

# HCBS Final Rule Evidentiary Package

## Woodland Manor



### Setting information

Setting name: Woodland Manor	ID # 30841
Street address: 610 Summit Drive Fairmont, MN 56031	Phone: 507-235-6606
Setting website, if applicable: <a href="https://www.lakeviewmethodist.org/assisted-living">Woodland Manor</a> ( <a href="https://www.lakeviewmethodist.org/assisted-living">https://www.lakeviewmethodist.org/assisted-living</a> )	Date of site visit: 7/16/2018

## 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 Lakeview Methodist Health Services, Inc.

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

## General summary

Woodland Manor is located in a residential neighborhood in Fairmont, MN, a rural area in the south-central part of the state. The town is located in Martin County, approximately 50 miles southeast of Mankato, MN. The population was 10,126 in 2017. The setting is located off the main road, surrounded by residences and adjacent to a park and farm fields. The setting is approximately a five-minute drive to the Fairmont town business district.

Woodland Manor is a customized living setting with 24 apartment units. At the time of the site visit, the setting served eight people supported by a home and community based waiver program and 16 people supported by other funding sources.

Woodland Manor is located on a campus that includes the Lakeview Health Care Center skilled nursing facility, the customized living setting and Maplewood Residence independent living apartments. The campus is a non-profit organization governed by a board of directors consisting of members of the community and surrounding areas.

## 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#](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><b>Interconnectedness between the facility and the setting in question, including administrative or financial interconnectedness, does not exist or is minimal.</b></p> <p>An administrator oversees the customized living setting, and the setting has its own budget and staff. Woodland Manor has a designated housing manager who serves as the day-to-day operations manager and dedicated home health aides who provide services to the residents. Food services are prepared at the setting in a dedicated kitchen and served in a separate dining area. Activities are planned by customized living staff, and the setting has its own activity program and calendar.</p>
<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable	<p><b>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.</b></p> <p>Administration reported 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 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><b>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.</b></p>

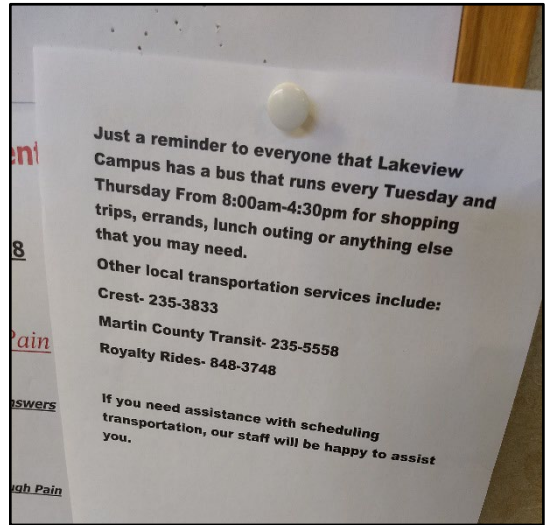
Woodland Manor is located in a rural area with limited public transportation. The setting has a shuttle van that runs twice weekly during the day that residents use for shopping trips and errands in town.

Residents also use Martin County Transit, which provides transportation into Fairmont and makes stops at the Lakeview Methodist campus.

Royalty Rides is a private shuttle service available to Fairmont residents by reservation.

Crest is a volunteer-based service that provides transportation to Fairmont residents. Some residents use the local taxi service in Fairmont. People at the setting also use family transports and their own vehicles for transportation needs.

