

**Table of Contents**  
**Minnesota Competency Attainment Board**

<i>Agency Profile</i> .....	1
Agency Expenditure Overview .....	4
Agency Financing by Fund .....	5
Agency Change Summary .....	6
<b><u>Change Item(s)</u></b> .....	7
<i>Operating Adjustment</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

<b>Measure name</b>	<b>Measure type</b>	<b>Measure data source</b>	<b>Historical trend</b>	<b>Most recent data</b>
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>

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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		Governor's Recommendation	
					FY26	FY27	FY26	FY27

**Expenditures by Fund**

1000 - General			537	13,878	10,900	10,900	11,160	11,426
<b>Total</b>			<b>537</b>	<b>13,878</b>	<b>10,900</b>	<b>10,900</b>	<b>11,160</b>	<b>11,426</b>
Biennial Change				14,415		7,385		8,171
Biennial % Change						51		57
Governor's Change from Base								786
Governor's % Change from Base								4

**Expenditures by Program**

Competency Attainment Board			537	13,878	10,900	10,900	11,160	11,426
<b>Total</b>			<b>537</b>	<b>13,878</b>	<b>10,900</b>	<b>10,900</b>	<b>11,160</b>	<b>11,426</b>

**Expenditures by Category**

Compensation			438	9,950	9,950	9,950	10,210	10,476
Operating Expenses			58	3,828	850	850	850	850
Other Financial Transaction			42	100	100	100	100	100
<b>Total</b>			<b>537</b>	<b>13,878</b>	<b>10,900</b>	<b>10,900</b>	<b>11,160</b>	<b>11,426</b>

**Full-Time Equivalent**

			3.12	138.00	138.00	138.00	138.00	138.00
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**Competency Attainment Board**

**Agency Financing by Fund**

*(Dollars in Thousands)*

	Actual FY22	Actual FY23	Actual FY24	Estimate FY25	Forecast Base FY26 FY27		Governor's Recommendation FY26 FY27	
<b>1000 - General</b>								
Balance Forward In				2,978				
Direct Appropriation		250	3,515	10,900	10,900	10,900	11,160	11,426
Cancellations		250						
Balance Forward Out			2,978					
<b>Expenditures</b>			<b>537</b>	<b>13,878</b>	<b>10,900</b>	<b>10,900</b>	<b>11,160</b>	<b>11,426</b>
Biennial Change in Expenditures				14,415		7,385		8,171
Biennial % Change in Expenditures						51		57
Governor's Change from Base								786
Governor's % Change from Base								4
Full-Time Equivalents			3.12	138.00	138.00	138.00	138.00	138.00

(Dollars in Thousands)

	FY25	FY26	FY27	Biennium 2026-27
<b>Direct</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
<b>Change Items</b>				
Operating Adjustment		260	526	786
<b>Total Governor's Recommendations</b>	<b>10,900</b>	<b>11,160</b>	<b>11,426</b>	<b>22,586</b>

# Minnesota Competency Attainment Board

## FY 2026-27 Biennial Budget Change Item

### Change Item Title: Operating Adjustment

Fiscal Impact (\$000s)	FY 2026	FY 2027	FY 2028	FY 2029
General Fund				
Expenditures	260	526	526	526
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	260	526	526	526
FTEs	0	0	0	0

### Recommendation:

The Governor recommends additional funding of \$260,000 in FY 2026 and \$526,000 in each subsequent year from the general fund to help address operating cost increases at the Minnesota Competency Attainment Board.

### Rationale/Background:

The cost of operations rises each year due to increases in employer-paid health care contributions, FICA and Medicare, along with other salary and compensation-related costs. Other operating costs, like rent and lease, fuel and utilities, and IT and legal services also grow. This cost growth puts pressure on operating budgets that remain flat year to year. The Board faces challenging decisions to manage these rising costs within existing budgets, while maintaining the services Minnesotans expect. This recommendation provides additional resources to help address these cost pressures and pay for operations.

The Minnesota Competency Attainment Board began in July 2023. Several new job positions, initial salary ranges, and core operational needs have been established. Over 30 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 establish an equitable compensation plan to support long-term recruitment and retention of qualified and diverse employees. The Minnesota 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.

### Proposal:

The Governor recommends increasing operating budgets to support current services. For the Minnesota Competency Attainment Board, this funding will help cover expected growth in employee compensation and insurance, and other operating costs.

### Dollars in Thousands

Net Impact by Fund	FY 26	FY 27	FY 26-27	FY 28	FY 29	FY 28-29
General Fund	260	526	786	526	526	1,052

### Results:

This recommendation is intended to help the Minnesota Competency Attainment Board address rising cost pressures and mitigate impacts to current levels of service and information to the public.