

HCBS Final Rule Evidentiary Package

Harmony Gardens Senior Living



Entrance to Harmony Gardens

Setting information

Setting name: Harmony Gardens

Street address: 1440 County Rd C E Maplewood, MN 55109

Phone: 651-272-4542

ID # 1518779784

Setting website, if applicable:

[Harmony Gardens Senior Living](#)

Date of site visit: 4/10/2026

Funding and waiver service type

Waiver	Service type
<input checked="" type="checkbox"/> Elderly Waiver (EW) <input type="checkbox"/> Brain Injury (BI) <input type="checkbox"/> Community Access for Disability Inclusion (CADI) <input checked="" type="checkbox"/> Private pay or other third-party insurance <input type="checkbox"/> Pending HCBS service provider. Not yet approved for waiver funding pending heightened scrutiny determination.	Customized living service

Reason for heightened scrutiny

Prong type	Name of institution
Prong 1 Located adjacent to a Public Institution	Harmony Gardens

Note: The term people/person (resident for residential settings) refers to people receiving customized living services.

General summary

Harmony Gardens Senior Living is a licensed assisted living setting located within a continuum-of-care campus that includes a skilled nursing facility providing short-term rehabilitation, long-term care, memory care, and hospice services. It is owned and run by Cassia, a non-profit, faith-based organization.

Geographic information:

This assisted living facility is located in Maplewood, MN, in Ramsey County. Maplewood is a suburban city, about 10 minutes' drive from St. Paul, the state capital. It is located in the southeast region of the state, with a population of 42,088 according to the 2020 census.

Number of people served:

This assisted living has a license for 120 people, but at the time of the visit the number of residents was ninety-six. The number of people on the elderly waiver is one.

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 settings must have an Assisted Living license through the MN Department of Health and meet all of the requirements and standards of the Assisted Living licensure, [Minn. Stat. 144G](#) or meet an exemption under [Minn. Stat. 256S.20, subd. 1](#). Customized Living services provide an individualized package of regularly scheduled health-related and supportive services provided to a person who resides in a qualified setting with an assisted living license.

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 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 the following resource on the CBSM:

Link: [Customized living component service definitions and guide for computing time for rate-setting tools.](#)

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

Link: [CBSM: Customized living \(including 24-hour customized living\)](#)


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.

HCBS Rules requirement	Compliance determination
<p>Interconnectedness between the facility and the setting in question, including administrative or financial interconnectedness, does not exist or is minimal.</p> <p>Validation methods:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Interview(s) with administrative staff. <input checked="" type="checkbox"/> State license requirement: As required under Minn. Stat. 144G.10, “Each assisted living facility must employ an assisted living director licensed or permitted by the Board of Executives for Long Term Services and Supports.” <input type="checkbox"/> State statutory requirement: As required under Minn. Stat. 325F.722, “The person primarily responsible for oversight and management of the exempt setting, as designated by the owner, must obtain at least 30 hours of continuing education every two years of employment as the manager in topics relevant to the operations of the setting and the needs of its residents. Continuing education earned to maintain a professional license, such as a nursing home administrator license, assisted living facility director license, nursing license, social worker license, or real estate license, can be used to complete this requirement.” <p>Narrative:</p> <p>The campus has one administrator who oversees the assisted living and the skilled nursing facility (SNF). The customized living setting has a designated Licensed Assisted Living Director (LALD) who provides oversight and direction to the assisted living staff. The skilled nursing</p>	<p>Compliant</p>

HCBS Rules requirement	Compliance determination
<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>Validation methods:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Interview(s) with administrative staff. <input checked="" type="checkbox"/> Interview(s) with direct care staff. <input checked="" type="checkbox"/> Review of training policy and procedure(s). <input checked="" type="checkbox"/> State license requirement: As required under Minn. Stat. 144G.60, “All staff persons providing assisted living services must be trained and competent in the provision of services consistent with current practice standards appropriate to the resident's needs, and promote and be trained to support the assisted living bill of rights.” <input type="checkbox"/> State license requirement: As required under Minn. Stat. 144A.44, subd. 1, “A client who receives home care services in the community or in an assisted living facility licensed under chapter 144G has these rights: (12) be served by people who are properly trained and competent to perform their duties;” <p>Narrative:</p> <p>The assisted living and the skilled nursing facility each have their own staff. Sometimes staff from the skilled nursing facility work in the assisted living, but those staff are trained and understand the HCBS rule requirements. Staff are not scheduled to work in both settings on the same shift.</p>	Compliant
<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>Validation methods:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Interview(s) with administrative staff. <input checked="" type="checkbox"/> Interview(s) with direct care staff. <input checked="" type="checkbox"/> Review of transportation policy and procedure(s). 	Compliant

HCBS Rules requirement	Compliance determination
<p><input checked="" type="checkbox"/> State license requirement: As required under Minn. Stat. 144G.41, “Upon request of the resident, the assisted living must provide direct or reasonable assistance with arranging for transportation to medical and social services appointments, shopping, and other recreation, and provide the name of or other identifying information about the persons responsible for providing this assistance.”</p> <p><input checked="" type="checkbox"/> State statutory requirement: As required under Minn. Stat. 256S.09, “Elderly waiver case management activities provided to or arranged for a participant include: (5) assisting the participant with gaining access to needed elderly waiver and other state plan services; (6) assisting the participant with gaining access to needed medical, social, educational, and other services regardless of the funding source for the services to which access is gained;”</p> <p>Narrative:</p> <p>Residents in this setting have a variety of transportation options. The setting has its own vehicle, and Metro Mobility is also used. The setting has over sixty volunteers who assist with transportation. Family often drives residents to appointments and social events. Residents are informed about these options when they move in and whenever they request assistance with rides. The nurse assists residents in scheduling rides.</p>  <p><i>Harmony Gardens' bus.</i></p>	
<p>The setting provides HCBS services in a space that is distinct from the space that institutional services are provided.</p> <p>Validation methods:</p> <p><input checked="" type="checkbox"/> Observation of the distinction of the separate spaces.</p>	Compliant

