HUMAN SERVICES DEPARTMENT:
Mental Health Division

An Inventory of Its Welsch Consent Decree Compliance Files

Access to or use of this collection is partially restricted.

For details, see Administrative Information.

OVERVIEW
Series Title: Welsch Consent Decree Compliance Files,
Quantity: 14.6 cubic feet (15 boxes).
Location: See Detailed Description section for box locations.

SCOPE AND CONTENTS

Records relating to the Welsch Consent Decree, a landmark court case (1972-1989) which led to major changes in the treatment of Minnesota's institutionalized mentally retarded citizens. The division's compliance officer worked with the U.S. District Court Monitor for the Welsch Consent Decree to ensure compliance with the provisions of the consent decree.


Topics dealt with in the files include children's issues, community needs assessment and placement, compliance/non-compliance, dental services, legislation, mental retardation services, physical therapy, psychotropic medications, habilitation programming, quality assurance, regional treatment centers, respite care, nursing homes, various Decree rules, staffing, state
hospitals, and training. Also contained in the records are informational, instructional and request bulletins; corrections orders; dental services surveys; Moose Lake State Hospital photographs; policy analysis series papers; technical assistance reports; Welsch compliance work plans; series of correspondence with the Court Monitor's Office and the Legal Advocacy for Persons with Developmental Disabilities; and Human Services Department office memoranda.

INDEX TERMS

*These records are indexed under the following headings in the catalog of the Minnesota Historical Society. Researchers desiring materials about related topics, persons or places should search the catalog using these headings.*

**Topics:**
- Child mental health services--Minnesota.
- Compliance.
- Daycare centers for the developmentally disabled--Minnesota.
- Developmentally handicapped--Institutional care--Minnesota.
- Group homes for the developmentally disabled--Minnesota.
- Hospital dental services--Minnesota.
- Mental health facilities--Admission and discharge--Minnesota.
- Mental health facilities--Minnesota--Employees.
- Mental retardation facilities patients--Legal status, laws, etc.--Minnesota.
- Mentally handicapped--Institutional care--Minnesota.
- Mentally handicapped--Minnesota--Discipline.
- Mentally ill--Minnesota.
- Needs assessment--Minnesota.
- Nursing homes--Minnesota.
- Psychiatric hospital patients--Legal status, laws, etc.--Minnesota.
- Public welfare--Minnesota.
- Psychotropic drugs--Minnesota.
- Quality assurance--Minnesota.
- Respite care--Minnesota.
- State hospitals--Minnesota--Administration.
- State hospitals--Minnesota--Photographs.
- Welsch Consent Decree.

**Organizations:**
- Faribault State Hospital.
- Hawthorne House (Bovey, Minn.).
- Hearthside Homes, Inc. (Tower, Minn.).
- Legal Advocacy for Developmentally Disabled Persons in Minnesota.
- Legal Advocacy for Persons with Developmental Disabilities.
- Minnesota. Department of Public Welfare.
- Moose Lake State Hospital (Minnesota)--Photographs.
- United States. District Court (Minnesota : 4th Division). Office of the Monitor of the Welsch Consent Decree.
Types of Documents:
Photographs.

ADMINISTRATIVE INFORMATION

Restrictions:
Some of these records include private information about individuals. Records with private information are closed for 75 years from date of last entry in the record. The restricted records are noted in the finding aid. Researchers must apply for permission to use these records. Please consult library staff for more information.

Moose Lake State Hospital photographs that include residents are not restricted; however, their use for reproduction or publication is not allowed.

Preferred Citation:

Accession Information:
Accession numbers: 992-100; 2001-55; 2019-25

Processing Information:
Catalog ID No.: 1737253

DETAILED DESCRIPTION

Note to Researchers: To request materials, please note both the location and box numbers shown below. Each file consists of one folder unless specified otherwise.

<table>
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<tr>
<th>Location</th>
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| 110.C.15.3B    | 1   | RESTRICTED, In Part
                  Advisory group, 1982-1984. RESTRICTED  |
                  Aversive behavior modification technique, June 20, 1987. |
                  RESTRICTED  |
                  RESTRICTED  |
                  Appears to be an incomplete series.  |
                  Appears to be an incomplete series.  |
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Appears to be an incomplete series.

