

## Table of Contents

### Minnesota Competency Attainment Board

<i>Agency Profile</i> .....	1
<i>Agency Expenditure Overview</i> .....	4
<i>Agency Financing by Fund</i> .....	5
<i>Agency Change Summary</i> .....	6
<b><u>Additional Documents</u></b> .....	7
<i>Change Item Request - Maintain Core Competency Attainment Board Operations</i> .....	7

<https://mn.gov/cab/>

### AT A GLANCE

- Board members began meeting in July 2023
- Program administrator hired in January 2024
- As of July 2024, 15 forensic navigators, four forensic navigator supervisors, one human resources manager, and one information technology manager are employed by the board
- 770+ orders of appointment received from ten judicial districts, 38 counties, for over 400 clients
- Forensic navigators assigned in ten judicial districts, 24 counties, 118 cases, and serving 68 clients
- Three competency attainment programs certified

### PURPOSE

MNCAB's mission is, "To guide the development of a Competency Attainment System by identifying best practices, establishing program standards, and implementing Forensic Navigator services." MNCAB's vision statement is, "To promote wellness, safety, and justice in Minnesota by building pathways for competency attainment through collaboration, accountability, and innovation."

The Minnesota Competency Attainment Board (MNCAB) was established by the Minnesota State Legislature during the 2022 and 2023 legislative sessions, and is charged with creating and administering a statewide, independent competency attainment system. This includes establishing and providing forensic navigator services and instituting processes that certify competency attainment programs.

Forensic navigator services are aimed at assisting individuals who are involved in the criminal justice system and who live with mental illnesses, substance use disorders, and/or cognitive impairments. Forensic navigators provide professionally coordinated services to their clients to help them attain competency and comply with their conditions of release. MNCAB certifies competency attainment programs in accordance with the interim processes, approved in March 2024. Competency attainment programs provide clinical and educational services to individuals who need competency attainment services. The educational component of these programs is reliant on the competency attainment curriculum, developed and published by MNCAB in September 2023.

### BUDGET

As a newly established agency, MBCAB does not have historical spending. MNCAB's first biennial budget was established simultaneously with authorizing legislation. \$3.315 million was appropriated from the general fund in fiscal year (FY) 2024 and \$10.9 million was appropriated in fiscal year 2025.

### STRATEGIES

MNCAB members began meeting in July 2023 and initiated the processes for establishing a new state agency. MNCAB received significant assistance from the Guardian ad Litem Board (GALB) to initiate the creation, approval, and hiring of new employees. Additional support for financial processing needs was provided by the Judicial Branch's State Court Administrator's Office's Finance Division. Both supports will continue pending MNCAB's hiring of permanent employees and implementing other independent solutions.

Forensic navigators are appointed by the court to provide impartial services to criminal defendants (clients) whose competency to stand trial is in question. Within their role, forensic navigators work directly with clients, connecting them to appropriate services that will help them attain competency. Forensic navigators also collaborate with other justice and behavioral health system partners to support clients. Forensic navigators assist

clients by ensuring that they participate in court-ordered examinations, attend court hearings, and comply with other conditions of release. Forensic navigators may also provide services that include, but are not limited to, coordinating placements in competency attainment programs, as well as helping clients access mental health care, acquire stable housing, financial assistance, social services, and other necessary services.

MNCAB is also responsible for establishing and implementing certification procedures for competency attainment programs. Competency attainment programs are structured programs that provide both clinical and educational services to individuals who require competency attainment services. Minnesota Statute § 611.57 establishes a certification advisory committee which is responsible for recommending certification processes to MNCAB. Interim processes have been established and three competency attainment programs have been certified as of July 2024. The certification advisory committee and MNCAB will continue to evaluate competency attainment program standards and will revise the interim procedures as needed to ensure high quality, effective competency attainment services are provided by certified programs.