HCBS Rules requirement

Compliance determination

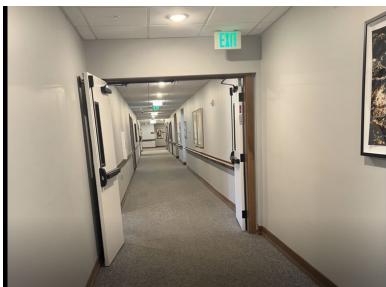
Aerial photo and/or photos identifying the separation of settings.




Aerial view of the campus

Narrative:

The aerial view shows the skilled nursing facility in red and the assisted living facility in green. They are separated by the main lobby area, indicated by the yellow arrow. The assisted living facility is connected to the SNF in two places. The photos below show the doors and hallways that connect them.



HCBS Rules requirement	Compliance determination
<p><i>Connection number 1</i></p>  <p><i>Connection number 2</i></p>	

HCBS characteristics

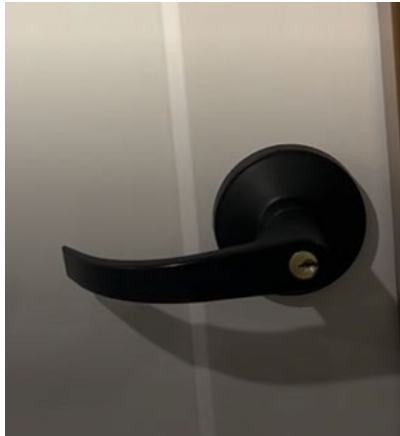
This section is a summary of the individual HCBS characteristics required in the HCBS rule. The findings for each characteristic are identified through the setting documentation, on-site observations, and interviews.

HCBS Rule requirement	Compliance determination
<p>The setting is selected by the individual from among a variety of setting options including non-disability specific settings.</p> <p>Validation methods:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Interview(s) with residents. <input checked="" type="checkbox"/> MnCHOICES support plan requirements: In the “What I Want my Life to Look Like” section of the support plan, using person-centered principles, the case manager/care coordinator must describe the person’s choice about housing. The case manager/care coordinator must have a conversation with the person for each of the statements on the signature sheet to ensure they understand what they are agreeing to and have the necessary information to make an informed choice. The case manager/care coordinator selects yes or no for each statement. If the person answers ‘no’ the case manager/care coordinator must review the content again in another format or discuss further with the person. <input checked="" type="checkbox"/> Health plan and Lead Agency Review support plan audits: As required under Minn. Stat. 256B.0911, subd. 29, “The written support plan must include:(d) (2) the individual's options and choices to meet identified needs, including all available options for: (iii) living arrangements; (v) service provided in a non-disability-specific setting;” <p>Narrative:</p> <p>Case managers are required under state statute to offer and document all available options for living arrangements in the person’s support plan, including non-disability specific options.</p> <p>Residents interviewed indicated they had a choice of where to live and chose to live at Harmony Gardens. One resident stated in an interview, “I chose to live here. The location is perfect, and I like the idea of being able to get more services if needed. I believe you should live near your children.” Another resident said she came for transitional care services and liked it so much she wanted to move there.</p>	<p>Compliant</p>

<p>The setting facilitates individual choice regarding services and supports, and who provides them.</p> <p>Validation methods:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Interview(s) with administrative staff. <input checked="" type="checkbox"/> Interview(s) with residents. <input checked="" type="checkbox"/> Review of setting’s policy and procedure(s). <input checked="" type="checkbox"/> State license requirement: As required under Minn. Stat. 144G.91, subd. 24, “Residents have the right to be informed by the assisted living facility, prior to executing an assisted living contract, that other public and private services may be available and that the resident has the right to purchase, contract for, or obtain services from a provider other than the assisted living facility.” <input type="checkbox"/> State statutory requirement: As required under Minn. Stat. 325F.722, subd. 2, “(a) Every exempt setting must execute a written contract with a resident or the resident's representative and must operate in accordance with the terms of the contract. The resident or the resident's representative must be given a complete copy of the contract and all supporting documents and attachments and any changes whenever changes are made. (b) The contract must include at least the following elements in itself or through supporting documents or attachments: (12) a statement regarding the ability of a resident to receive services from providers with whom the exempt setting does not have an arrangement;” <input type="checkbox"/> State license requirement: As required under Minn. Stat. 144A.44, subd. 1 “(a) A client who receives home care services in the community or in an assisted living facility licensed under chapter 144G has these rights: (8) know that there may be other services available in the community, including other home care services and providers, and to know where to find information about these services; (9) choose freely among available providers and to change providers after services have begun, within the limits of health insurance, long-term care insurance, medical assistance, other health programs, or public programs;” <p>Narrative:</p> <p>Based on the validation methods reviewed above, it has been determined that Harmony Gardens is compliant with this requirement. An interview with the Assisted Living Director confirmed that residents have a right to choose providers outside of the setting. The setting does have rehabilitation options available on-site, such as physical therapy, occupational therapy, and speech therapy. However, various companies enter the setting to provide these services to residents who choose not to use the on-site options. There is also a doctor</p>	<p>Compliant</p>
--	------------------

