAWQCP to have on water quality in Minnesota?

DISCUSSION

As part of this evaluation, we will review state laws and MDA's documentation to understand the agency's management of the program. We will also interview staff at MDA and other state agencies, program certifiers, and other stakeholders to hear how MDA coordinates with program partners and stakeholders. Additionally, we will survey agricultural producers to gather their perspective on the program. We will also conduct site visits to observe the certification process and meet with SWCD staff who administer the program locally.

Beyond this, we will analyze program data and conduct a file review of documents relevant to the certification process to understand how MDA has administered key aspects of the program. We will also conduct a literature review focused on water quality and pollution reduction outcomes related to conservation initiatives or programs similar to MAWQCP.

We plan to complete the evaluation and issue a report in early 2026. For additional information, contact project manager Caitlin Zanoni-Wells at 651-296-2518 or Caitlin.Zanoni@state.mn.us.

Office of Ombudsperson for Families

Program Evaluation Description

July 2025

BACKGROUND

When there are concerns about a child's welfare, the government may step in to help protect the child's safety. Government interventions may include connecting the child's family with services or removing the child from the care of their parent(s). Children across Minnesota are involved in the child protection system; however, children of color are over-represented in the system.

Established by the Legislature in 1991, the Office of Ombudsperson for Families (OBFF) works to ensure that families of color are treated fairly and appropriately in issues of child protection and placement. The office has three ombudspersons, each of whom works with one of the following communities: African and African-American families, Asian-Pacific families, or Spanish-speaking families. Statutes establish community-specific boards that are responsible for advising and assisting the ombudspersons in fulfilling their duties.

The ombudspersons are responsible for monitoring whether various entities—such as certain state agencies, courts, and county social service agencies—comply with child protection and placement laws as they affect children of color. The ombudspersons also may address complaints about matters pertaining to child protection or placement for children of color, and they may make recommendations to address identified issues.

Statutes also direct OBFF to work with local courts. For example, OBFF is to help ensure that certain individuals involved in child protection are trained in cultural diversity and that court advocates include experts from the appropriate communities.

EVALUATION ISSUES

1. To what extent has the Office of Ombudsperson for Families fulfilled its statutory duties?
2. How well does the Office of Ombudsperson for Families address complaints?

DISCUSSION

For this evaluation, we will review statutes to understand OBFF duties, expectations, and oversight. We will then assess how the office's efforts align with direction in law. In addition, we will compare these aspects of the office to best practices, as applicable, and to a selection of other independent state ombudsperson offices in Minnesota.

To assess the extent to which the office has fulfilled its statutory duties and addressed complaints, we will seek the perspectives of stakeholders who work with the ombudspersons, such as through taskforce or board membership. We will also gather the perspectives of key stakeholders, including individuals and community-based organizations, involved in child protection and child welfare in Minnesota. We will ask these stakeholders about their perceptions of OBFF's duties and efforts.

To evaluate OBFF's efforts to address complaints, we will review a small sample of recent complaints. Doing so will help us better understand and assess complaint-related decisions and actions.

This evaluation is scheduled to be completed in early 2026. For additional information, contact Caitlin Badger, evaluation manager, at 651-297-1917 or Caitlin.Badger@state.mn.us.

Voter Registration

Program Evaluation Description

July 2025

BACKGROUND

Before voting in a state or federal election, eligible Minnesotans must first register. Under state law, to register to vote, an individual must be: a U.S. citizen, 18 years of age or older on Election Day, a resident of Minnesota for at least 20 days, not under a court order that revokes their right to vote, and not currently incarcerated for a felony conviction.

In Minnesota, responsibility for overseeing voter registration is split between state and county officials. The Office of the Secretary of State (OSS) is responsible for operating a database of all registered voters in the state, called the Statewide Voter Registration System (SVRS). This database periodically interacts with other state and federal databases to help verify individuals' identity, location, and eligibility to vote. For example, SVRS receives data from the State Court Administrator's Office to identify registered voters who have legally changed their name.

County auditors are responsible for maintaining the list of eligible voters in the SVRS database. County staff process voter registration applications, add eligible voters to the database, and update voter registration records (for example, if an individual has moved).

