

HCBS Final Rule Evidentiary Package

Heather Haus



Setting information

Setting name: Heather Haus	ID #30673
Street address: 223 Fourth St. NW, Blooming Prairie, MN 55917	Phone: 507-583-7399
Setting website, if applicable: Heather Haus Assisted Living (http://prairiemanorinc.com/heather-haus-assisted-living/)	Date of site visit: 9/17/2018

Waiver service type

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

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 Prairie Manor Care Center

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

General summary

Heather Haus is located in Blooming Prairie, a rural city in Steele County, Minn. Blooming Prairie is located approximately 40 miles southwest of Rochester, Minn. The Census estimated the population at 1,996 in 2010. Heather Haus is located in a residential neighborhood, adjacent to a public pool and close to the public elementary and high schools. It takes approximately 12 minutes to walk to the main business district in town.

Heather Haus is a customized living setting with 20 apartment units. At the time of the site visit, the setting served six people supported by a home and community-based waiver program and 13 people supported by other funding sources.

The customized living setting is located on a campus that includes Prairie Manor Care Center, a skilled nursing facility that provides skilled nursing care and rehabilitation services. Prairie Manor Inc., a nonprofit corporation, governs the entire campus. Prairie Manor Inc. is supported by five local churches who comprise the board of directors.

Customized living provider standards/qualifications

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

Customized living services are provided in housing-with-services establishments with the service provider directly licensed as a comprehensive home care provider by the Minnesota Department of Health. Customized living services provide an individualized package of regularly scheduled health-related and supportive services to a person who lives in a qualified, registered housing-with-services establishment.

Customized living service definitions that support the setting requirements

Customized living (CL) and 24-hour CL services include component services designed to meet the person's assessed needs and goals. Individualized CL services may include supervision, home care aide tasks (e.g., assistance with activities of daily living), home health aide task (e.g., delegated nursing tasks), home management tasks, meal preparation and service, socialization, assisting enrollees with arranging meetings and appointments, assisting with money management, assisting participants with scheduling medical and social services, and arranging for or providing transportation. If socialization is provided, it must be part of the service plan, related to established goals and outcomes and not diversional or recreational in nature.

For more details about the component services, including what is covered and distinctions between each see [Customized Living Component Service Definitions, DHS-6790H \(PDF\)](#).
(<https://edocs.dhs.state.mn.us/lfsrver/Public/DHS-6790H-ENG>)

Minnesota's Community-Based Services Manual (CBSM) provides the following requirements for customized living services:

[Community Based Services Manual customized living service requirements page](#)

(http://www.dhs.state.mn.us/main/idcplg?IdcService=GET_DYNAMIC_CONVERSION&RevisionSelectionMethod=LatestReleased&dDocName=id_001787)

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>Heather Haus and Prairie Manor Care Center share administrative oversight, but have separate budgets, day-to-day operations and staffing. Heather Haus has a dedicated RN who serves as day-to-day operations manager, and dedicated full-time home health aides who provide services to residents. Heather Haus has a separate address and entrance apart from the nursing facility. Food services are prepared in the nursing facility kitchen and served in a dedicated dining room. Heather Haus 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 customized living 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 customized living 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>Heather Haus is located in a rural area with limited public transportation. The campus has an accessible van that residents use for local transportation needs. Residents use Southern Minnesota Area Rural Transit (SMART), which provides public regional transit service in Steele County and surrounding areas, including Blooming Prairie. Some residents enrolled in managed-care services may use BlueRide or Ride Connect services to travel to medical appointments covered under waiver programs. People at the setting also use community volunteer drivers, family transports and their own vehicles. Transportation options</p>

are posted on bulletin boards and provided in the admission agreement and resident handbook.

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

Heather Haus provides services in a space that is distinct from the space used by the nursing facility. Customized living 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 address and entrance from the nursing facility. In the picture below, Heather Haus is outlined in yellow, and Prairie Manor Care Center is outlined in red.

- Met
- Unmet
- Not applicable



Heather Haus and Prairie Manor campus aerial view

Community engagement opportunities and experiences

Community engagement is supported formally by setting staff through setting activities and also more informally by family and friends from the greater community. Administration staff reported that they survey residents to obtain their personal preferences and that they support the residents' ability to choose their activities and schedules. Activities are tailored with feedback from people who live at the setting, through resident council meetings, discussions with people and by obtaining resident preferences during admission and at regular health assessments.

