

HCBS Final Rule Evidentiary Package

Perham Living – Adult Day Service



Setting information

Setting name: Perham Living Adult Day Service	ID # 1076827
Street address: 735 3 rd St. SW Perham, MN 56573	Phone: 218-347-1940
Setting website, if applicable: Perham Living Adult Day Service (https://www.perhamhealth.org/perham-living/adult-day-services/)	Date of site visit: 7/27/2018

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)	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 Perham Living, 735 3rd St. Southwest, Perham, MN, 56573

General summary

Perham Living Adult Day Service is an adult day program under the Perham Health umbrella of services. Perham Health is a public, non-profit health care organization owned and governed by 10 rural townships and three communities (Perham, Dent and Richville) all within a geographic area known as a hospital district. Perham Health is owned fully by the Perham Hospital District and has a management agreement with Sanford Health.

Perham Living Adult Day Service is located on the Perham Health campus. The campus is located in the city of Perham, which has a population of 3,300 (2016 US Census Data), in the northern portion of Otter Tail County in west-central Minnesota. The setting is within a residential area of Perham and is within close proximity to churches, restaurants, health care, parks and shopping.

Perham Living Adult Day Service is owned by the Perham Hospital District, and Perham Living Home Care provides the adult day services. The program has a license capacity to serve 22 people. At the time of the on-site visit, the program had 13 people enrolled in the program, with a maximum of seven people attending the program on a given day.

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 licensed directly 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/id_002205#) (http://www.dhs.state.mn.us/id_002205#):

Adult day services must:

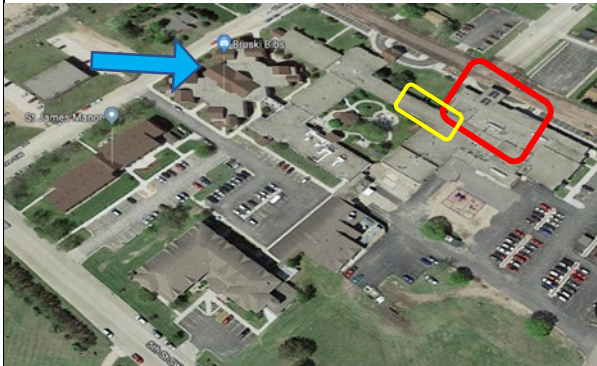
- Be based on the person’s assessed needs
- Be directed toward the achievement of specific outcomes identified in the person’s support plan
- Offer opportunities to participate in community groups (e.g., senior citizen centers or clubs, generic service organizations, adult education)
- Provide age-appropriate 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>Perham Living Adult Day Service is owned by the Perham Hospital District and managed by the Perham Living - Sanford Home Care Agency. There is clear separation of the HCBS setting, Perham Living Adult Day Service, from the Perham Health nursing facility, also located on the campus. The two distinct settings have separate policies, directors, nursing, activities and personal care staff.</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; (staff training materials that speak of the need to support individuals’ chosen activities), (person centered planning) (the staff is trained specifically for home and community-based support in a manner consistent with the HCB settings regulations.)</p>

	<p>The Perham Health nursing home staff do not provide support or back up for the staff at the HCBS setting, Perham Living Adult Day Service.</p>
<p><input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable</p>	<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; (Describe the proximity to avenues of available public transportation or an explanation of how transportation is provided where public transportation is limited.)</p> <p>Perham Living Adult Day Service has access to the campus van for community activities. The setting also has access to and uses the Perham city bus (Otter Express). Additionally, Perham has community volunteer drivers and family members provide transportation to people receiving services at the setting.</p>
<p><input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable</p>	<p>The setting provides HCBS services in a space that is distinct from the space that institutional services are provided.</p> <p>Perham Living Adult Day Service location (circled in red) is remotely connected to the institutional nursing facility (blue arrow) by an extended hallway (circled in yellow) that leads to the assisted living setting, which then connects to the nursing facility. The hallway is open to the public, as it houses physical, occupational and speech therapy offices.</p> 

Perham Living Adult Day Service has separate parking space, entrance and signage from the nursing facility located on the campus.



View of hallway (circled in yellow in aerial picture) that connects the Adult Day program to the Assisted Living program.

Community engagement opportunities and experiences

Perham Living Adult Day Service provides people participating in the program with a wide range of community-based activities to engage and integrate into the local and surrounding communities. The adult day program has access to the Perham Living campus' 14-passenger, wheelchair-accessible van for large group trips into the community. The program offers flexible scheduling and staffing to allow people to attend the program on a schedule that works for the person. This also provides opportunities for frequent, small-group community activities that are decided upon spontaneously by the people in attendance that day. The setting's Community Outings policy states, "Community outings will take precedence over routine scheduled activities. (Summer calendars are frequently changed.)" Transportation for smaller group activities often are provided by car when that mode of transportation meets the needs of those who would like to attend.

Some examples of recent community based activities people attending Perham Living Adult Day Services have participated in include:

- Attending Turkey Days in Frazee, MN
- Delivering Meals on Wheels every Wednesday to people in the community
- Attending Rib Fest at the local grocery store
- Attending Otter Days community events

- Going to the Minnow Races in Richville, MN
- Having picnic lunches in local parks (e.g., Paul Miller Park)
- Going to the lakes
- Going out for lunch at local restaurants or going out for ice cream
- Going for rides around the area to look at scenery or seasonal changes
- Attend the local PACC community center/pool
- Strawberry picking at local vendors
- Shopping for activity supplies at retail stores.

