

HCBS Final Rule Evidentiary Package

Boutwells Landing Adult Day Service



Setting information

Setting name: Boutwells Landing Adult Day Service	ID #685
Street address: 5610 Norwich Parkway, Oak Park Heights, MN 55082	Phone: 651-275-5801
Setting website, if applicable: Boutwells Landing - Adult day services (https://www.preshomes.org/our-communities/boutwells-landing/adult-day-services)	Date of site visit: 2/5/2019

Waiver service type

Waiver service	Service type:
<input checked="" type="checkbox"/> Alternative Care (AC) <input checked="" type="checkbox"/> Elderly Waiver (EW) <input type="checkbox"/> Brain Injury (BI) <input checked="" type="checkbox"/> Community Access for Disability Inclusion (CADI) <input type="checkbox"/> Community Alternative Care (CAC) <input type="checkbox"/> Developmental Disabilities (DD)	Adult Day Service

Reason for heightened scrutiny

Prong type	Category	Type of setting
Prong 1 Located in a Public or Private Institution	Name of Institution	Name of Institution The Gables Care Center

Note: The term people/person (resident for residential settings) refers to people receiving Medicaid HCBS waiver service.

General summary

Boutwells Landing Adult Day Service (ADS) is located in Oak Park Heights, a city in Washington County, Minnesota. Oak Park Heights is located approximately 20 miles east of Saint Paul, Minnesota. The population was estimated at 4,918 per census data in 2017. Boutwells Landing is located in a residential and commercial neighborhood, adjacent to a public park and about one mile from the public high school. It takes approximately two minutes to drive to the main commercial businesses along state highway 36.

Boutwells Landing ADS is an adult day setting. On the campus, Boutwells Landing ADS is also referred to as "Circle of Friends." At the time of the site visit, the setting served 13 people supported by a home and community-based waiver program and 27 people supported by other funding sources. Each day, the setting serves approximately 10-20 people.

The adult day setting is located on a campus that includes "The Commons," Boutwells Landing's customized living setting, and The Gables Care Center, a nursing facility that provides skilled nursing care and rehabilitation services. Presbyterian Homes and Services, a non-profit, faith-based corporation, owns and operates the entire campus. Presbyterian Homes and Services is governed by a board of directors comprised of local business and community members.

Adult day provider standards/qualifications

Licensure requirements and other state regulations for adult day services clearly distinguish these services/settings from institutional licensure or regulations.

Adult day services provided in center-based facilities are directly licensed by the Department of Human Services. Adult day services serve functionally impaired adults on a regular basis for periods of fewer than 24 hours during the day in a setting that is not a residence.

Adult day service definitions that support the setting requirements

Minnesota’s Community Based Services Manual (CBSM) provides the following requirements for [Adult day services](http://www.dhs.state.mn.us/main/id_002205#): (http://www.dhs.state.mn.us/main/id_002205#)

Adult day services must:

- Be based on the person’s assessed needs
- Be directed toward the achievement of specific outcomes identified in the person’s support plan
- Offer opportunities to participate in community groups (e.g., senior citizen centers or clubs, generic service organizations, adult education)
- Provide age-appropriate tasks and materials
- Provide community integration opportunities to enhance the person’s social and physical interaction with people without disabilities
- Provide the supports necessary either to maintain or improve the person’s ability to care for him or herself.

Prong 1 and Prong 2 settings

Meaningful distinction between the facility and HCBS setting

States must submit strong evidence that the setting presumed institutional has the characteristics of a HCBS setting and not an institutional setting.

Determination	Summary
<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable	<p>Interconnectedness between the facility and the setting in question, including administrative or financial interconnectedness, does not exist or is minimal.</p> <p>Boutwells Landing ADS and The Gables Care Center share administrative oversight, but have separate budgets, day-to-day operations and staffing. Boutwells Landing ADS has a dedicated administrator that serves as day-to-day operations manager, and dedicated full-time staff that provide services to adult day participants. Boutwells Landing ADS has a separate</p>

	<p>address and entrance apart from the nursing facility. Food services are prepared in a central kitchen and served in a dedicated dining room. Boutwells Landing ADS has a dedicated activity program and activities and events for residents.</p>
<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable	<p>To the extent any facility staff are assigned occasionally or on a limited basis to support or back up the HCBS staff, the facility staff are cross-trained to meet the same qualifications as the HCBS staff.</p> <p>Administration confirmed that all staff that work in the adult day setting are trained specifically for home and community-based support in a manner consistent with the HCBS settings regulations. Administration confirmed that nursing facility staff are not scheduled to work with people at the adult day setting on the same shift.</p>
<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable	<p>Participants in the setting in question do not have to rely primarily on transportation or other services provided by the facility setting, to the exclusion of other options.</p> <p>Boutwells Landing ADS is located in a suburban area with limited direct public transportation. The setting has a campus “Medi-van” that provides transportation to medical appointments in the local area. Residents can use local private transportation providers, such as city taxis, Allegiance Transportation, and Go-Go Grandparent, and public shared-ride services such as Dial-a-Ride and Transit Link. Some residents enrolled in managed care services may utilize BlueRide or Ride Connect services to travel to medical appointments covered under waiver programs. People at the setting also use family transports and their own vehicles. Transportation options are provided to program participants in an informational pamphlet, at the campus transportation kiosk, and during the setting’s admission process.</p>

- Met
- Unmet
- Not applicable

The setting provides HCBS services in a space that is distinct from the space that institutional services are provided.