During fiscal year 2025, MNCAB will focus on continuing to build a fully functioning, independent competency attainment system. These efforts will be aimed primarily at establishing new job classifications to support the work and hiring additional forensic navigators to expand the availability of resources statewide. MNCAB will also engage in efforts to increase the number of certified competency attainment programs over the next year.

## RESULTS

Measure name	Measure type	Measure data source	Historical trend	Most recent data
Establish certification requirements for competency attainment programs	Result	Certification policies and procedures	No documents created prior to January 2024	Interim policy and procedures 401 and application forms implemented in March 2024
Certify competency attainment programs	Result	Application forms received and reviewed	No information prior to July 2023	Three competency attainment programs approved
Launch certification advisory committee	Result	Members identified and meetings scheduled	No information prior to July 2023	Committee structures and regular meeting schedule established
Recommend a competency attainment curriculum	Result	Curriculum available statewide	No documents created prior to July 2023	Curriculum drafted and approved in September 2023
Establish a forensic navigator program	Result	Employees hired	No employees hired prior to January 2024	21 employees hired in FY 2024. One employee so far in FY 2025
Establish forensic navigator standards, policies, procedures, etc.	Result	Board and program administrator policies and procedures	No documents created prior to January 2024	Over 22 policies and procedures in effect

Measure name	Measure type	Measure data source	Historical trend	Most recent data
Create and administer a statewide, independent system/agency	Result	Organizational structures established with Minnesota state agencies (e.g., MMB)	No information prior to July 2023	<ul style="list-style-type: none"> <li>• HR rules and compensation plan established and approved</li> <li>• Budget established, interim mechanisms for processing financial transactions in place</li> <li>• IT structures in process, including security measures and support services</li> <li>• Eight new job positions classified, five additional pending approval</li> </ul>

---

Minn. Stat. §§ 611.40 – 611.59 (<https://www.revisor.mn.gov/statutes/cite/611>) outlines Competency Proceedings in Minnesota. Section 611.56 (<https://www.revisor.mn.gov/statutes/cite/611.56>) establishes the Minnesota Competency Attainment Board, [Section 611.55](https://www.revisor.mn.gov/statutes/cite/611.55) (<https://www.revisor.mn.gov/statutes/cite/611.55>) establishes Forensic Navigator Services, and [Section 611.59](https://www.revisor.mn.gov/statutes/cite/611.59) (<https://www.revisor.mn.gov/statutes/cite/611.59>) establishes the requirements for Competency Attainment Programs.

(Dollars in Thousands)

	Actual FY22	Actual FY23	Actual FY24	Estimate FY25	Forecast Base	
					FY26	FY27

**Expenditures by Fund**

1000 - General			537	13,878	10,900	10,900
<b>Total</b>			<b>537</b>	<b>13,878</b>	<b>10,900</b>	<b>10,900</b>
Biennial Change				14,415		7,385
Biennial % Change						51

**Expenditures by Program**

Competency Attainment Board			537	13,878	10,900	10,900
<b>Total</b>			<b>537</b>	<b>13,878</b>	<b>10,900</b>	<b>10,900</b>

**Expenditures by Category**

Compensation			438	9,950	9,950	9,950
Operating Expenses			58	3,828	850	850
Other Financial Transaction			42	100	100	100
<b>Total</b>			<b>537</b>	<b>13,878</b>	<b>10,900</b>	<b>10,900</b>

**Full-Time Equivalents**

			3.12	138.00	138.00	138.00
--	--	--	------	--------	--------	--------

# Competency Attainment Board

# Agency Financing by Fund

(Dollars in Thousands)

	Actual	Actual	Actual	Estimate	Forecast Base	
	FY22	FY23	FY24	FY25	FY26	FY27
1000 - General						
Balance Forward In				2,978		
Direct Appropriation		250	3,515	10,900	10,900	10,900
Cancellations		250				
Balance Forward Out			2,978			
Expenditures			537	13,878	10,900	10,900
Biennial Change in Expenditures				14,415		7,385
Biennial % Change in Expenditures						51
Full-Time Equivalents			3.12	138.00	138.00	138.00

