

HCBS Final Rule Evidentiary Package

Heritage Place Assisted Living



Setting information

Setting name: Heritage Place Assisted Living	ID #: 20153
Street address: 120 Norman Av. S., Foley, MN 56329	Phone: 320-968-6425
Setting website: Heritage Place Assisted Living (https://heritageoffoley.com/services/heritage-assisted-living)	Date of site visit: 7/16/2018

Waiver service type

Waiver service	Service type:
<input checked="" type="checkbox"/> Alternative Care (AC) <input checked="" type="checkbox"/> Elderly Waiver (EW) <input type="checkbox"/> Brain Injury (BI) <input checked="" 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 Foley Nursing Center

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

General summary

Heritage Place Assisted Living is located in the city of Foley, Benton County, around 70 miles north of Minneapolis. Foley had a population of 2,634 in 2017.

Heritage Place Assisted Living provides customized living services to 30 units. At the time of the provider attestation, the setting served five people supported by a home and community-based waiver program.

The customized living setting is connected to the Heritage of Foley continuum of care campus, which includes a second customized living setting, Heritage Pointe Assisted Living, which will be addressed in a separate evidentiary package. The campus also includes the Foley Nursing Center (nursing facility), an adult day services program and a transitional care unit. The campus is owned and operated by Heritage of Foley.

Customized living provider standards/qualifications

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

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

Customized living service definitions that support the setting requirements

Customized living (CL) and 24-hour CL services include component services designed to meet the person’s assessed needs and goals. Individualized CL services may include supervision, home care aide tasks (e.g., assistance with activities of daily living), home health aide 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 [Customized Living Component Service Definitions, DHS-6790H \(PDF\)](#).

(<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 on Customized Living](#)

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

Prong 1 and Prong 2 settings

Meaningful distinction between the facility and HCBS setting

States must submit strong evidence that the setting presumed institutional has the characteristics of a HCBS setting and not an institutional setting.	
Determination	Summary
<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable	<p>Interconnectedness between the facility and the setting in question, including administrative or financial interconnectedness, does not exist or is minimal.</p> <p>Heritage Place Assisted Living, the customized living setting, has a separate director and a housing manager who oversee housing and nursing services in the setting. The director and manager report to the administrator of the campus. The setting is financially connected to the campus, but it manages decisions about financial matters at the setting level as well.</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>All staff that work in the customized living setting receive HCBS settings rule training and other relevant training and orientation for the setting. The nursing facility staff is separate; staff members don’t work in the customized living setting.</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>People who live in this customized living setting have several options for transportation to support community engagement and inclusion, including: County public transit, a volunteer driver program, rides from family and friends and peoples’ own vehicles.</p>
<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable	<p>The setting provides HCBS services in a space that is distinct from the space in which institutional services are provided.</p> <p>The customized living setting is separate from the nursing facility. The nursing facility faces Pine Street and has a different style of construction. The customized living setting faces Norman Avenue, a different side of the campus. The customized living setting has its own signage, entrance and parking lot. People served in the setting and visitors come and go from a separate entrance from the nursing facility. In the image below, the setting is circled in gold. The rest of the care campus is to the right of the setting.</p>



Community engagement opportunities and experiences

Community engagement is overseen by the setting's director and housing manager. People served in the setting provide input through interest-assessment forms, tenant meetings, and direct communication with staff. People learn about activities offered in the setting through an activity calendar and through reminders from staff.

The setting supports regular outings in the community with the support of community transportation providers and the family and friends of people served in the setting. Outings include the following:

- Trips to the bank
- Grocery shopping
- Trips to shopping centers
- Restaurants
- Community events, including town festivals, parades, and the county fair
- Worship services, funerals, and other faith community events

The setting also offers a few events per year that draw larger numbers of people from the wider community, including a car show, a spring event with live musicians and a fall festival.

On-site, programmed activities include: art-making, baking, movies, exercise sessions, social gatherings and chapel services.

People who live in the setting also plan and participate in self-led activities including card playing and social get-togethers, and outings into the community, including golfing, family meals and shopping trips in nearby St. Cloud.

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>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 provided a lease agreement as documentation through the provider-attestation process. A person living in the setting who was interviewed also confirmed that she signed a lease agreement.</p>	Compliant
<p>Each person at the setting has privacy in his/her sleeping or living unit including a lockable door.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Locks were observed on all unit doors in the setting. A person living in the setting who was interviewed confirmed that she has a lock on her unit door and that her privacy is respected.</p>	Compliant
<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 checked="" type="checkbox"/> Observation made during on-site visit</p> <p>People do not share rooms unless they share a room with a spouse, partner or other person of their choice. A person living in the setting initially shared her unit with her husband, but does not share her unit at this time.</p>	Compliant