Case Management Study:
- Final draft, September 23, 1988.


Children:
- General information, 1986-1988. **RESTRICTED**
- Children’s data sheets, [ca. 1986]. **RESTRICTED**
- Quarterly reports, 1987-1989. 3 folders. **RESTRICTED**
- Variance requests, 1987-1989. **RESTRICTED**

Children's issues, 1982-1984. 2 folders. **RESTRICTED**


Community assessments, 1982.


Community needs assessment protocol, 1987. **RESTRICTED**

Community needs assessment listing, April 1989. **RESTRICTED**

Community placement monitoring project, 1990.


Compliance issues:
- December 1982. **RESTRICTED**
- Remaining, April 1983. **RESTRICTED**

110.C.15.4F  2

1984. **RESTRICTED**
- Resolved, June 1, 1984. **RESTRICTED**
- Faribault, 1984-1986. **RESTRICTED**
- Fergus Falls, 1984-1986. **RESTRICTED**
- 1986. 3 folders. **RESTRICTED**
- February 11, 1987. **RESTRICTED**


Compliance updates, 1988-1989. **RESTRICTED**

Consent Decree interpretations, 1981.
Control and discipline of residents: Policies, May-September 1986. 4 folders.
Core and cluster service delivery system, August 1985.
Correction orders:
  Moose Lake Regional Treatment Center, 1987.  
  St. Peter Regional Treatment Center, 1987.  
  January–April 1987.  
  May 1987.  
  June 1987.  
  July–August 1987.  
Correspondence, general, 1984-1985.
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<th>Details</th>
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| 110.C.15.5B         | 3   | Fergus Falls, 1987. **RESTRICTED**  
                   |     | Moose Lake, 1987. **RESTRICTED**  
                   |     | St. Peter, 1987. **RESTRICTED**  
                   |     | Dental services, 1986. **RESTRICTED**  
                   |     | Depositions, 1982.  
                   |     | Developmental Achievement Centers (DAC) licensing, 1987.  
                   |     | (DAC) standards (Rule 38) non-compliance, 1985-1987. **RESTRICTED**  
                   |     | Direct care staff survey, April 1980:  
                   |     | Brainerd.  
                   |     | Faribault Regional Treatment Center/State Hospital. 2 folders.  
                   |     | Fergus Falls Treatment Center.  
                   |     | Moose Lake State Hospital.  
                   |     | Esala letter, 1988. **RESTRICTED**  
                   |     | Fire marshal, 1986.  
                   |     | Fiscal policy options to comply with consent decree, February 1981.  
                   |     | Foster care, 1984.  
                   |     | Funds, 1981.  
                   |     | Garrity vs. Sununu order and plan of implementation, January 24, 1985.  
                   |     | Hearing impaired services, 1985-1986. **RESTRICTED**  
                   |     | Implementation group meetings, 1987-1989. **RESTRICTED**  
                   |     | Individual habilitation plan (IHP) reviews, 1987-1989 **RESTRICTED**.  
                   |     | Interagency coordination, 1981.  

**Restrictions apply to material in this table.**
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Location       Box  
110.C.15.5B   3  Intermediate care facility for the mentally retarded or persons with related conditions – Survey report form, 1981.

RESTRICTED

110.C.15.6F  4  Legal Education Center lease agreement, 1984.
Legislation:
Legislative Auditor: Programs for Mentally Retarded People: The Impact of Welsch, February 1986.  2 folders.
  Executive summary and comments and draft copy.
  Legislative proposals, 1982.
Litigations, 1982.
Medical support unit proposal, 1985.
Medically fragile children, 1985-1986.  RESTRICTED
Medication monitoring, 1986.  RESTRICTED
Meetings -- Monitor, Plaintiff, and DHS.
Mental Retardation Division:
  Position descriptions, [ca. 1985].
  Staff meeting minutes, 1986.
Mental Retardation Program Review:
  Faribault, July 1984.
  Cambridge, October 1984.
  Fergus Falls, October 1984.
Minnesota Department of Education: Recommended Eligibility Criteria for Students Who are Mentally Handicapped, June 1986.
Monitoring Behavior Management Programs in Public Schools, undated.
  Written by Robert E. Johnson and Lois Cranston.
Moose Lake State Hospital photographs, [ca. 1984].
Photographs (indoor and outdoor) of hospital buildings, resident living quarters, activity areas, and grounds.