Boutwells Landing ADS provides services in a space that is distinct from the space used by the nursing facility. Adult day services are provided in a separate building of the larger complex, connected via an indoor hallway. The setting has separate outside signage and a separate entrance from the nursing facility. In the picture below, Boutwells Landing ADS is outlined in yellow, and The Gables Care Center is outlined in red.



Aerial view of Boutwells Landing campus, with Boutwells Landing ADS outlined in yellow and The Gables Care Center outlined in red

Community engagement opportunities and experiences

Community engagement is supported by setting staff through activities in the community at large. People are notified of community activities through a calendar of community events, flyers, newspapers and staff announcements and reminders. Per setting staff, community activities may include:

- Outings to events in town, such as music and theater trips
- Public parks
- Activities at the customized living setting
- Restaurants
- Civic events, such as parades and holiday celebrations
- Nature activities



Community room at Boutwells Landing ADS

People also have the option to go out on their own, with family and friends, and by using local transit options and volunteer drivers. These activities include:

- Faith-based events
- Shopping trips
- Restaurants
- Civic events

The setting provides a daily calendar of activities for people to participate in at the setting. People are also informed of on-site activities through the monthly activity calendar, bulletin board announcements, and staff announcements and reminders. On-site activities may include: Wellness activities, games and crafts, interest groups, music appreciation, faith-based activities, and walks around campus.

People at the setting have the option to choose not to participate at any time. Per staff and residents, they are offered alternative times or activities or are free to participate in activities of their choosing.

HCBS characteristics

This section is a summary of the individual HCBS characteristics required in the HCBS rule. The findings for each characteristic are identified through the setting attestation documentation, on-site observation or both.

HCBS Rule requirement	Compliance status
<p>The setting provides opportunities for people to seek employment and work in competitive integrated settings.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Staff confirmed that they would accommodate people at the setting who wish to work outside the setting by coordinating transportation, helping the person get ready for work, and providing a flexible service schedule. Staff reported that they would save meals or provide a packed lunch depending on the person’s needs.</p>	Compliant
<p>The setting is physically accessible to the individual.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <div data-bbox="204 1060 1036 1856" data-label="Image"> </div> <p>Private bathroom with accessibility features and shower</p>	Compliant

<p>Common spaces were observed to be accessible to people at the setting. At the site visit, hallways were observed to be equipped with handrails and grab bars and a shower chair were observed in the setting's dedicated bathroom. People at the setting confirmed that the setting is physically accessible to them.</p>	
<p>The setting provides people opportunities to access and engage in community life.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>The setting supports opportunities to access and engage in community life. Practical purposes, such as errands and medical appointments are supported, as well as personal experiences, such as social and family outings, faith-based activities, and meals in the community.</p> <p>The staff provide information and resources on transportation options to access the greater community. Staff assist people to arrange transportation as needed and many people arrange their own transportation.</p> <p>Activities are tailored with feedback from people at the setting, through meetings, discussions with people, and by obtaining their preferences during the admission process and at regular health assessments.</p> <p>Staff confirmed that people at the setting are informed of their right to choose any medical provider. One person interviewed stated that they have regular medical appointments in the community and her partner takes her to these.</p>	<p>Compliant</p>
<p>The setting supports the person's control of personal resources.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Staff and people living in the setting confirmed that residents have full control over their personal finances.</p>	<p>Compliant</p>
<p>The setting ensures people's right to privacy.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p>	<p>Compliant</p>

<p>Administration confirmed that staff are trained through HCBS settings rule training to respect the privacy of people at the setting. The setting was observed to have a lockable bathroom door where personal cares can be conducted privately as needed.</p>	
<p>The setting ensures people’s dignity and respect.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Administration confirmed that staff are trained through HCBS settings rule training to ensure the dignity and respect of people at the setting. During the site visit, staff were observed addressing people by their chosen names, and people at the setting were dressed in clothing of their choosing.</p>	Compliant
<p>The setting ensures people’s freedom from coercion and restraint.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Administration confirmed staff are trained on the Minnesota Vulnerable Adults Act and through HCBS settings rule training.</p>	Compliant
<p>The setting optimizes individual initiative, autonomy, and independence in making life choices, including daily schedule and with whom to interact.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>People in the setting were observed to lead their own lives and plan their own daily schedules and arrange their days as they would like. Staff confirmed that the programming at the setting accommodates the schedules of the people served in this setting. Staff confirmed that people at the setting are free to choose their own activities and may interact with whomever they like. People at the setting confirmed that staff would accommodate their personal schedules by saving a meal or providing flexibility in meal times and programming.</p> <p>Staff confirmed that people at the setting may have visitors at any time. During the site visit, visitors were observed coming and going to and from the setting.</p>	Compliant