HCBS Rule requirement	Compliance determination
<p>available for on-site appointments, though many residents have doctors in the community. The Assisted Living Director confirmed that if a resident wants to choose providers in the community, there are pamphlets with resources available, and that staff will help them research options if needed. One resident interviewed said, "I use my own doctors." Another said, "I prefer to use the people in the building."</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>Validation methods:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Interview(s) with administrative staff. <input checked="" type="checkbox"/> Interview(s) with residents. <input checked="" type="checkbox"/> Review of written lease or residency agreement. <input checked="" type="checkbox"/> State license requirement: This setting submitted a compliant Assisted Living lease/contract as required under Minn. Stat. 144G.50 – 144G.57. Minn. Stat. 144G.11 states, "Assisted Living facilities are subject to and must comply with Chapter 504B." The lease/contract is required to be signed by the setting and the person receiving services or their representative. <input type="checkbox"/> State statutory requirement: This setting submitted a compliant written lease/contract as required under Minn. Stat. 325F.722, subd. 8. "Each exempt setting must comply with chapter 504B, and must obtain and maintain all other licenses, permits, registrations, or other required governmental approvals. An exempt setting is not required to obtain a lodging license under chapter 157 and related rules." <p>Narrative:</p> <p>Based on the validation methods reviewed above, it has been determined that Harmony Gardens is compliant with this requirement.</p> <p>A copy of the lease was reviewed. During the interview with the Assisted Living Director, it was confirmed that residents will receive a copy of the Assisted Living Contract. Residents interviewed reported being involved in the intake process and signing the Assisted Living Contract.</p>	Compliant

<p>Each person at the setting has privacy in his/her sleeping or living unit including a lockable door with only appropriate staff having keys to doors.</p> <p>Validation methods:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Interview(s) with administrative staff. <input checked="" type="checkbox"/> Interview(s) with residents. <input checked="" type="checkbox"/> Review of setting’s policy and procedure. <input checked="" type="checkbox"/> Observation of lockable unit doors during on-site visit. <input checked="" type="checkbox"/> State license requirement: As required under Minn. Stat. 144G.91, subd. 13, “(a) Residents have the right to consideration of their privacy, individuality, and cultural identity as related to their social, religious, and psychological well-being. Staff must respect the privacy of a resident's space by knocking on the door and seeking consent before entering, except in an emergency or unless otherwise documented in the resident's service plan. (b) Residents have the right to have and use a lockable door to the resident's unit. The facility shall provide locks on the residents’ unit. Only a staff member with a specific need to enter the unit shall have keys. This right may be restricted in certain circumstances if necessary for a resident's health and safety and documented in the resident's service plan.” (Refer to Rights Modification section) <input type="checkbox"/> State statutory requirement: As required under Minn. Stat. 325F.722, subd. 2, “(c) The contract must include a statement regarding: (5) a resident's right to have and use a lockable door to the resident's unit. The exempt setting must provide locks on the unit. Only a staff member with a specific need to enter the unit shall have keys, and advance notice must be given to the resident before entrance by the staff member, when possible.” <p>Narrative:</p> <p>Based on the validation methods reviewed above, it has been determined that Harmony Gardens is compliant with this requirement.</p> <p>Staff are trained on this during orientation and annually thereafter. Residents receive the Assisted Living Bill of Rights, which includes this right, at intake, and are reviewed with them annually. Locks were observed on all residents’ doors in the setting, and interviews with residents confirmed that they knew they had the right to lock their doors and to have their own key. One resident stated, “Oh yes, I have my own key.” Another resident said she knew she could lock her door but usually does not.</p>	<p>Compliant</p>
---	------------------

HCBS Rule requirement	Compliance determination
<p data-bbox="203 310 1209 430">Interviews with the assisted living director and staff confirmed that staff must check out keys each day to access residents' apartments. These keys have trackers, so they always know where the keys are.</p>  <p data-bbox="203 961 446 991"><i>Lock on a resident's door</i></p>	

HCBS Rule requirement	Compliance determination
<p>The setting facilitates that a person, who shares a bedroom/unit, is with a roommate of their choice.</p> <p>Validation methods:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Interview(s) with administrative staff. <input checked="" type="checkbox"/> Interview(s) with residents. <input checked="" type="checkbox"/> Review of setting’s policy and procedure. <input checked="" type="checkbox"/> State license requirement: As required under Minn. Stat. 144G.91, “Residents have the right to choose a roommate if sharing a unit.” <input type="checkbox"/> State statutory requirement: As required under Minn. Stat. 325F.722, subd. 2, “(c) The contract must include a statement regarding: (4) a resident's right to choose a roommate if sharing a unit;” <p>Narrative:</p> <p>Based on the validation methods reviewed above, Harmony Gardens is compliant with this requirement. Residents are informed of this right through the Assisted Living Contract and the resident handbook. Staff are trained that residents have this right during orientation and annually thereafter. None of the residents interviewed shared a bedroom.</p>	<p>Compliant</p>

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

Compliant

Validation methods:

- Interview(s) with administrative staff.
- Interview(s) with residents.
- Review of setting's policy and procedure.
- Observation of residents' units during on-site visit.
- State license requirement: As required under [Minn. Stat. 144G.91](#), "Residents have the right to furnish and decorate the resident's unit within the terms of the assisted living contract."
- State statutory requirement: As required under [Minn. Stat. 325F.722, subd. 2](#), "(c) The contract must include a statement regarding: (1) the ability of a resident to furnish and decorate the resident's unit within the terms of the lease;"

Narrative:

Based on the validation methods reviewed above, it has been determined that Harmony Gardens is compliant with this requirement. Interviews with residents took place in their apartments. Each apartment contained personal items such as photographs, memorabilia, books, and figurines. Residents also decorate their doors if they wish. Residents confirmed they were encouraged to bring personal items from home and knew it was their right to decorate their apartments as they wished. The assisted living director confirmed that residents are welcome to decorate their apartments as they wish.