People are notified of community activities through a calendar of community events, flyers, sign-up sheets and staff reminders. These may include:

- Theater events
- Holiday activities
- Picnics and community events, such as the Strawberry Festival
- Local restaurants
- Seasonal tours of area
- County Fair

People living at the setting also have the option to go out on their own, with family and friends, and by using regional public and private transit and volunteer drivers. These trips include:

- Family events
- Sightseeing
- Church services and events
- General errands and shopping
- Meals in town
- Sporting events

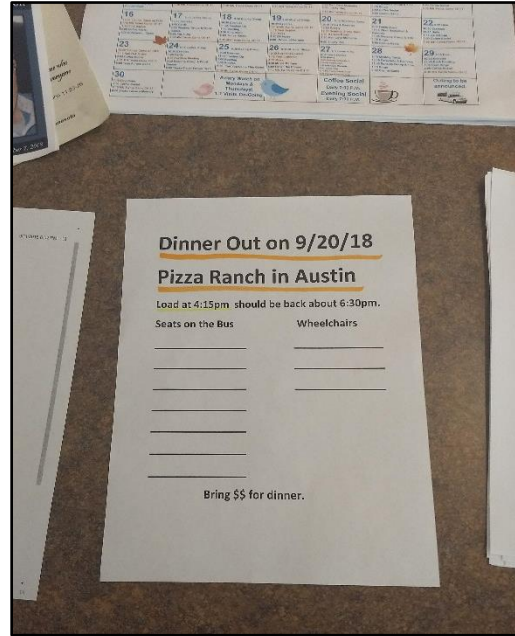


Activity calendar posted in hallway

The setting provides an activity program for people to participate in at the setting which also includes activities taking place in the nursing facility. People are informed of on-site activities through bulletin board announcements and staff announcements and reminders.

Examples of on-site activities include exercise and fitness programs, book club, live music performances, birthday parties, crafts, board games, social hours, such as coffee socials, holiday parties, and faith activities.

People living at the setting have the option to choose not to participate at any time. Staff and residents say people are offered alternative times or activities or are free to participate in activities of their choosing.



Sign-up sheet for community outing posted in community room

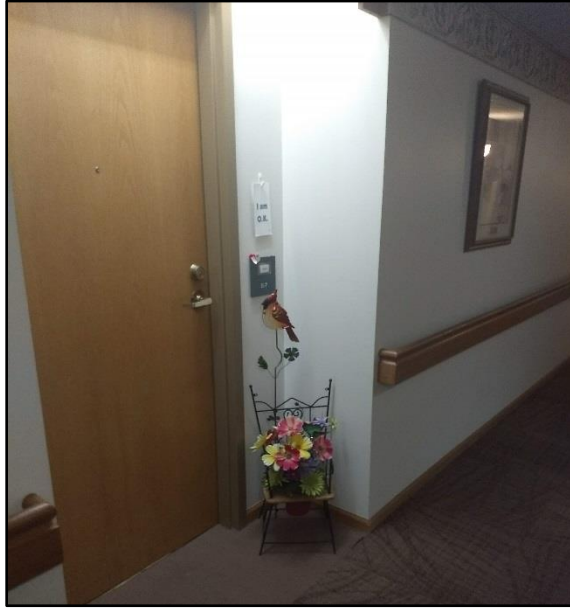
HCBS characteristics

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>Each person at the setting has a written lease or residency agreement in place providing protections to address eviction processes and appeals.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input type="checkbox"/> Observation made during on-site visit</p> <p>The setting provided an HCBS-compliant lease agreement as documentation through the provider-attestation process.</p>	Compliant
<p>Each person at the setting has privacy in his/her sleeping or living unit including a lockable door.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p>	Compliant

Observation made during on-site visit

Locks were observed on all unit doors in the setting. One resident stated that she always locks the door when she is out of her apartment.



Lockable door and personalized decorations at living unit entrance

The setting facilitates that a person, who shares a bedroom, is with a roommate of his or her choice.

- Compliant documentation submitted with attestation
- Observation made during on-site visit

Staff reported that people in the setting do not share rooms unless they share with a spouse, partner or other person of their choice.

Compliant

The setting provides people with the freedom to furnish and decorate their bedroom and living unit within the lease or residency agreement.

- Compliant documentation submitted with attestation
- Observation made during on-site visit

Compliant

The residency agreement allows people in the setting to decorate and personalize their living units. Living units were observed during the site visit and were decorated according to the residents' tastes and preferences, including family pictures and memorabilia, crafts and decorative items, and religious iconography. At the site visit it was observed that many people put up personalized decorations in the entrance to their living units.



Personalized decorations outside a living unit

The setting provides people the freedom and support to control their daily schedules including access to food at any time.

Compliant

Compliant documentation submitted with attestation

Observation made during on-site visit

Staff and residents confirmed that people living at the setting have the freedom and support to control their own schedules, specifically waking up and going to bed, coming and going to and from the setting and eating when they would like. Each living unit at the setting is equipped with a full kitchen. Residents reported that they store



Refrigerator and storage cupboards

food in their pantry and refrigerator. Residents stated that if they are hungry, they let staff know and staff accommodate their needs.



Stove in full kitchen of living unit

The setting allows people to have visitors at any time.

- Compliant documentation submitted with attestation
- Observation made during on-site visit

Staff confirmed that people living at the setting may have visitors at any time. During the site visit, visitors were observed coming and going. One resident stated that her daughter visits frequently and “crashes” in her side room.

Compliant

The setting provides opportunities for people to seek employment and work in competitive integrated settings.