Staff and residents confirmed that people at the setting have the freedom and support to control their own schedules, coming and going to and from the setting, and eating when they would like. Staff and people at the setting stated that if they are hungry, they can let staff know, and staff accommodate their needs.

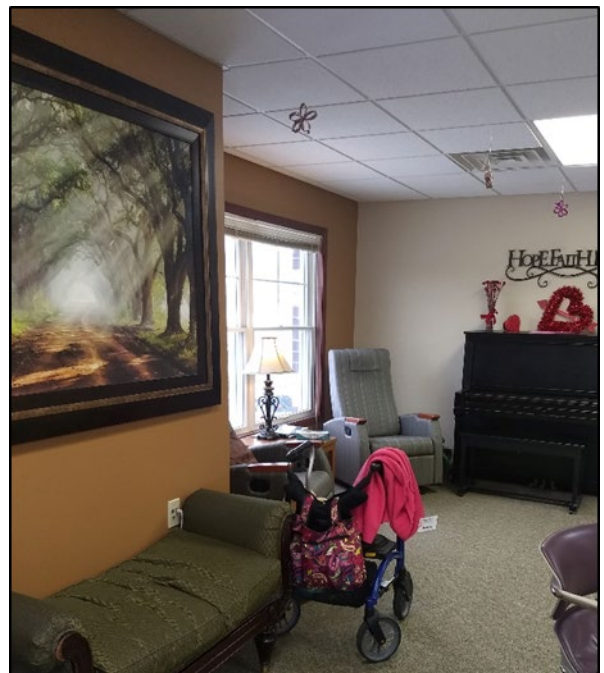


Boutwells Landing ADS kitchen area. People at the setting may get food at any time

Pictures of the HCBS setting



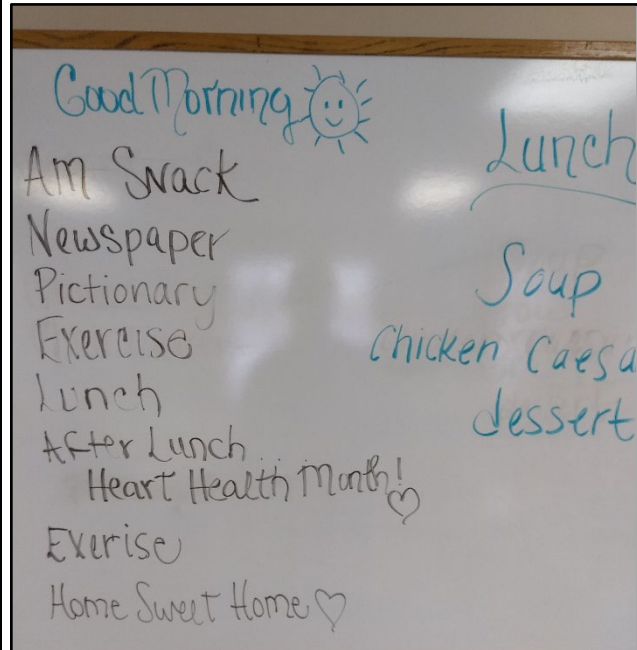
Calendar posting with weather announcements



Sitting area in community room



Dedicated entrance to Boutwells Landing ADS



Daily menu and activities schedule

Public comment summary

The Minnesota Department of Human Services (DHS) did not receive public comments for this setting.

DHS sought public comment from April 30, 2019, to June 9, 2019, before submitting settings to the Centers Medicare & Medicaid Services (CMS) for heightened scrutiny.

We sought public comments using the following methods:

- Evidentiary packages posted online on the [Home and Community Based Services Rule transition plan page](#)
- Evidentiary packages specific to each setting posted in a common area of the setting
- Notice of public comment period via [May 10, 2019, eList announcement](#)
- Notification to lead agencies via regional resource specialists
- Notification to providers via email
- Notification to managed care organizations and Area Agencies on Aging (AA) via email
- Notification to long-term care ombudsman office via email
- Disability Hub MN virtual insight panel.

Minnesota's recommendation

Date of recommendation: 7/1/2019

Minnesota supports that this setting overcomes the institutional presumption and meets the requirements of a home and community-based setting. Provider is required to maintain on-going compliance with all HCBS requirements.