Resident apartment with personal decor

HCBS Rule requirement

**Compliance
determination**



Resident door with personal decoration

The setting provides people access to food at any time.

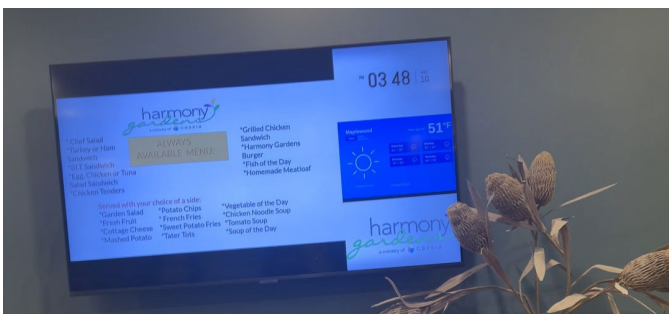
Compliant

Validation methods:

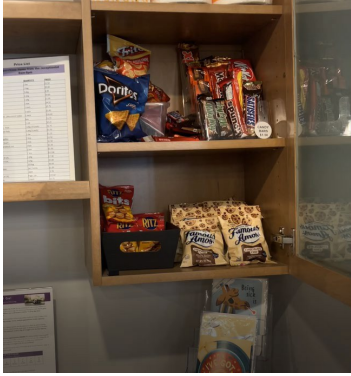
- Interview(s) with administrative staff.
- Interview(s) with residents.
- Review of setting's policy and procedure.
- Observation during on-site visit.
- State license requirement: As required under [Minn. Stat. 144G.91](#), "Residents have the right to access food at any time. This right may be restricted in certain circumstances if necessary for the resident's health and safety and if documented in the resident's service plan."
- State statutory requirement: As required under [Minn. Stat. 325F.722, subd. 2](#), "(c) The contract must include a statement regarding: (2) a resident's right to access food at any time;"

Narrative:

Based on the validation methods reviewed above, it has been determined that Harmony Gardens is compliant with this requirement. The Assisted Living Director and direct care staff confirmed that residents have access to food at any time. If a resident does not like the meal being served, there is always an alternative. In addition, there is an "à la carte" menu where residents can choose specific items they want. Outside of mealtimes, residents can store and prepare food in their apartment kitchens. Upon request, residents can get food from the kitchen at any time. Residents have access to the "snack drawer." The setting also has a small "store" where residents can purchase snacks and necessities. Residents receive a weekly menu, which is also posted around the building and listed on the internal television channel. The setting has a café area where coffee and other beverages are available to residents and visitors, with tables to sit at.



Internal television channel with menu



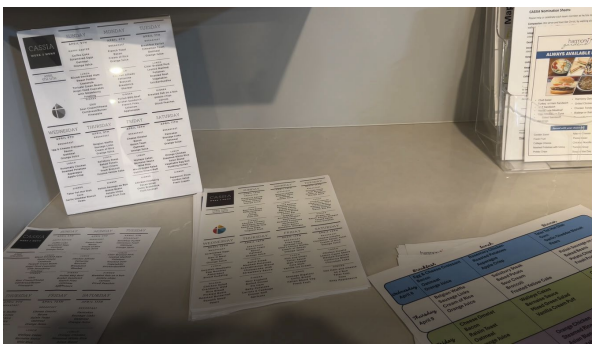
Snacks available in the setting's "store."



Resident kitchen



Cafe area



HCBS Rule requirement

**Compliance
determination**

Table with menus



One of the dining areas

The setting allows people to have visitors at any time.

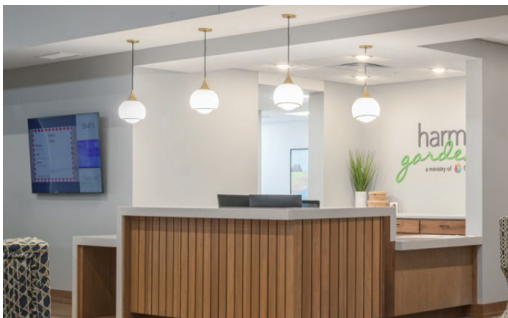
Compliant

Validation methods:

- Interview(s) with administrative staff.
- Interview(s) with residents.
- Review of setting's policy and procedure.
- Observation of people coming and going during on-site visit.
- State license requirement: As required under [Minn. Stat. 144G.91](#), "Residents have the right to meet with or receive visits at any time by the resident's family, guardian, conservator, health care agent, attorney, advocate, or religious or social work counselor, or any person of the resident's choosing. This right may be restricted in certain circumstances if necessary for the resident's health and safety and if documented in the resident's service plan." (See Rights Modification section):
- State statutory requirement: As required under [Minn. Stat. 325F.722, subd. 2](#), "(c) The contract must include a statement regarding: (3) a resident's right to choose the resident's visitors and times of visits;"

Narrative:

Based on the validation methods reviewed above, Harmony Gardens is compliant with this requirement. Assisted Living Director and direct care staff confirmed in interviews that residents may have visitors at any time. During the site visit, residents were observed leaving and returning to the setting with family and friends. The setting provides shared spaces for residents to meet with visitors if they do not choose to visit in their own apartments. There is a separate room that residents can reserve at no cost for family gatherings or other social events. During business hours, a receptionist is available to help visitors with questions. The external doors are locked at night, but residents or visitors can use the buzzer to gain access to the building.



