

# HCBS Final Rule Evidentiary Package

## Good Samaritan Society - Lakeview Assisted Living



*Front entrance to Good Samaritan Society - Lakeview Assisted Living*

## Setting information

Setting name: Lakeview Assisted Living

Street address: 605 Lake Ave N., Battle Lake MN 56515

Phone: 218-862-5230

ID # 1114125333

Setting website: [Good Samaritan Society – Battle Lake, Lakeview Assisted Living](#)

Date of site visit: 5/5/2026

# 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 in a Public or Private Institution	Good Samaritan Society - Battle Lake 105 Glenhaven Drive, Battle Lake MN, 56515

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

# General summary

## **Geographic information:**

Battle Lake is a small, bustling community wrapped around the western edge of West Battle Lake in central Minnesota's lake country. The population was 857 according to the 2020 census.

Good Samaritan Society - Battle Lake campus is located adjacent to the beautiful West Battle Lake and is just a few blocks from downtown. The campus is a continuum of care campus that includes settings for people who choose independent living, a licensed assisted living facility and a licensed skilled nursing facility. In 2019, Good Samaritan Society officially combined with Sanford Health. The campus is in a residential, commercial, industrial neighborhood.

The licensed assisted living facility on the campus providing customized living services is called Lakeview Assisted Living and will be referred to by that name throughout this document.

## **Number of people served:**

Lakeview Assisted Living has a license capacity of 40. The setting has 28 apartments and is currently serving 34 residents. Three residents have customized living services funded by Elderly Waiver, five have private long term care insurance and the remainder of residents are privately paying for their rent and services.

## 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 in the Community Based Services Manual (CBSM):

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

The CBSM provides the following requirements for CL services:

[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 Rule requirement	Compliance determination
<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><b>Validation methods:</b></p> <p><input checked="" type="checkbox"/> Interview(s) with administrative staff.</p> <p><input checked="" type="checkbox"/> State license requirement: As required under <a href="#">Minn. Stat. 144G.10</a>, “Each assisted living facility must employ an assisted living director licensed or permitted by the Board of Executives for Long Term Services and Supports.”</p> <p><input type="checkbox"/> State statutory requirement: As required under <a href="#">Minn. Stat. 325F.722</a>, “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> <p><b>Narrative:</b></p> <p>This setting is located on a continuum of care campus. The campus administrator has authority over the skilled nursing facility and Lakeview Assisted Living. Lakeview Assisted Living has a designated Licensed Assisted Living Director (LALD), a Clinical Care Leader, RN and Resident Assistant Medication Aides (RAMAs). The skilled nursing facility on the campus has separate staffing in similar positions.</p>	<p>Compliant</p>

<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><b>Validation methods:</b></p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Interview(s) with administrative staff.</li> <li><input checked="" type="checkbox"/> Interview(s) with direct care staff.</li> <li><input checked="" type="checkbox"/> Review of training policy and procedure(s).</li> <li><input checked="" type="checkbox"/> State license requirement: As required under <a href="#">Minn. Stat. 144G.60</a>, “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.”</li> <li><input type="checkbox"/> State license requirement: As required under <a href="#">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: (12) be served by people who are properly trained and competent to perform their duties;”</li> </ul> <p><b>Narrative:</b></p> <p>The skilled nursing facility staff do not provide support or back up for the Lakeview Assisted Living staff. If a staff person such a RAMA position chose to also provide services to residents in the assisted living setting, the staff person would need to apply for a position at Lakeview Assisted Living and would be required to receive the same training as the assisted living staff. (person centered planning, ALF BOR, Vulnerable Adult reporting) the staff is trained specifically for home and community-based support in a manner consistent with the HCB settings regulations.</p>	<p>Compliant</p>
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<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> <p><b>Validation methods:</b></p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Interview(s) with administrative staff.</li> <li><input checked="" type="checkbox"/> Interview(s) with direct care staff.</li> <li><input checked="" type="checkbox"/> Review of transportation policy and procedure(s).</li> <li><input checked="" type="checkbox"/> State license requirement: As required under <a href="#">Minn. Stat. 144G.41</a>, “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.”</li> <li><input checked="" type="checkbox"/> State statutory requirement: As required under <a href="#">Minn. Stat. 256S.09</a>, “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;”</li> </ul> <p><b>Narrative:</b></p> <p>Residents who live in this setting utilize many different means of transportation. These include the setting’s own accessible bus, the local community bus system, community volunteer drivers, and family. Some of the residents still drive and own their own vehicle. The setting provides underground parking for the residents’ vehicles which they can access via an elevator. Residents are told about these options when they move in and whenever they request assistance with rides. The LALD is the main contact for assistance with transportation. However, residents can ask any of the staff for assistance with setting up transportation.</p>	<p>Compliant</p>
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Transportation bus owned by the setting