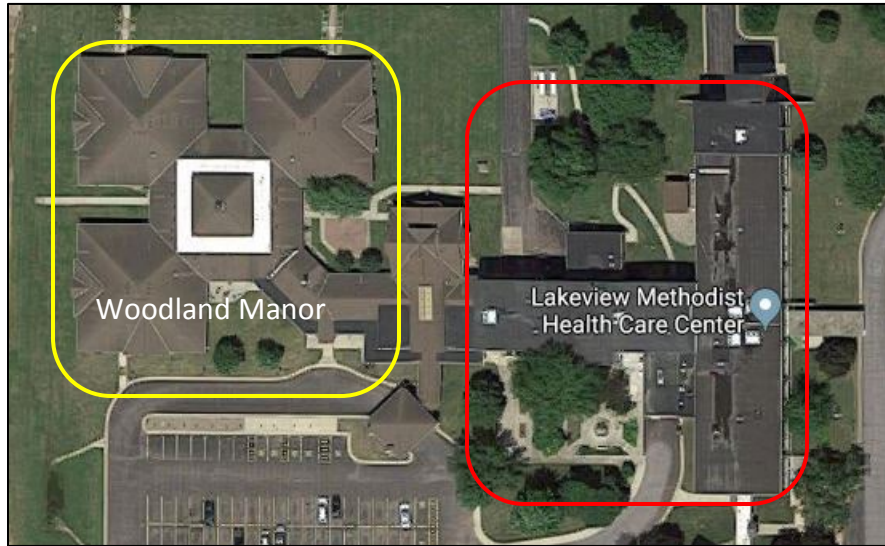
Transportation options are posted on bulletin boards and provided in the resident handbook.



Transportation announcement

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

Woodland Manor 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 connected to the larger complex via an indoor walkway. The setting has a separate entrance and dedicated parking area separate from the nursing facility, and there is indoor signage directing visitors to the customized living setting.



Aerial view of campus with Woodland Manor highlighted in yellow and nursing facility highlighted in red

- Met
- Unmet
- Not applicable



Interior signage showing direction to Woodland Manor and nursing facility setting

# Community engagement opportunities and experiences

Community engagement is supported formally by setting staff through setting activities and informally by family and friends from the greater community. Administration staff reported they survey residents to obtain their personal preferences, and they support the residents' choices in their activities and schedules. Activities are tailored with feedback from people who live at the setting through 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, a setting newsletter, flyers and staff reminders. These activities include:

- Shopping trips
- Holiday activities (e.g., fireworks or parades)
- Pontoon rides on the lake
- Bar-b-que picnics
- Community festivals.

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

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

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

Examples of on-site activities include:

- Live music and special entertainment
- Pizza parties
- Movies



Bulletin board with announcements

- Games
- Social hours (e.g., coffee hours)
- Bible study
- Exercise groups
- Walks around campus.

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

## HCBS characteristics

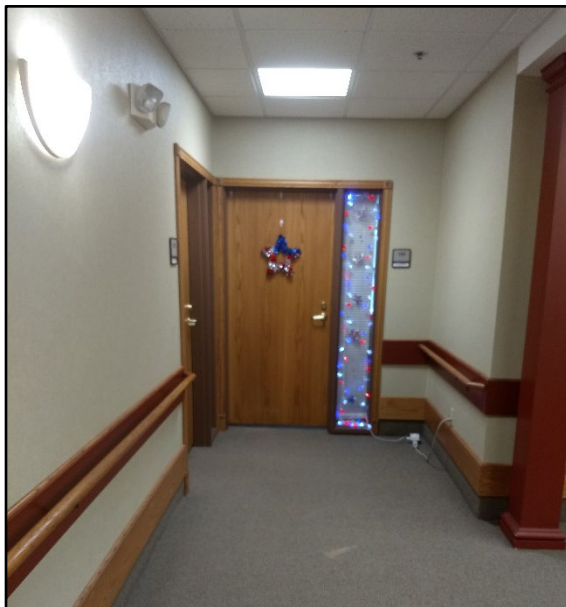
**This section is a summary of the individual HCBS characteristics required in the HCBS rule. The findings for each characteristic are identified through the setting attestation documentation, on-site observation or both.**

