

HCBS Final Rule Evidentiary Package

The Homestead at Rochester



Setting information

Setting name: The Homestead at Rochester	ID # 24676
Street address: 1900 Ballington Blvd. NW Rochester, MN 55091	Phone: 507-322-5583
Setting website, if applicable: The Homestead of Rochester (http://www.voaseniiorliving.org/communities/the-homestead-at-rochester)	Date of site visit: 5/29/2018

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 Rochester Rehabilitation and Living Center

General summary

<p>The Homestead at Rochester is located in a residential, suburban area in Rochester, MN. Rochester is located in southeast Minnesota and has a population of 215,884 as of 2015. The setting is located close to restaurants, shopping, churches and other businesses and schools.</p> <p>The Homestead is located on a campus that provides a continuum of services, including memory care, long- and short-term rehabilitation, nursing facility skilled care, customized living and independent living.</p> <p>The Homestead Garden building that offers customized living for people on a waiver has 44 apartments and currently is serving 35 people. There currently are no people using Elderly Waiver services.</p>

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 provided to a person who resides 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 tasks (e.g., delegated nursing tasks), home management tasks, meal preparation and service, socialization, assisting people with arranging meetings and appointments, assisting with money management, assisting people 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/lfserver/Public/DHS-6790H-ENG) (<https://edocs.dhs.state.mn.us/lfserver/Public/DHS-6790H-ENG>).


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

[CBSM page for customized living services](http://www.dhs.state.mn.us/id_001787#) (http://www.dhs.state.mn.us/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>There is separate management for the customized living setting and the nursing facility. There is a director for the customized living in the 1900 building, which is the building that provides waiver-funded services. They call this building "The Garden." The nursing facility and the other customized living setting on the campus that provides non-waiver funded services each have their own management. Each site also has separate activity assistants who help the coordinator plan experiences.</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>There are staff that work at both the care center and the customized living setting, though never during the same shift. They receive separate training for each site, consistent with the HCBS regulations. This was confirmed by both administration and the staff interviewed.</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; (Describe the proximity to avenues of available public transportation or an explanation of how transportation is provided where public transportation is limited.)</p> <p>This setting has many transportation options available to people. They have their own accessible vehicles, and there is a public bus stop nearby. A shuttle goes to the Mayo Clinic five times per day. People also can call to get a ride on demand. There is also an option called ZIPS for people who need special transportation for social or medical reasons. Family</p>

	<p>members often transport people as well. These options are given to people when they move in. The receptionist and other staff can assist with setting up transportation as needed.</p>
<p><input checked="" type="checkbox"/>Met</p> <p><input type="checkbox"/>Unmet</p> <p><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>The Homestead Garden building is in a building separate from the skilled care nursing facility. The skilled nursing facility is the Rehabilitation and Living Center The separation is marked clearly by signage outside and inside the building. The buildings are connected by a hallway.</p> 

Community engagement opportunities and experiences

Homestead offers a wide range of opportunities for people to stay engaged with their communities. People are informed of these choices through monthly calendars, as well as through a newsletter. This information is available at the concierge desk. The activity coordinator, as well as assistants, plan activities based on the interests of the people who live there. Input and ideas for activities are discussed at the Resident Committee meetings, as well as through conversations with people. Some examples of community activities include:

- Lunch and dinner at restaurants
- Trips to the mall
- Grocery shopping
- Live music
- Art galleries
- Public library
- Volunteering at an elementary school
- Movies
- The History Center World War II exhibit.

People often leave with family members to visit or do activities. In addition, they go into the community independently to attend church services, shop, visit the beauty salon and attend medical appointments. Many people like to walk around the campus or enjoy time outside.

In addition, there are activities available in the setting, such as opportunities to exercise, play games and trivia, do crafts and bake.

They have groups that participate in ping-pong and billiards together. The Club Room offers an opportunity to play games. There is a liquor locker available for people who enjoy a beverage while playing these games or watching movies in the theatre.

People were observed coming and going to various activities both independently and with staff.

When interviewed, people said they were very happy with all of the options they had available to them.

HCBS characteristics

<p>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.</p>	
<p>HCBS Rule requirement</p>	<p>Compliance status (Please select)</p>
<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 checked="" type="checkbox"/> Observation made during on-site visit</p> <p>The setting submitted a compliant lease. In addition, during the site visit, the people interviewed said they had a lease.</p>	<p>Compliant</p>
<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> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Locks were observed on the doors and people were using their keys to enter their apartments</p>	<p>Compliant</p>
<p>The setting facilitates that a person, <i>who shares a bedroom</i>, is with a roommate of their choice.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input type="checkbox"/> Observation made during on-site visit</p> <p>Not applicable. There are no shared bedrooms in this setting, except for married couples who choose to share.</p>	<p>Compliant</p>
<p>The setting provides people with the freedom to furnish and decorate their bedroom and living unit within the lease or residency agreement.</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>While visiting with people in their apartments, it was observed that their apartments were decorated with their personal items. In</p>	<p>Compliant</p>

<p>addition, each person has a memory/shadow box by his/her door to display items of importance to them.</p>	
<p>The setting provides people the freedom and support to control their daily schedules including access to food at any time.</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 are able to plan their days according to their preferences. People interviewed said they felt they controlled their own schedules. Food is available through several different options. In addition to regularly scheduled meals, the site offers café/bistro option. Plates can be saved for them to eat later if they miss a meal. The site also has a small store called the Market where people can buy food. People also have full kitchens in their units to make and store food.</p>	<p>Compliant</p>
<p>The setting allows people to have visitors at any time.</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 interviewed said they knew they could have guests at any time. The setting offers a guest suite for guests.</p>	<p>Compliant</p>
<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>At this time, there is one person living at the setting that works very part-time. This person does not require any special accommodations in relation to the job. However, the administrator and the staff stated the setting would be flexible and supportive if other people wanted to work.</p>	<p>Compliant</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>No barriers to accessibility on site were observed. In addition, people interviewed said they felt they could get around the setting and their</p>	<p>Compliant</p>

apartments without any issues. The bathrooms had accessible showers, and grab bars were observed on the walls.	
<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 offers on-site services such as podiatry, OT, PT, speech therapy and beauty salon. However, people are informed of their right to choose their providers when they move in and as new needs arise. Having the shuttle to the Mayo Clinic offers a lot of choice for medical appointments.</p>	Compliant
<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 type="checkbox"/> Observation made during on-site visit</p> <p>The setting does not offer any money management.</p>	Compliant
<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 were observed knocking on doors before entering people’s apartments. We observed a staff person taking a person to a more private area to ask her a question about her personal cares. People interviewed said the staff definitely respects their privacy.</p>	Compliant
<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>Several different staff were observed interacting with people in a respectful way. Staff were observed discretely adjust a person’s clothing that was falling down.</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 type="checkbox"/> Observation made during on-site visit</p>	Compliant

<p>The setting policies state restraints or restrictive devices are not used at the setting. Vulnerable Adult policies are in place, and staff receive training on this topic.</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 interviewed said they make their own choices about what to do. One person stated, "There is always something going on around here!" They said they do not have to participate in activities if they do not want to. Staff said, "Choices are important and people should be able to do what they want to do."</p>	<p>Compliant</p>

Pictures of the HCBS setting



Hallway to the customized living



One of the dining areas



The Club Room



The garden area

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.