- Compliant documentation submitted with attestation
- Observation made during on-site visit

Staff stated that the setting does not currently have any residents who choose to work formally. Staff confirmed that they would accommodate residents who wish to work 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 residents’ needs.

Compliant

The setting is physically accessible to the individual.

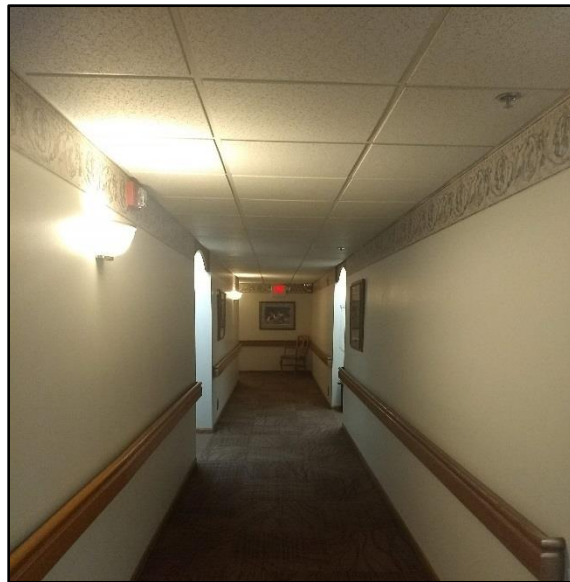
- Compliant documentation submitted with attestation
- Observation made during on-site visit

Compliant

Common spaces and living units were observed to be accessible to people living at the setting. People who live at the setting indicated that all living areas and common areas were accessible to them. Hallways are equipped with handrails. Staff indicated that they accommodate people living at the setting to provide additional accessibility accommodations to living units, i.e., grab bars in bathrooms and living areas.



Accessibility accommodations in living unit bathroom



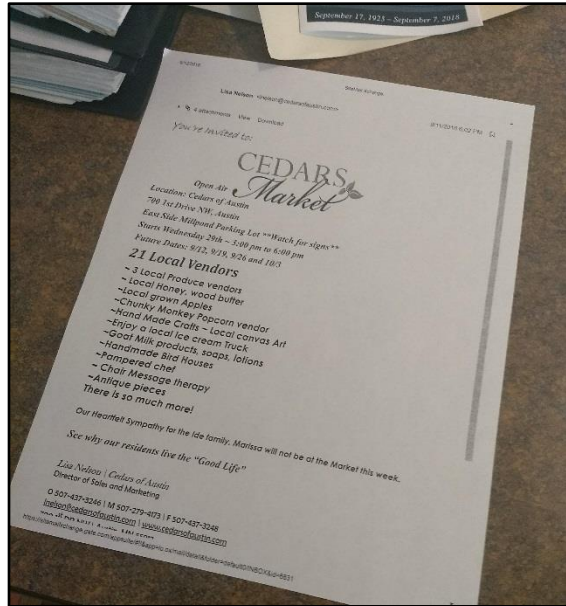
Hallway with handrails

The setting provides people opportunities to access and engage in community life.

- Compliant documentation submitted with attestation
- Observation made during on-site visit

Compliant

The setting supports opportunities to access and engage in community life. Practical activities, such as errands and medical appointments are supported, as well as personal engagement, such as social and family outings, faith-based activities, and meals in the community.



Community announcement for farmers' market

Setting staff provide information and resources on transportation options to access the greater community. Staff assist people to arrange transportation as needed and staff confirmed many people arrange their own transportation.

Activities are tailored with feedback from people who live at the setting, through resident council meetings, discussions with people, and by obtaining resident preferences during admission and at regular health assessments.

Administration confirmed that people living in the setting are informed of their right to choose any medical provider through the admission process and the Minnesota Home Care Bill of Rights. Staff confirmed that there are no restrictions for people wishing to switch to a new provider. Staff confirmed that many people go to medical appointments in the community and surrounding larger cities, such as Rochester, Austin and Albert Lea.

The setting supports the person’s control of personal resources.

Compliant

- Compliant documentation submitted with attestation
- Observation made during on-site visit

The setting does not provide money-management services. Staff and people living in the setting confirmed that residents have full control over their personal finances.

<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>Staff are trained to respect the privacy of people living at the setting through HCBS settings rule training and the Minnesota Home Care Bill of Rights. During the site visit, staff were observed knocking on people’s living unit doors to obtain permission to enter.</p>	<p>Compliant</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>Staff are trained to ensure the dignity and respect of people living at the setting through HCBS settings rule training and the Minnesota Home Care Bill of Rights. During the site visit, staff were observed addressing people by their chosen names. People living at the setting were dressed in clothing of their choosing.</p>	<p>Compliant</p>
<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 Home Care Bill of Rights and the Minnesota Vulnerable Adults Act.</p>	<p>Compliant</p>
<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 customized living services accommodate the schedules of the people served in this setting. Residents confirmed that staff would accommodate their personal schedules by saving a meal or providing flexibility in meal times.</p>	<p>Compliant</p>

Pictures of the HCBS setting



Residents' mailboxes



Community bulletin board with family pictures and memorials to friends and residents

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.