HCBS Rule requirement	Compliance status (Please select)
<p><b>Each person at the setting has a written lease or residency agreement in place providing protections to address eviction processes and appeals.</b></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><b>Each person at the setting has privacy in his/her sleeping or living unit including a lockable door.</b></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 all living unit doors in the setting. Residents stated they are able to use the locks for privacy or when they go out of the setting.</p>	Compliant
<p><b>The setting facilitates that a person, <i>who shares a bedroom</i>, is with a roommate of their choice.</b></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>Staff reported people in the setting do not share rooms unless they share with a spouse, partner or other person of their choice.</p>	
<p><b>The setting provides people with the freedom to furnish and decorate their bedroom and living unit within the lease or residency agreement.</b></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 lease 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, hobby items and religious iconography. At the site visit, it was observed many people put up personalized decorations in the entrance to their living units.</p> <div data-bbox="570 604 1136 1192" data-label="Image"> </div> <p style="text-align: center;">Personalized decorations and lockable door to a resident's living unit</p>	<p>Compliant</p>
<p><b>The setting provides people the freedom and support to control their daily schedules including access to food at any time.</b></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 residents confirmed 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, and residents reported they store food in their pantry and refrigerator.</p>	<p>Compliant</p>
<p><b>The setting allows people to have visitors at any time.</b></p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p>	<p>Compliant</p>

<input checked="" type="checkbox"/> Observation made during on-site visit <p>Staff confirmed people living at the setting may have visitors at any time. During the site visit, visitors were observed coming and going to and from the setting. Residents also stated during interviews they may have visitors at any time.</p>	
<p><b>The setting provides opportunities for people to seek employment and work in competitive integrated settings.</b></p> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input checked="" type="checkbox"/> Observation made during on-site visit <p>Staff stated the setting currently does not have any residents who choose to work but previously has had residents who chose to work. Staff confirmed 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 they would save meals or provide a packed lunch depending on the residents' needs.</p>	Compliant
<p><b>The setting is physically accessible to the individual.</b></p> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input checked="" type="checkbox"/> Observation made during on-site visit <p>Common spaces and living units were observed to be accessible to people living at the setting. People who live at the setting indicated all living areas and common areas were accessible to them. Staff indicated they accommodate people living at the setting to provide additional accessibility accommodations to living units (e.g., grab bars in bathrooms and living areas).</p>	Compliant



Hallway with handrails and decorations outside a living unit

<p><b>The setting provides people opportunities to access and engage in community life.</b></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 activities are supported (e.g., errands and medical appointments), as well as personal engagement (e.g., social and family outings, faith-based activities and meals in the community).</p> <p>The staff members provide information and resources on transportation options to access the greater community. Staff members help people arrange transportation as needed, and many people arrange their own transportation.</p> <p>Activities are tailored by feedback from people who live at the setting through resident meetings and discussions with people, and through obtaining resident preferences during admission and at regular health assessments.</p> <p>Administration staff confirmed 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 there are no restrictions for people wishing to switch to a new provider. People living at the setting also confirmed during interviews they choose their own medical providers and go to appointments in the community as needed.</p>	<p>Compliant</p>
<p><b>The setting supports the person’s control of personal resources.</b></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 does not provide money management services, and staff confirmed people living in the setting have full control over their personal finances.</p>	<p>Compliant</p>
<p><b>The setting ensures people’s right to privacy.</b></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</p>	<p>Compliant</p>

<p>of Rights. During the site visit, staff were observed knocking on people’s living unit doors to obtain permission to enter.</p>	
<p><b>The setting ensures people’s dignity and respect.</b></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, and people living at the setting were dressed in clothing of their choosing.</p> <div data-bbox="576 474 1144 1094" data-label="Image"> </div> <p style="text-align: center;">Woodland Manor Code of Ethics posted in community area</p>	<p>Compliant</p>
<p><b>The setting ensures people’s freedom from coercion and restraint.</b></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 on the Minnesota Home Care Bill of Rights and the Minnesota Vulnerable Adults Act.</p>	<p>Compliant</p>
<p><b>The setting optimizes individual initiative, autonomy and independence in making life choices, including daily schedule and with whom to interact.</b></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, coming and going as desired, and arranging</p>	<p>Compliant</p>

their days as they would like. Staff confirmed customized living services accommodate the schedules of the people served in this setting.

## Pictures of the HCBS setting



Community room with dining tables and decorations



Campus newsletter



Resident mailboxes and announcement

## 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.**