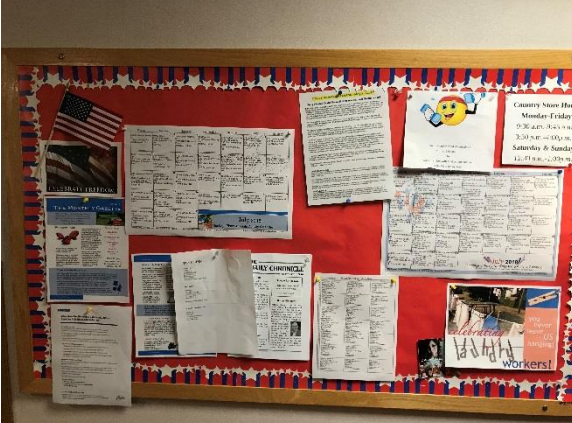

<p>The setting provides people with the freedom to furnish and decorate their bedroom and living unit within the lease or residency agreement.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during 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 as people desired. A person living in the setting often entertains visitors in her space and said she very much feels at home in the space.</p>	<p>Compliant</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>The housing manager confirmed during the site visit that people living in the setting can control their daily schedules, in terms of waking, going to bed and coming and going and eating as they would like. A person living in the setting who was interviewed said that her preferences were always honored. She often hosts guests in her apartment, including many people beyond the setting. In addition to the setting’s dining hall, she regularly prepares meals and food and drinks for herself and guests.</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>A person living in the setting who was interviewed confirmed that visitors can come and go as they like, and that there are not any restrictions on visiting the setting. She regularly has her son and grandson stay with her when they are visiting from a nearby town. She feels very comfortable having them as guests at the setting.</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>The housing manager confirmed that the setting accommodates people’s preferences so that they can keep the schedule and commitments they prefer. A person living in the setting who was interviewed no longer works, but she does have a regular volunteer commitment. She does not require many services at present, but is confident the staff would accommodate her schedule, as needed.</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>The common spaces and living units were observed to be accessible, and the setting supports a reasonable accommodations process, as needed. A person living in the setting said that her living unit and the building were fully accessible to her.</p>	<p>Compliant</p>
<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>Staff are aware of transportation options in their area and work with people in the setting to arrange for rides, as needed. The setting also informs people living in the setting of transportation options. The setting offers a varied activity calendar of on-site and off-site offerings. A person living in the setting who was interviewed received a lot of transportation help from her family. She reported getting out into the wider community about twice each month, and she described that as the right amount for her. At this time, she receives all of her medical care in the wider community, though she is aware that some medical services are available on-site if she desires them.</p>	<p>Compliant</p>

<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 checked="" type="checkbox"/> Observation made during on-site visit</p> <p>The setting has a compliant policy related to assisting people in the setting with their personal resources. People living in the setting are properly informed of this right. One person interviewed in the setting explained that she did not receive any help from the setting with her personal finances.</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>The setting has a compliant policy with respect to people’s privacy. A person living in the setting who was interviewed said that her privacy was always respected by staff. In finding a person to interview, a setting manager knocked on two unit doors. No one answered at the first unit and the manager did not let herself in. At the second unit, the manager was invited in before she entered the living unit.</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>During the site visit, staff were observed treating people living in the setting with respect, and addressing people in the setting by name. A person living in the setting who was interviewed confirmed that she was treated with dignity and respect. She especially appreciates how welcoming the setting is of her grandson and son, who visit regularly.</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> <p>Staff are trained on the Minnesota Home Care Bill of Rights and the Minnesota Vulnerable Adults Act. A copy of the Home Care Bill of Rights is also given to people to inform them of their right to be free from coercion and restraint.</p>	Compliant

<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>A person living in the setting who was interviewed confirmed that she felt she could make all of her own choices about her care and her daily activities. She kept a fairly busy social calendars of guests from within the setting and beyond, including hosting people for meals and get-togethers.</p>	<p>Compliant</p>
---	------------------

Pictures of the HCBS setting

 <p>Dining area and large group activity space</p>	 <p>Setting bulletin board and activity calendar</p>
	 <p>Standard living unit kitchen</p>



Living unit bathroom accessibility features

Public comment summary

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

DHS sought public comment from April 30, 2019, to June 9, 2019, before submitting settings to the Centers Medicare & Medicaid Services (CMS) for heightened scrutiny.

We sought public comments using the following methods:

- Evidentiary packages posted online on the [Home and Community Based Services Rule transition plan page](#)
- Evidentiary packages specific to each setting posted in a common area of the setting
- Notice of public comment period via [May 10, 2019, eList announcement](#)
- Notification to lead agencies via regional resource specialists
- Notification to providers via email
- Notification to managed care organizations and Area Agencies on Aging (AA) via email
- Notification to long-term care ombudsman office via email
- Disability Hub MN virtual insight panel.

Minnesota's recommendation

Date of recommendation: 7/1/2019

Minnesota supports that this setting overcomes the institutional presumption and meets the requirements of a home and community-based setting. Provider is required to maintain on-going compliance with all HCBS requirements.