*(Dollars in Thousands)*

	FY25	FY26	FY27	Biennium 2026-27
<b><i>Direct</i></b>				
<b>Fund: 1000 - General</b>				
FY2025 Appropriations	10,900	10,900	10,900	21,800
Forecast Base	10,900	10,900	10,900	21,800

# Minnesota Competency Attainment Board

## FY 2026-27 Biennial Budget Change Item

### Change Item Title: Maintain Core Competency Attainment Board Operations

Fiscal Impact (\$000s)	FY 2026	FY 2027	FY 2028	FY 2029
General Fund				
Expenditures	2,156	3,190	3,190	3,190
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	2,156	3,190	3,190	3,190
FTEs	0	0	0	0

### Request:

The Competency Attainment Board seeks \$5,346,000 in the FY2026-2027 biennium to maintain core operations and meet the demands for competency attainment services in the state of Minnesota. The funds will be used to provide wage increase in each fiscal year, cover unavoidable health insurance premium increases, and fund operating costs.

This request represents a 24.52% increase in biennial base budget.

### Rationale/Background:

The Competency Attainment Board began implementing Minnesota Statutes §§ 611.40 – 611.59 in July 2023. Several new job positions, initial salary ranges, and core operational needs have been established. The Program Administrator was hired in January 2024 and over 30 additional employees have been hired since March 2024. A Request for Proposals for a Salary Structure Benchmark and Compensation Study closed in early October 2024. The results of the study will help MNCAB establish an equitable compensation plan to support long-term recruitment and retention of qualified and diverse employees. The Competency Attainment Board must continue to hire and retain skilled, diverse, knowledgeable employees to ensure it will effectively meet the requirements of the statute and establish a statewide, independent competency attainment system.

The original funding, established during the 2022 legislative session, for the Competency Attainment Board was based on estimated employee costs and did not include operating expenses. In addition to hiring employees to launch MNCAB's work, non-personnel expenses required to start a new state agency are also necessary. Examples of these expenses include human resources, technology, and other operational costs. Ongoing human resources expenditures include items such as job postings, employee background studies, and a HR software system. Technology related costs include several items such as computer equipment for employees, Microsoft licenses, internet and security tools, and case management and service desk software services. Other employee related expenses include training and education, travel reimbursement, and office facilities.

### Proposal:

This change item request is not a new initiative. The Competency Attainment Board seeks \$5,346,000 to continue recruitment and hiring to reach effective staffing levels, to cover the unavoidable employer covered portion of each employee's health care benefits, and to provide funds for ongoing operating expenses.



**Impact on Children and Families:**

The Competency Attainment Board does not provide direct services to children. However, forensic navigator services and competency attainment programming can improve the mental health and wellness of adult criminal defendants. The health and wellness of adults has a direct impact on the lives of children. Forensic navigator services aim to provide stability to clients through housing supports, improved access to mental health and substance use services, and other resources within the community.

**Equity and Inclusion:**

The Competency Attainment Board is committed to building and sustaining a respectful and inclusive organization that promotes prevention and diversion of individuals living with mental illness and cognitive impairments by supporting them through the competency process. The Competency Attainment Board is further committed to employing a workforce that reflects the community and to serving the community with integrity, compassion, and a belief that equity, justice, safety, and wellness are integral to building strong communities. The ability to provide competitive salaries will help the Competency Attainment Board continue to recruit and retain employees from a variety of backgrounds, including minority, ethnic, and racial communities. This change item request assists in ensuring a skilled, knowledgeable, and diverse workforce.

**Tribal Consultation:**

Does this proposal have a substantial direct effect on one or more of the Minnesota Tribal governments?

☐ Yes  
☒ No

**IT Costs:**

The Competency Attainment Board is not seeking information technology related funding in the fiscal year 2026-2027 biennium.

**Results:**

This proposal is intended to allow the Competency Attainment Board to maintain core operations and provide competency attainment services as needed statewide.

**Statutory Change(s):**

This request does not require statutory changes.