**NOTE:** Some photographs include residents. These photographs are not restricted; however, reproduction and publication of the photographs is not allowed.

Newspaper articles on the case, 1974-1989. 2 folders.
Nursing home placement of Welsch class members, 1985-1986.

**RESTRICTED**
Office of Compliance, 1985. **RESTRICTED**
Order approving settlement correspondence, April-September 1987.
Paragraph 13, 1986.
Glacial Ridge, Cambridge, and Fergus Falls.

Faribault, St. Peter, and Willmar.

Physical therapy, 1987. **RESTRICTED**

**RESTRICTED**
December 31, 1987; July 1, 1988; December 29, 1988; and June 30, 1989.

Published by the Governor’s Planning Council on Developmental Disabilities and the Developmental Disabilities Program of the Department of Energy, Planning and Development.
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Powell and Rainforth report:


Report, July 1986.  RESTRICTED
Correspondence, 1986-1987.  RESTRICTED
Attorney General office response, 1986.  RESTRICTED
Moose Lake response, November 1986.  RESTRICTED
Cambridge response, November 1986.  RESTRICTED
Brainerd response, December 1986.  RESTRICTED

Pre-settlement work plan, 1987.

Program reviews: Legal advocacy, 1988.  RESTRICTED
Programs for mentally retarded persons, 1986.

Psychotropic medications:

Use of Psychotropic Medications in Minnesota’s Regional Treatment Centers:

Quarterly summaries arranged by RTC.
October 1987 – March 1989.  6 folders.


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RESTRICTED
Case files, [ca. 1970s-1980s].  RESTRICTED

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Ramsey County, 1982. **RESTRICTED**

Record audit procedures, 1987.

Regional treatment centers:

- Residents’ roster, December 31, 1987. **RESTRICTED**

Report of services to class members at MVSAC (St. Peter), April 2, 1987. **RESTRICTED**

Residential facilities management goals/indicators, December 1986.

Resolution plan, 1986.

Respite care services, August 1984.

Respite care, 1985-1987. 3 folders. **RESTRICTED**

Response to statewide issue 210, May 4, 1984. 2 folders. **RESTRICTED**

Reastraint and Restriction Policy, 1981.

Restraint, seclusion, separation programs, 1986-1987. 2 folders. **RESTRICTED**

Review of county procedures required by Minnesota case management rule, Minnesota Rules 9525.0025, Subp.5 (formerly Rule 1985), May 26 and July 1988. 2 folders.


Review of Programs and Class Members at Minnesota Valley Social Adaptation Center by Eric Rudrud, PhD and Anita Scheremer, M.A., CCC, November-December 1986.

Rule 34: ICF/MR standards:

- Promulgation of rule 34, 1986-1988. **RESTRICTED**
- Correction orders, 1987. **RESTRICTED**
- Licensing, 1987. **RESTRICTED**
- Variances, 1988. **RESTRICTED**


Rule 40, 1986-1989. 3 folders. **RESTRICTED**

Rule 34 and 42, 1988. 2 folders.


Rule 185, 1986.
Services After Institutionalization: Where We Have Been, Where We Are, Where We Are Going: A Look at Minnesota, October 16, 1987.
   Speech by Gunnar Dybwad.

Special needs listings, 1986-1988. **RESTRICTED**
Special needs discharge letters, 1987-1989. 3 folders.
   **RESTRICTED**
Staff Development and Training Needs, Lois R. Rood report, [ca. 1987].

Staffing:
   Staffing levels, 1985-1986.
   Staff allocations, 1982-1986.
   Assessments used, 1986-1987. **RESTRICTED**
   **RESTRICTED**
   Staffing reports, September-December 1987.
   Staffing reports (monthly) at RTC’s, 1988 – July 1989. 2 folders.
   Staffing agreement, 1982.
State Hospital - Injury/death, 1984-1985. **RESTRICTED**
State Hospital - Program plans, 1982-1983. **RESTRICTED**
State Hospital - Strike, 1981.
State Hospital - Technical assistance, 1984. **RESTRICTED**
State Hospital and Nursing Home Survey Project, August 1, 1983.
Statewide and Community Compliance, 1984-1987. 10 folders.
Statistical and demographic information, 1985.
Status report and summary of accomplishments as of February 1980.
Technical Assistance Group meeting minutes, 1985.
Technical assistance position: Failure to fill as non-compliance issue, June 1985.
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| 112.E.5.3B | 7   | June 1982.  
|            |     | June 30, 1983.  
|            |     | December 31, 1983.  
|            |     | December 31, 1984.  