Reception area

HCBS Rule requirement

**Compliance
determination**



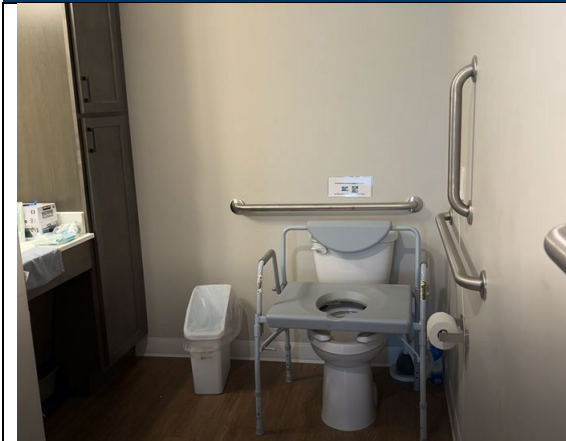
The fireside lounge is one public area residents can use to meet with visitors

HCBS Rule requirement	Compliance determination
<p>The setting provides opportunities for people to volunteer or seek employment and work in competitive integrated settings.</p> <p>Validation methods:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Interview(s) with administrative staff. <input checked="" type="checkbox"/> Interview(s) with residents. <input checked="" type="checkbox"/> Review of setting’s policy and procedure. <input checked="" type="checkbox"/> State license requirement: As required under Minn. Stat. 144G.91, "Residents have the right to engage in community life and in activities of their choice. This includes the right to participate in commercial, religious, social, community, and political activities without interference and at their discretion if the activities do not infringe on the rights of other residents." <input checked="" type="checkbox"/> State statutory requirement: As required under Minn. Stat. 256B.0911, subd. 29, "(d) The written support plan must include: (2) the individual's options and choices to meet identified needs, including all available options for: (ii) employment services, settings, and providers;" <p>Narrative:</p> <p>Based on the validation methods reviewed above, it has been determined that Harmony Gardens is compliant with this requirement. Assisted Living Director and staff stated during interviews that they were not aware of any residents currently employed in the community. However, some residents do volunteer at their churches. Residents are asked about their desire to work or volunteer during intake as part of their interest assessment. Staff will be flexible as needed to support employment or volunteering. None of the residents interviewed were employed or volunteering and stated they did not have an interest at this time.</p>	<p>Compliant</p>

<p>The setting is physically accessible to the individual.</p> <p>Validation methods:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Interview(s) with administrative staff. <input checked="" type="checkbox"/> Interview(s) with residents. <input checked="" type="checkbox"/> Review of setting’s policy and procedure. <input checked="" type="checkbox"/> Observation made during on-site visit. <input checked="" type="checkbox"/> State license requirement: As required under Minn. Stat. 144G.11, “Assisted living facilities:(1) are subject to and must comply with chapter 504B;” <input type="checkbox"/> State statutory requirement: As required under Minn. Stat. 325F.722. subd. 8, “Each exempt setting must comply with chapter 504B, and must obtain and maintain all other licenses, permits, registrations, or other required governmental approvals. An exempt setting is not required to obtain a lodging license under chapter 157 and related rules.” <input checked="" type="checkbox"/> State statutory requirement: As required under Minn. Stat. 363A.10, subd. 1, “For purposes of section 363A.09, discrimination includes: (1) a refusal to permit, at the expense of the disabled person, reasonable modifications of existing premises occupied or to be occupied by the disabled person if modifications may be necessary to afford the disabled person full enjoyment of the premises; a landlord may, where it is reasonable to do so, condition permission for a modification on the renter agreeing to restore the interior of the premises to the condition that existed before the modification, excluding reasonable wear and tear; (2) a refusal to make reasonable accommodations in rules, policies, practices, or services, when accommodations may be necessary to afford a disabled person equal opportunity to use and enjoy a dwelling.” <p>Narrative:</p> <p>Based on the validation methods reviewed above, it has been determined that Harmony Gardens is compliant with this requirement. The Assisted Living Director and staff reported that the setting is accessible to residents. Resident apartments have grab bars, raised toilet seats, shower chairs, and accessible showers. The common areas are accessible, with wide hallways and railings throughout. Information on how to submit a maintenance request for accessibility accommodation is provided to residents at move-in and upon request. Staff are trained in this right so they can assist residents as needed in requesting accommodation. Residents interviewed stated they do not have any issues navigating their apartments or the building in general.</p>	<p>Compliant</p>
--	------------------