Perham Living Adult Day Service also offers and posts a monthly calendar of activities offered on site or in the campus “Town Center.” Examples of on-site activities offered in the month of June 2018 include:

- Craft projects – the following picture is of concrete leaf imprints people in program were working on at time of the on-site visit. They went up town to purchase their concrete and paint. The local dentist provided tools for carving out the fine lines of the leaf imprints in the concrete
- Fire pit fun in the courtyard
- Exercise activities
- Bean bag toss
- Music events
- Creative canvas painting
- Dance party in the Town Center
- Baking day
- Devotion/Mass services



Leaf art project

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 (Please select)
<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>	Compliant

<p>The Adult Day Services Handbook states, “We strive to support people by offering flexible scheduling/staffing so our Participants can choose the schedule that works right for them.”</p> <p>Per the interviews with the program manager, people in the adult day program do work or volunteer as desired. Examples of work/volunteer activities current participants are involved in include delivering meals on wheels in the community every Wednesday and tending to the campus vegetable and flower plants in the gazebo area. A person receiving services who was interviewed reported she volunteers by arranging for and setting up bingo at other buildings on the campus. A person who previously attended the program volunteered at the Boys and Girls Club.</p>	
<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> <p>Observations of all common areas, including kitchen, dining area, activity and seating areas, bathrooms and hallways were physically accessible to the people participating in the program. The campus van also is wheelchair accessible. People in wheelchairs were observed coming and going from the program.</p> <div data-bbox="812 865 1144 1297" data-label="Image"> </div> <p style="text-align: center;">Physically accessible restroom/sink</p>	Compliant
<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’s Monthly Plan For Diversified Daily Program Activities policy states, “This community will provide a variety of opportunities for participants to:</p> <ol style="list-style-type: none"> a. Continue activities that were part of their previous life b. Recreate family rituals familiar to participants 	Compliant

c. Provide opportunities for service to the ADS Center, home and the community.

Activities will be participant driven. Participants, families, employees and volunteers will be actively involved in developing and carrying out life enrichment activities. Participants will always have the choice of participating, being an observer or not participating in an activity. Employees, participants and volunteers will collaborate to ensure that meaningful activities for each participant are honored.”



Monthly activity calendars

The Adult Day Services Handbook states, “Community events/activities are scheduled and planned based on Participants needs and suggestions. A calendar of activities is provided to Participants on a monthly basis to keep them informed of community events they can choose to participate in.”

A person interviewed reported she is “looking forward to going to the Frazee Turkey Days today.” She also stated enjoys attending the church services on campus every Wednesday. Some of her favorite activities include baking on Tuesdays, attending the different music events and making birthday cards out of recycled materials.

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

Compliant documentation submitted with attestation

Observation made during on-site visit

The Adult Day Services Handbook states, “It is recommended that all participants leave their valuables (money, jewelry, purses, etc.) at home.”

This setting reported on the attestation that they do not provide money management duties. There is a designated space in the setting for people to store personal belongings, such as a change of clothing, jackets, etc.

Compliant

The setting ensures people’s right to privacy.

Compliant

<input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input checked="" type="checkbox"/> Observation made during on-site visit <p>Staff members were observed bringing people to private bath area for personal cares.</p> <p>Perham Living Adult Day Services (ADS) Participant’s Bill Of Rights states, “Participants have the right to physical privacy during care or treatment. Privacy will be respected except as needed for participant's safety or assistance.”</p>	
<p>The setting ensures people’s dignity and respect.</p> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input checked="" type="checkbox"/> Observation made during on-site visit <p>The Adult Day Services Handbook states, “Each participant will be treated with consideration, respect, and full recognition of their dignity and individuality, including privacy, during treatment and care of their personal needs.”</p> <p>People in the setting were observed being treated and spoken to in a respectful manner by staff.</p>	Compliant
<p>The setting ensures people’s freedom from coercion and restraint.</p> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input checked="" type="checkbox"/> Observation made during on-site visit <p>The Adult Day Services Handbook states, “Perham Living ADS Program supports the Minnesota Vulnerable Adult Act and has developed procedures for the prevention, reporting and examination of suspected maltreatment. A copy of Perham Living ADS policy is provided to each participant and their families upon admission to the program.”</p> <p>Perham Living Adult Day Services (ADS) Participant’s Bill Of Rights states, “Participants shall be free from mental and physical abuse as defined in the Vulnerable Adult Protection Act.”</p>	Compliant
<p>The setting optimizes individual initiative, autonomy and independence in making life choices, including daily schedule and with whom to interact.</p> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation	Compliant

☒ Observation made during on-site visit

The Adult Day Services Handbook states, “Community events/activities are scheduled and planned based on Participants needs and suggestions. A calendar of activities is provided to Participants on a monthly basis to keep them informed of community events they can choose to participate in.”

A person interviewed reported she enjoys organizing the craft room and informing the program manager of needed supplies to be ordered. She also helps the program by volunteering to prepare folders and organize paperwork.

A person interviewed also reported people in the program are able to have snacks any time they desire. There is a snack drawer with snacks that they can access at any time. The refrigerator in the common area has juice and soda available. Coffee is available in the kitchen area.



Kitchen in common area

Pictures of the HCBS setting



Perham Living Adult Day Service entrance



Perham Living nursing facility entrance/building



Activity table in common area



Visiting/sitting room in common area



Separate room with couch for quiet area, as desired

Public comment summary

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

DHS sought public comment for 30 days (Feb. 6-March 7, 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 [Feb. 6, 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: 4/1/2019

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.