|            |     | August 15, 1986.  
|            |     | Training plans, 1987. 2 folders.  
|            |     | Training plans not included in settlement, April 1987.  
|            |     | Training record of individual staff, [ca. 1988].  
|            |     | Updates, 1988-1989. **RESTRICTED**  
|            |     | Welsch compliance work plan, September 1986. **RESTRICTED**  
|            |     | Welsch compliance work plan update, January 5, 1987. **RESTRICTED**  
|            |     | Welsch strategy meeting minutes, 1986.  
|            |     | Welsch vs. Levine Consent Decree Summaries, 1984. 2 folders.  
|            |     | Wheelchairs, 1985-1989. 2 folders. **RESTRICTED**  

**Rule 39/Rule 40 records:**

Rules 39 and 40 govern the use of aversive and deprivation procedures in agencies, facilities, and programs licensed or operated by the Public Welfare Department to serve mentally retarded persons. Records include correspondence, public hearing transcripts, testimony, and task force reports and comments.

Rule 40, 1982-1984. 5 folders.
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<td>Aneskarn IV-Rosselaer Home (formerly Maki Home), 1984, 1986. 2 folders.</td>
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<td>Benton County, 1985.</td>
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<td>Brainerd Regional Human Services Center:</td>
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<td>Assessment instruments used, December 1986.</td>
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<td>Individual service plan, 1986.</td>
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<td>Restraint data, November 1986.</td>
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<td>Cambridge State Hospital:</td>
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<td>Annual team format, June 1986.</td>
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<td>Assessments of resident’s habilitative programs, undated.</td>
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<td>Correspondence, 1977-1988. 2 folders.</td>
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<td>County participation in scheduled teams, February 1986 - August 1987. 2 folders.</td>
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<td>Current research, 1980.</td>
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<td>Grant requests, 1980.</td>
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<td>Mental Retardation Program Review, Dennis R. Olvera, PhD, October 1984.</td>
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<td>Organization plan for comprehensive program services, August 18, 1983.</td>
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<td>Crow Wing County, 1984.</td>
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<td>112.E.5.6F 10</td>
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<td>Faribault State Hospital:</td>
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<td>Correspondence, 1979-1987. 4 folders.</td>
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<td>Drug survey, March 5, 1981.</td>
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<td>Opinions re Faribault State Hospital Resident Discharge Plans, 1980.</td>
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<td>In July 1980, opinions were sought from parents, relatives, and correspondents of FSH residents by the FSH Advisory Board regarding the discharge of FSH residents and plans for eventual closure of the hospital.</td>
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<td>Program review, July 1984.</td>
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Restriction report, October 1986.  
Site visits, June 9, June 26, and July 2, 1981.  
WTCN TV – Channel 11 script, February 9-11, 1983.  

Fergus Falls State Hospital, 1979-1989:  
- Assessments of resident’s habilitative programs, undated.  
- Correspondence, 1979-1987. 2 folders.  
- Grandquist site visit, January 29, 1981.  
- Mental Retardation Program Review by Dennis Olvera, PhD, October 1984.  

Green Haven Heights DAC (St. Paul), 1985.  
Hawthorne House (Bovey), 1984-1985. 2 folders.  
Hennepin County, 1984-1989.  
Madden Haven Home (South Haven), 1984-1986.  
Madden Kimball Home (Kimball), 1984.  
Midwest Special Services, Inc. (St. Paul), 1990.  
Minnesota Learning Center (Brainerd):  
- 10 Year Report, 1980.  

Moose Lake Regional Treatment Center:  
- Response to report for update of seven class members on whom outstanding issues exist as noted in appendix a of court monitor’s report of October 23, 1986.  