HCBS Rule requirement

**Compliance
determination**



Resident accessible bathroom



Resident accessible shower

HCBS Rule requirement	Compliance determination
<p>Any modification of the rights specified in HCBS rule under 441.301(c)(4)(vi)(A) through (D) must be supported by a specific assessed need and documented in the person-centered plan/ HCBS Rights Modification Support Plan Attachment.</p> <p>Validation methods:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Interview(s) with administrative staff. <input type="checkbox"/> Review of setting’s policy and procedure. <input type="checkbox"/> Review of person’s support plan, if a rights modification is in place. <input checked="" type="checkbox"/> N/A. No residents at this setting, enrolled in Elderly Waiver, have a need for a Rights Modification at this time. <input checked="" type="checkbox"/> State license requirement: As required under Minn. Stat. 144G.911, “The resident's rights in section 144G.91, subdivisions 12, 13, and 18, may be restricted for an individual resident only if determined necessary for health and safety reasons identified by the facility through an initial assessment or reassessment under section 144G.70, subdivision 2, and documented in the written service plan under section 144G.70, subdivision 4. Any restrictions of those rights for people served under chapter 256S and section 256B.49 must be documented by the case manager in the resident's support plan, as defined in sections 256B.49, subdivision 15, and 256S.10.” <input type="checkbox"/> State statutory requirement: As required under Minn. Stat. 325F.722, subd. 2, “(d) A restriction of a resident's rights under this subdivision is allowed only if determined necessary for health and safety reasons identified by a home care provider's registered nurse in an initial assessment or reassessment, as defined under section 144A.4791, subdivision 8, and documented in the written service plan under section 144A.4791, subdivision 9. Any restrictions of those rights for people served under section 256B.49 and chapter 256S must be documented in the resident's support plan, as defined under sections 256B.49, subdivision 15, and 256S.10.” <p>Narrative:</p> <p>This setting does not include anyone who has an active rights modification.</p>	<p>Compliant</p>

The setting provides people opportunities to access and engage in community life to the same degree as individuals not receiving Medicaid.

Compliant

Validation methods:

- Interview(s) with administrative staff.
- Interview(s) with residents.
- Review of setting's policy and procedure, activity calendar(s).
- Observations during on-site visit.
- State license requirement: As required under [Minn. Stat. 144G.91](#), "Residents have the right to engage in community life and in activities of their choice. This includes the right to participate in commercial, religious, social, community, and political activities without interference and at their discretion if the activities do not infringe on the rights of other residents."
- State statutory requirement: As required under [Minn. Stat. 256S.10, subd. 3](#), "Each participant's support plan must: (1) include the participant's need for service and identify service needs that will be or that are met by the participant's relatives, friends, and others, as well as community services used by the general public; (2) include the use of volunteers, religious organizations, social clubs, and civic and service organizations to support the participant in the community;"

Narrative:

Based on the validation methods reviewed above, it has been determined that Harmony Gardens is compliant with this requirement. Interviews with the Assisted Living Director and staff confirm that residents have many opportunities to access and participate in the community. Harmony Gardens has a monthly calendar of activities, so residents are aware of what is available. Staff assist residents in arranging transportation if the setting provides transportation via its own bus. This calendar is distributed to residents and posted in various places within the setting. There is an area where residents can sign up for activities as well as flyers they can take with them about upcoming events. Activities are also listed on the internal television channel, which they can access in their apartments or view on the monitors placed around the setting. Residents are given an assessment of their interests when they move in and give input during monthly resident council meetings and directly to activities staff.

Some examples of community activities offered are:

- Community church services
- Eating out at local restaurants
- Movies at the local theaters

- Trips to the local apple orchard
- Weekly trips to the Maplewood Mall for shopping.
- Fishing trips
- Como conservatory
- Holiday light tours
- 4th of July Fireworks

Residents also access the community with friends and family, including attending family and friends' special occasions, including birthday and holiday celebrations, baby showers, retirement parties, and graduations. Family members are very active in this community and take residents to appointments and other activities they would like to do. Residents also have access to nearby walking trails.

Community members also come to Harmony Gardens for events like the annual classic car show and concert, which take place in the setting's parking lot.

On-site activities are also offered, including a monthly birthday party for residents, exercise classes, arts and crafts, Bingo, and internal church services. The setting has raised garden beds, which the residents take care of and grow vegetables and flowers.

The setting celebrates different cultures, honors residents on Mother's and Father's Day, and also honors veterans. There is a wall in the setting that is called "Harmony Gardens Wall of Honor," with names and pictures of veterans.

Residents interviewed stated they know how to find out what activities are offered. One resident stated, "I love going to Panera. I even have a card that gets points each time I go there. Eventually, I get free coffee." Another resident said, "I like to go to church." Residents reported feeling satisfied with the level of community involvement they have.



Activities calendar.

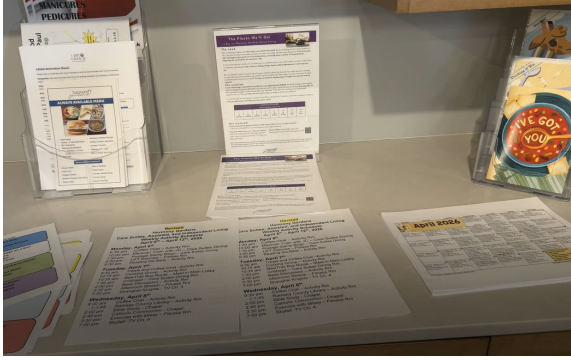
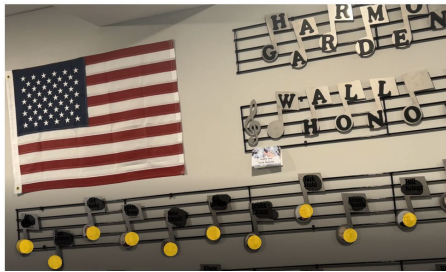