Posting with transportation options

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

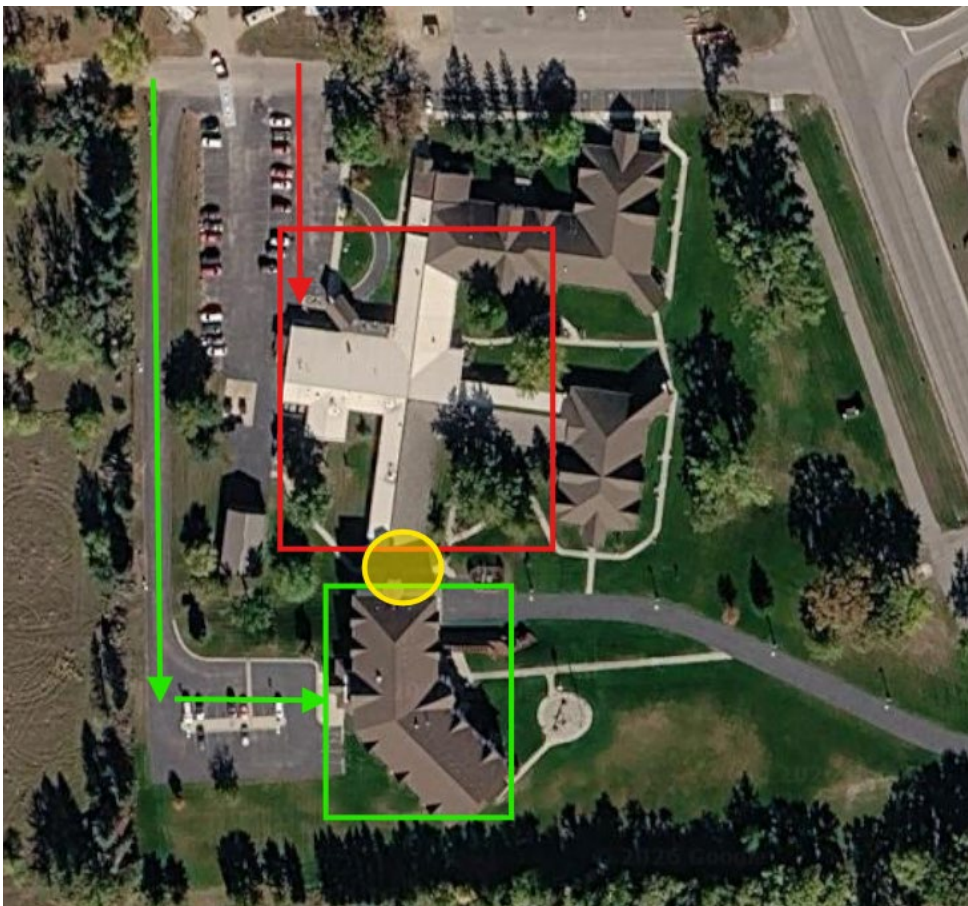
Compliant

**Validation methods:**

- Observation of the distinction of the separate spaces.
- Aerial photo that identifies the separation of settings.

**Narrative:**

Lakeview Assisted Living provides customized living services in a space (outlined in green) that is distinct from the space used by the skilled nursing facility (outlined in red). Customized living services are provided in a separate building connected to the larger complex via an indoor walkway (yellow circle). The setting has a separate entrance and dedicated parking area (green arrows) separate from the nursing facility (red arrows). There is indoor signage directing visitors to the customized living setting.





*Hallway and door connecting SNF to HCBS setting.*



*Outdoor sign near entrance of the campus with listing the directions to the therapies building, the skilled nursing home, and Lakeview Senior Living Apartments*

# 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><b>The setting is selected by the individual from among a variety of setting options including non-disability specific settings.</b></p> <p><b>Validation methods:</b></p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Interview(s) with residents.</li> <li><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.</li> <li><input checked="" type="checkbox"/> Health plan and Lead Agency Review support plan audits: As required under <a href="#">Minn. Stat. 256B.0911, subd. 29</a>, “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;”</li> </ul> <p><b>Narrative:</b></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>One resident interviewed stated that she was aware of another CL setting in Henning, MN. She did not want to tour that facility because she wanted to move to this CL setting in Battle Lake. She knew who the LALD was, and that her family farm is in the country near Battle Lake. One of her daughters also lives close by and visits often. She stated she is not interested in exploring other options for CL settings at this time.</p>	<p>Compliant</p>

