Innovation/Team SOS

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Need to lay out the current situation:

* Contact some people who succeeded and some who failed or gave up at getting licensing to find out what happened, how long it took
* Get clarity from MDA on what their numbers mean – “calls” = 1600, with 400 of those food-related; but there was an increase of >400 in license numbers from 2015 to 2016.
  + Not all contacts with MDA are coming to the main MDA information line.
  + Many contacts are with individual inspectors out in the field, and if people hear “no” at that level, they often give up
    - But how often?
* People who actually got licenses – that is public information in the licensing look-up database

Decide what our real goal is:

* Shorten the time to getting a license; OR
* Deal with the “No” situations
* Discussion: not a totally clear-cut division. Sometimes when people are getting stuck and hearing “no,” that means more time spent trying to work through issues.

Example from StarTribune story re: new navigator office in Mpls:

* People in Mpls getting stuck and confused by multiple requirements, multiple agencies, layers of regulation
* This group helps them navigate; smooths the path to a final outcome of business launch.
* “Group of problem-solvers”
* City of Mpls new office is the entity that can deal with all of the comprehensive business development needs that we know are needed – BUT --
* We’re not talking about the same thing for the MDA Innovation Group
  + Can’t bring in all of the plumbing, electrical, zoning, etc.
  + MDA group has to focus on regulatory issues

Referrals

* MFMA can refer people. MFMA often runs interference – questions come in to MFMA, MFMA contacts Val, gets answers, reports back.
* Need to have that kind of ability for MFMA and other farmer-contact groups to make those referrals, do that follow-up with MDA.
* Inspectors are often wrong; they turn a lot of people away because of mistakes in interpretation, either of statute or of what entrepreneurs are telling them.
  + Education problem with inspectors
  + Mythical interpretations of statute get started and are hard to unwind
    - Tim’s example: as an inspector, he was taught if a business was closed for a certain length of time, there was automatic re-start on all equipment. That is not supported by statute, however; it was a myth that wound up getting taught as fact.
    - “Light processing” of produce is another example; that was a made-up phrase that did not appear in statute but was taught to inspectors and to the public.
  + Helps to have real-life examples to work through what the mistakes and what the interpretations are.

What do we really want?

* Bottom line: We need to have a permanent, formalized thing in MDA that will do what Val Gamble currently does: take in questions and issues, and get answers.
* Get something established first, with limited $; then you can build on it.
* Ombudsperson?
  + Health care has these; for example elder care; ombudsperson helps families navigate the system.
* We must have a team that has authority to make decisions on overturning inspectors and saying what the correct interpretation of statute is. That is different from an ombudsperson or navigator.
* Terminology is important. We want to change the culture.
  + “Second Opinion” is not helpful in getting buy-in from inspectors; makes it sound like their authority is usurped.
    - Inspectors need to feel part of this team so they are comfortable bringing questions & issues to it.
  + Words:
    - Troubleshooting
    - Problem-solving
    - Team of innovation specialists
* Healthcare example again:
  + Inspectors = general practitioners
  + MFMA, RTC, MISA = another type of general practitioner
  + MDA innovation team = specialists; take referrals from general practitioners

Current process for handling difficult cases:

* Inspector refers case to supervisor
  + That creates a bottleneck for supervisors; may have multiple tough cases to try to deal with
  + Business owners get stuck with waiting for resolution
  + We have also seen cases where supervisors make mistakes, or affirm an incorrect decision by an inspector

Changing Culture

* It’s important to not throw anyone under the bus. This should be a learning experience.
  + Sometimes inspectors are trained incorrectly (e.g. regulatory myths get into training)
  + Not the inspector’s fault if their training was faulty.
  + An entrepreneur hearing “No” is an opportunity to improve the system.
* MFMA, MISA, RTC, others are now comfortable with challenging the “No.” That was not the case three years ago.
  + We have a network of individuals and organizations who can bring the challenges forward.

How to sell this to the Legislature and Commissioner of Agriculture?

* What does the team do? What EXACTLY is it for?
* It is a team within MDA that removes unnecessary regulatory roadblocks, bringing in MDH as necessary.
* Sample language: “A team of regulatory specialists who facilitate the fitting of food business innovations into statutory frameworks and food safety best practices.”
  + “Specialists” may be problematic language for getting buy-in from agency staff
  + Other potential words:
    - Optimal
    - Functioning
    - Functional food safety team – important to get “food safety” in there.
* Use language from FoodSafety.gov re: the role of food businesses and of regulators
  + Say we want this team to help the State of MN adapt to changing food business scene
* We want this to be a permanent unit within MDA, not subject to shifting political landscape

How to establish this team?

* Start with a coordinator position. That’s how City of Mpls started – the coordinator position came first.
  + Get the position established and then start to build out the program
* How to ensure that non-regulatory people; groups like MFMA; can access the team and be part of its process?
  + Have the coordinator position come with an advisory board
  + Entrepreneurs with cases before the team could have the right to bring an advisor/advocate with them

How to advertise the team & get people to use it?

* Name of the team will be important.
  + Has to be descriptive and appealing to both inspectors and food entrepreneurs.
  + What would make someone think it there was a pathway to take a “No” answer to a higher level?
    - “Food Safety Team” wouldn’t speak to entrepreneurs.
* Clarity on role of team will be important.
  + Key role is interpretation of regulations.
    - That’s what we got in the Wabasha case: most of what MDA contributed to that was interpretation.
  + Interpretation by itself is not enough. The goal is to get new businesses all the way to licensing.
    - In the Wabasha case, the MDA group didn’t get the Wabasha Market all the way to licensing.
      * The interpretations were made that in turn made licensing possible.
      * Sara still had to produce some food safety-related documents to satisfy inspector concerns; that happened with non-MDA assistance.
      * Sara still had to work with her local inspector to get the actual license.
  + Team’s role: Open the door and pave the road to licensing.
* Process will be important.
  + We don’t just need the team, we need a process to ensure that referrals to it happen.
  + MDA has a licensing liaison
    - That person is new in the position; individuals’ roles at MDA shift often
    - Process and structure is important, so this isn’t dependent on certain individuals.
* Possible group names, acronyms:
  + Solution Advisory Licensing Team (SALT)
  + Innovation Solution Advisory Licensing Team (iSALT)
  + Innovative Solutions to Licensing (ISTL – too close to ISIL)
  + Food Innovation Team for Regulatory Interpretation (FITFRI)

Strategy for the Ask:

* First we need a solid one-page proposal to support conversations with potential stakeholders
* Reach out to Good Food Access Fund. All businesses making application to them will need this team.
  + Megan O’Hara was interested in doing this.
* SHIP will support this.
  + Tim can make contact
* Reach out to Paul Hugunin.
  + MFMA is on Minnesota Grown advisory board & can make this contact. Jane could as well.
* Provide information to Ben Miller, Nikki Neeser
* Check with Val re: best strategy for approaching MDA Commissioner’s office. Connect with Matt Wohlmann, Susan Stokes.
  + Also note: Jodi Nelson has come to a couple of our Bush grant and LFAC meetings, and is an ombudsperson in the MDA Commissioner’s office. Potential ally.