Morrison County, 1984.  
Northome – Welsch class members program review, 1984.  
Oak Ridge Care Center (Minneapolis), 1984.  
Olmsted County REM, 1986.  
Polk County Group Homes, 1987.  
Portland Residence (Minneapolis), 1984.  
Ramsey County, 1984.  
Red Wing REM, 1986.
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112.E.5.7B  11  Rochester State Hospital, 1981.
St. Camillus Shelter (Little Falls), 1984-1985.
St. Peter Regional Treatment Center:
   Annual report to governing board, June 7, 1984.
   Monthly reports, May, July, August 1987. 3 folders.
Todd County DAC, August 1984.
Todd County Group Home, August 1984.
Tyler REM, 1984-1986. 2 folders.
Willmar State Hospital and Glacial Ridge Training Center:
   Assessments of resident’s habilitative programs, undated.
Wright County, 1984.
Welsch vs. Likins Court Orders, 1974, 1976. 2 folders.
Correspondence files: **RESTRICTED, In Total**
   Jane Delage, Department of Human Services, 1987-1989. 2 folders.
Department of Public Welfare:

Department of Human Services, September 1984-1989. 19 folders.
Department of Human Services, office memoranda, 1982, 1984-1989. 7 folders.
Legal Advocacy for Developmentally Disabled Persons in Minnesota:
   Name changes to Legal Advocacy for Persons with Developmental Disabilities in 1986.
   1982-1983. 4 folders.

112.E.5.9B  13  1984-1989. 8 folders.
Statistics on admissions and discharges from state institutions:

**RESTRICTED, In Total**
Admissions, through July 1986.
Analysis of admissions and discharges from RTC/MR programs,
Admissions, discharges, serious injuries, deaths monthly reports, 1987-1989. 3 folders.
Discharges report, community places follow-up, 1989.
Discharges, monthly reports, April-June 1987.
Discharge tracker, June 12, 1990.


Admission.

County Nursing Home Survey. **RESTRICTED**

Habilitation Programming Review.

Hearing impaired. 4 folders. **RESTRICTED**

Madden Haven Home.

Nursing home interrogatories. 3 folders. **RESTRICTED**

Nursing home placements.

Physical therapy services at Cambridge Regional Center.

Respite care policy. **RESTRICTED**

Response to Court Monitor's Initial Findings on Non-Compliance.

Sixty-day evaluations:

1985-1986. 3 folders. **RESTRICTED**

1986. 1 folder. **RESTRICTED**

Welsch Summary, 1980.

Hawthorne House Welsch Compliance records: **RESTRICTED, In Total**

Correspondence and related records pertaining to Hawthorne House/Itasca Development Achievement Center's failure to meet standards set forth for Welsch Class members.

1982-1984. 4 folders.

Hearthside Homes Welsch Compliance proceedings: **RESTRICTED, In Total**

Correspondence and U.S. District Court pleadings pertaining to Hearthside Home's (Tower, Minnesota) compliance with the Welsch Consent Decree.

1984-1986. 8 folders.
1984-1986. 2 folders.
Welsch client census reports (date is date of computer print-out):

**RESTRICTED, In Total**

1986. 8 folders.

Includes July 7, July 16, September 4, September 10 (by dentist list), September 26 (by age group), September 29, October 7, and December 4.

1987. 10 folders.

Includes March 5, April 2, April 7, April 22, April 28, June 15, June, September 23, September 25, and December.

1988. 6 folders.

Includes January, February, March, April, May, and June.

Admissions to community ICF/MRs or nursing homes, June 25, 1986.

Persons who have been reported to be in mechanical restraint, separation, or seclusion in at least four different months between August 1, 1981 and April 1, 1987, September 23, 1987.


Field review records: **RESTRICTED, In Total**


Case record reviews, Rule 185 summary, October 1988.

Case record reviews, October 1988:

Blue Earth County.

Crow Wing County.

Hennepin County.

Meeker County.

Olmsted County.

Polk County.

Ramsey County.

St. Louis County.

Scott County.

Wright County.


Field review sample forms, 1988:

Record review cover sheet.

Record review.

Reviewer observation and rating form.

Consumer survey.

Staff interview.

Consumer satisfaction survey: family/friend satisfaction survey.
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<td>Consumer satisfaction tracking worksheet.</td>
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<td>Users manual for record review protocol.</td>
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<td>Letter to vendor.</td>
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<td>Site visit tracking record.</td>
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