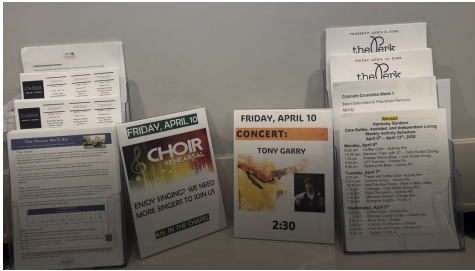
Table with activity calendars



Harmony Gardens Wall of Honor



Raised garden beds



Community Activity Flyers

HCBS Rule requirement	Compliance determination
<p>The setting supports the person’s control of personal resources to the same degree as individuals not receiving Medicaid HCBS.</p> <p>Validation methods:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Interview(s) with administrative staff. <input checked="" type="checkbox"/> Interview(s) with residents. <input checked="" type="checkbox"/> Review of setting’s policy and procedure. <input checked="" type="checkbox"/> State license requirement: As required under Minn. Stat. 144G.91, "Residents have the right to control personal resources." <input type="checkbox"/> State license requirement: As required under Minn. Stat. 144A.479, subd. 5, "(b) A home care provider or staff may not borrow a client's funds or personal or real property, nor in any way convert a client's property to the home care provider's or staff's possession." <p>Narrative:</p> <p>Based on the validation methods reviewed above, it has been determined that Harmony Gardens is compliant with this requirement. An interview with the Assisted Living director confirmed that the setting does not assist residents with their personal funds.</p>	<p>Compliant</p>

<p>The setting ensures people’s right to privacy.</p> <p>Validation methods:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Interview(s) with administrative staff. <input checked="" type="checkbox"/> Interview(s) with residents. <input checked="" type="checkbox"/> Review of setting’s policy and procedure. <input checked="" type="checkbox"/> Observation during on-site visit. <input checked="" type="checkbox"/> State license requirements: As required under Minn. Stat. 144G.91, "Residents have the right to consideration of their privacy, individuality, and cultural identity as related to their social, religious, and psychological well-being. Staff must respect the privacy of a resident's space by knocking on the door and seeking consent before entering, except in an emergency or unless otherwise documented in the resident's service plan." "Residents have the right to respect and privacy regarding the resident's service plan. Case discussion, consultation, examination, and treatment are confidential and must be conducted discreetly. Privacy must be respected during toileting, bathing, and other activities of personal hygiene, except as needed for resident safety or assistance." "Residents have the right to communicate privately with persons of their choice." <input type="checkbox"/> State license requirements: As required under Minn. Stat. 144A.44, subd. 1, "(a) A client who receives home care services in the community or in an assisted living facility licensed under chapter 144G has these rights: (10) have personal, financial, and medical information kept private, and to be advised of the provider's policies and procedures regarding disclosure of such information;" <p>Narrative:</p> <p>Based on the validation methods reviewed above, it has been determined that Harmony Gardens is compliant with this requirement. Interviews with the Assisted Living Director and staff confirm that staff protect residents’ privacy. Staff receive multiple privacy trainings at orientation and ongoing. During the site visit, staff were observed knocking on doors and waiting for a response before entering. Staff interviewed stated, “I always knock on the door and wait for a response. I introduce myself, and if there are family members present, I ask if they would like privacy to visit with their family. If they say yes, I come back later.” Another staff member said, “Before I do personal care, I make sure the blinds are closed as well as the door.” Staff reported that they never talk about any of the residents in public areas and make sure to log off any devices when they are done using them to protect people’s information. Residents have locked mailboxes for their mail, so their mail is private.</p>	<p>Compliant</p>
--	------------------

HCBS Rule requirement

Compliance determination

Residents interviewed said they feel the staff respects their privacy. One resident stated, "Oh yes, oh yeah, they protect our privacy." Another resident said, "They respect my privacy. They always make sure the blinds are closed, and the doors are shut so people do not see what is going on."



Resident locked mailboxes



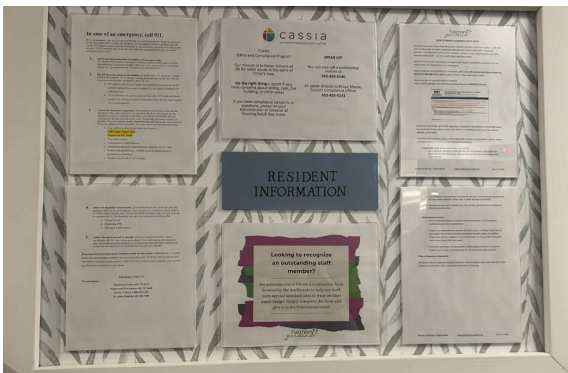
Posted privacy practices

HCBS Rule requirement	Compliance determination
<p>The setting ensures people’s dignity and respect.</p> <p>Validation methods:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Interview(s) with administrative staff. <input checked="" type="checkbox"/> Interview(s) with residents. <input checked="" type="checkbox"/> Review of setting’s policy and procedure. <input checked="" type="checkbox"/> Observation during on-site visit. <input checked="" type="checkbox"/> State license requirement: As required under Minn. Stat. 144G.91, "Residents have the right to be treated with courtesy and respect, and to have the resident's property treated with respect." <input type="checkbox"/> State license requirement: As required under Minn. Stat. 144A.44, subd. 1, "(a) A client who receives home care services in the community or in an assisted living facility licensed under chapter 144G has these rights: (13) be treated with courtesy and respect, and to have the client's property treated with respect;" <p>Narrative:</p> <p>Based on the validation methods reviewed above, it has been determined that Harmony Gardens is compliant with this requirement. Staff people were observed treating residents with respect. Leaning closer to hear what someone was trying to say and treating residents with respect by asking their opinions. Staff asked residents being interviewed if it was okay to conduct the interview in their apartment before introducing the interviewers.</p> <p>Residents interviewed stated that “Staff really listen to you.” When asked if staff treated them with respect, one resident answered, “Definitely.”</p> <p>The setting has a confidential phone number for residents to report complaints.</p>	<p>Compliant</p>