Minnesota has made several changes to voter registration laws in recent years. For instance, individuals convicted of a felony who are not currently incarcerated (but are on probation or parole) were previously ineligible, but may now register to vote.

EVALUATION ISSUES

1. To what extent have OSS and counties complied with state and federal voter registration requirements?

2. To what extent have OSS and counties established and implemented appropriate voter registration policies and procedures?
3. How have recent legislative changes in Minnesota affected voter registration?

DISCUSSION

To conduct this evaluation, we will review OSS policies, as well as guidance that OSS provides to counties, to determine whether they align with applicable laws and best practices.

We will also analyze voter registration data in SVRS to determine legal compliance, examine the eligibility of selected registrants, and identify trends in voter registration rates over time.

Additionally, we plan to survey all county auditors in Minnesota and conduct more detailed interviews with auditors from a sample of counties. We will also review those counties' voter registration policies and procedures and analyze a nonrepresentative sample of voter registration applications.

Finally, we will evaluate the extent to which OSS and the Legislature have implemented the recommendations that OLA made in the 2018 *Voter Registration* evaluation.

This evaluation will focus on the efforts of OSS and counties to ensure that (1) only eligible individuals are registered to vote and (2) eligible voters are not prevented from registering to vote. The evaluation will not focus on voter outreach or election security. OLA plans to conduct a separate evaluation in the coming year on the Department of Public Safety's implementation of automatic voter registration.

This evaluation is scheduled to be completed in spring 2026. For additional information, contact Sarah Delacueva at Sarah.Delacueva@state.mn.us or 651-296-1226.

Board of Animal Health Oversight of Companion Animals

Topic Selection Background Information

April 2025

Program Overview	The Board of Animal Health (BAH) is responsible for protecting the health of Minnesota domestic animals. This responsibility extends to a variety of animals, including cattle, deer, horses, poultry, sheep, and cats and dogs held by breeders and kennels. BAH is also responsible for inspecting and licensing commercial cat and dog breeders and certain kennels.
Evaluation Questions	How well has BAH fulfilled its responsibility to “protect the health of the state’s domestic animals” with respect to companion animals? To what extent has BAH enforced commercial breeder licensing and enforcement, and kennels and dealers laws? To what extent has BAH established adequate policies and standards for its work? How does Minnesota’s regulation and oversight of companion animals compare to that of other states?
State Resources <i>Low</i>	For Fiscal Year 2024, BAH reported total expenditures of \$7.4 million, of which 3 percent was dedicated to activities related to dog and cat breeders. It is unclear how much was dedicated to work in kennels. The state funded more than 80 percent of the board’s expenditures in Fiscal Year 2024.
State Control <i>High</i>	BAH is established in state law. The board consists of seven members, who are appointed by the governor, with the advice and consent of the Senate. Minnesota statutes grant the board its authority to inspect and license commercial dog and cat breeders and kennels.
Impact <i>Low</i>	In Fiscal Year 2024, BAH licensed 92 kennels and 89 commercial dog and cat breeders. In addition, the board awarded three commercial breeders through the Breeder Excellence Program.
Timeliness <i>Medium</i>	This topic has appeared on OLA’s list of potential evaluations several times since the Legislature enacted a law to license commercial breeders in 2014. It may be a good time to review BAH’s work in this area.
Feasibility <i>High</i>	OLA could complete this evaluation using standard evaluation techniques, such as interviews and document reviews.
Balance <i>High</i>	OLA last evaluated BAH’s work in 2018, but OLA has never evaluated the board’s oversight of companion animals.
Discussion	An evaluation focused on BAH’s oversight of companion animals would be manageable and potentially useful to determine how well the board oversees the health of these animals in the state.