<p>The setting ensures people’s freedom from coercion and restraint.</p> <p>Validation methods:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Interview(s) with administrative staff. <input checked="" type="checkbox"/> Interview(s) with residents. <input checked="" type="checkbox"/> Review of setting’s policy and procedure. <input type="checkbox"/> Observation during on-site visit. <input checked="" type="checkbox"/> State license requirement: As required under Minn. Stat. 144G.42, “The assisted living facility must comply with the requirements for the reporting of maltreatment of vulnerable adults in section 626.557. The facility must establish and implement a written procedure to ensure that all cases of suspected maltreatment are reported. And, Mn Statute 144G.63, “proper orientation and annual training is given to staff on the Vulnerable Adults Act, as well as the Assisted Living Bill of Rights and staff responsibilities related to ensuring the exercise and protection of those rights.” <input type="checkbox"/> State statutory requirement: As required under Minn. Stat. 325F.722, subd. 7, “Residents must be free from any physical or chemical restraints imposed for purposes of discipline or convenience.” <p>Narrative:</p> <p>Based on the validation methods reviewed above, it has been determined that Harmony Gardens is compliant with this requirement. Interviews with the Assisted Living Director and staff confirmed that the setting does not use coercion or restraints. One resident said, “No one ever pressures you to do anything.” Another resident stated, “I have never had any problems with that.” Another resident said, “They don’t impose their own opinions on us.” A bulletin board provides information on how to report abuse to the Minnesota Adult Abuse Reporting Center (MAARC), the Ombudsman number, and the confidential number for complaints. Below this bulletin board are copies of the Assisted Living Bill of Rights. There is also a bin next to the bulletin board with grievance forms available for residents to take.</p>	<p>Compliant</p>
--	------------------



Policy and phone numbers for reporting abuse or maltreatment



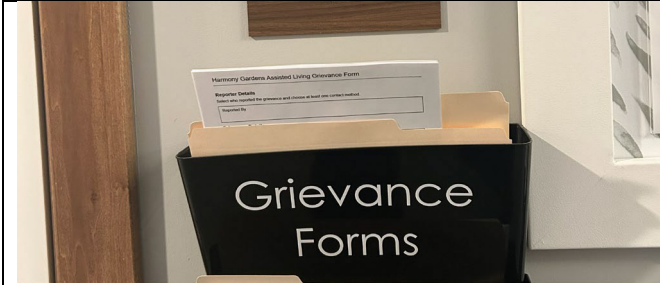
Bulletin board with resources for complaints



Folder with copies of the Assisted Living Bill of Rights for residents

HCBS Rule requirement

**Compliance
determination**



Grievance Forms

The setting optimizes individual initiative, autonomy, and independence in making life choices, including daily schedule and with whom to interact.

Compliant

Validation methods:

- Interview(s) with administrative staff.
- Interview(s) with residents.
- Review of setting's policy and procedure.
- Observation made during on-site visit.
- State license requirement: As required under [Minn. Stat. 144G.91](#), "Residents have the right to individual autonomy, initiative, and independence in making life choices, including establishing a daily schedule and choosing with whom to interact."
- State license requirement: As required under [Minn. Stat. 144A.44, subd. 1](#), "(a) A client who receives home care services in the community or in an assisted living facility licensed under chapter 144G has these rights: (2) receive care and services according to a suitable and up-to-date plan, and subject to accepted health care, medical or nursing standards and person-centered care, to take an active part in developing, modifying, and evaluating the plan and services;"
- State statutory requirement: As required under [Minn. Stat. 256S.10, subd. 3](#), "Each participant's support plan must: (4) identify the participant's preferences for services as stated by the participant or the participant's legal guardian or conservator; (7) identify specific services and the amount, frequency, duration, and cost of the services to be provided to the participant based on assessed needs, preferences, and available resources."

Narrative:

Based on the validation methods reviewed above, it has been determined that Harmony Gardens is compliant with this requirement. Interviews with the Assisted Living Director and staff confirmed that residents have the right to choose how and with whom they want to spend their time, how they want their schedule, and to make their own choices. Staff are informed of changes to a person's individual care plans, including a resident's preferences. This information is communicated through tablets and iPhones that staff use to track daily tasks and updates to a resident care plan. A staff member interviewed stated, "It's their life." Another staff member said, "I try to let them make their own choices as much as possible, like picking out their own clothes or how they want things done."

HCBS Rule requirement	Compliance determination
Residents interviewed stated that they do control their own schedules and make their own decisions. One resident said, "Everybody does whatever they want around here."	

Additional pictures of the HCBS setting



Beauty/Barber shop



Lounge and billiards room



Resident library



Chapel



Resident lounge area



Patio

Public comment summary

(Enter summary link here)

Minnesota's recommendation

Date of recommendation: Click or tap to enter a date.
Choose an item.