Implementation of Automatic Voter Registration

(Department of Public Safety Focus)

Topic Selection Background Information

April 2025

Program Overview	In 2023, the Legislature enacted automatic voter registration. The law requires the Department of Public Safety (DPS) to transmit an individual's citizenship status to the Office of the Secretary of State (OSS) when they apply for or make changes to a driver's license. Licensing service center staff are responsible for reviewing citizenship documentation and providing it to DPS's Driver and Vehicle Services (DVS) staff. DVS staff must confirm citizenship prior to relaying the information to OSS for an additional review. OSS then reviews certain information to verify eligibility. If confirmed, OSS transfers the information to local election officials for registration.
Evaluation Questions	To what extent has DPS taken appropriate measures to ensure that only eligible voters have been registered to vote?
Revised Questions	To what extent has DPS taken appropriate measures to verify citizenship documentation of individuals who apply for or make changes to driver's licenses and conveyed that documentation to OSS so that eligible voters could be registered to vote?
State Resources <i>Low</i>	The Legislature appropriated \$45,000 to DPS in Fiscal Year 2024 for implementation of the automatic voter registration system. The portion of DPS's overall expenditures dedicated to automatic voter registration activities is likely small.
State Control <i>High</i>	Minnesota law establishes automatic voter registration requirements that DPS must follow. DPS must coordinate with OSS to ensure only eligible Minnesotans are registered to vote.
Impact <i>Medium</i>	As of March 2025, approximately 3.7 million Minnesotans were registered to vote. As of September 2024, DPS reported that over 65,000 Minnesotans had been automatically registered to vote.
Timeliness <i>Medium-High</i>	There have been concerns with the integrity of the automatic voter registration process since it was implemented in 2023. Since implementation, DPS reports that it has revised its processes and established additional verification checks to confirm eligibility. Despite recent changes, it may be a good time to evaluate DPS's processes as more individuals will be registered to vote through the automatic voter registration system in the coming years.
Feasibility <i>Medium</i>	OLA could evaluate DPS's processes for reviewing and relaying information to OSS using standard evaluation techniques, including document reviews. However, OLA would be able to review only a sample of voter eligibility documentation and DPS's oversight of a select number of licensing service centers.
Balance <i>Medium</i>	OLA last evaluated OSS's procedures for voter registration in 2018. At that time, however, automatic voter registration was not in place.
Discussion	Voter registration integrity is essential to fair elections. While OLA could independently review DPS's measures to validate citizenship, the office would likely not be able to review a large enough sample of documentation to make generalizable conclusions about voter registration eligibility.

FOLLOW-UP EVALUATION

Minnesota Board of Public Defense**Topic Selection Background Information****April 2025**

Program Overview	The Minnesota Board of Public Defense is a Judicial Branch agency that provides public defense to certain individuals who cannot afford to obtain legal counsel. The board has identified five goals to support its mission and is responsible for appointing certain lead public defenders and approving standards for public defender offices, among other tasks. The board employs nearly 900 assistant public defenders and other professionals.
Evaluation Questions	What are current average caseloads for public defenders in Minnesota, and how do they compare to national standards? To what extent has the Minnesota Board of Public Defense met its goals? To what extent have board members provided effective leadership and carried out their responsibilities?
State Resources <i>High</i>	Board operations are primarily state funded. In Fiscal Year 2024, the board expended approximately \$153 million.
State Control <i>High</i>	The board and its responsibilities are established in law, as are the criteria that make an individual eligible to receive a public defender and the duties of certain lead public defenders.
Impact <i>High</i>	The board reports that it represents individuals in more than 140,000 cases annually. Those represented by public defenders cannot afford to pay for legal representation. Navigating the legal system without representation could have significant adverse effects on the defendants' case outcomes and lives.
Timeliness <i>Medium</i>	In 2022, an overwhelming majority of public defenders voted that they had no confidence in the leadership of the State Public Defender, and more than half of the public defenders who completed a union survey reported that working conditions hindered their ability to conduct timely investigations. At the same time, the board received a 55 percent increase in state funding between fiscal years 2022 and 2025, which may have helped to address some concerns.
Feasibility <i>High</i>	The topic could be evaluated using standard evaluation techniques, including data analysis, document reviews, interviews, and surveys.
Balance <i>High</i>	OLA last evaluated the public defender system in 2010.
Discussion	This could be a timely and useful topic. The questions posed for this evaluation would also give OLA an opportunity to assess the extent to which recommendations from its 2010 report were implemented.