<p><b>The setting facilitates individual choice regarding services and support, and who provides them.</b></p> <p><b>Validation methods:</b></p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Interview(s) with administrative staff.</li> <li><input checked="" type="checkbox"/> Interview(s) with residents.</li> <li><input checked="" type="checkbox"/> Review of setting’s policy and procedure(s).</li> <li><input checked="" type="checkbox"/> State license requirement: As required under <a href="#">Minn. Stat. 144G.91, subd. 24</a>, “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.”</li> <li><input type="checkbox"/> State statutory requirement: As required under <a href="#">Minn. Stat. 325F.722, subd. 2</a>, “(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.”</li> <li><input type="checkbox"/> State license requirement: As required under <a href="#">Minn. Stat. 144A.44, subd. 1</a> “(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.”</li> </ul> <p><b>Narrative:</b></p> <p>Setting’s policy is compliant. The LALD and the setting’s consultant confirmed that residents have this right which is included in the Assisted Living Bill of Rights. The staff reported that there is a clinic in town that most residents use. However, some residents choose to see their doctors in various towns such as Wadena and Fergus Falls. One of the local doctors also comes to the setting to see patients who choose to see him at the CL setting instead of the clinic. The CL setting also has therapy services located on the campus where residents may utilize the</p>	<p>Compliant</p>
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equipment for exercise. A hair salon is also located in the HCBS setting. Residents can choose to have their hair done at the setting or a location of their choice in the community.

One resident interviewed reported that she sees her regular doctor at the clinic in Battle Lake and she has specialists that she sees in Fergus Falls.



*Hair salon at the setting*



*Exercise equipment in the therapy space for resident use*

<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><b>Validation methods:</b></p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Interview(s) with administrative staff.</li> <li><input checked="" type="checkbox"/> Interview(s) with residents.</li> <li><input checked="" type="checkbox"/> Review of written lease or residency agreement.</li> <li><input checked="" type="checkbox"/> State license requirement: This setting submitted a compliant Assisted Living lease as required under <a href="#">Minn. Stat. 144G.50</a> – <a href="#">144G.57</a>. <a href="#">Minn. Stat. 144G.11</a> states, “Assisted Living facilities are subject to and must comply with Chapter 504B.” The lease is required to be signed by the setting and the person receiving services or their representative.</li> <li><input type="checkbox"/> State statutory requirement: This setting submitted a compliant written lease as required under <a href="#">Minn. Stat. 325F.722, subd. 8</a>. “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.”</li> </ul> <p><b>Narrative:</b></p> <p>Copy of the lease was submitted to DHS for review and is compliant with HCBS requirements. Administrative staff confirm that residents receive a copy of the contract for review prior to signing and moving into the setting. Resident interviewed reported that her daughter helped her with signing a contract when they moved in and she is also notified when any changes are made to the contract.</p>	<p>Compliant</p>
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**Each person at the setting has privacy in their sleeping or living unit including a lockable door with only appropriate staff having keys to doors.**

Compliant

**Validation methods:**

- Interview(s) with administrative staff.
- Interview(s) with residents.
- Review of setting's policy and procedure.
- Observation of lockable unit doors during on-site visit.
- 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 resident's 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).
- 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 the 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."

**Narrative:**

Setting's policy is compliant. Locks were observed on all of the apartment doors in the setting. Residents interviewed said they can lock their door when they want privacy or are away. LALD reported that only appropriate staff have keys to the units, and the keys remain at the setting and handed off to the next shift staff.



*Resident's door with deadbolt lock and door handle.*

<p><b>The setting facilitates that a person who shares a bedroom or unit, is with a roommate of their choice.</b></p> <p><b>Validation methods:</b></p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Interview(s) with administrative staff.</li> <li><input checked="" type="checkbox"/> Interview(s) with residents.</li> <li><input checked="" type="checkbox"/> Review of setting’s policy and procedure.</li> <li><input checked="" type="checkbox"/> State license requirement: As required under <a href="#">Minn. Stat. 144G.91</a>, “Residents have the right to choose a roommate if sharing a unit.”</li> <li><input type="checkbox"/> State statutory requirement: As required under <a href="#">Minn. Stat. 325F.722, subd. 2</a>, “(c) The contract must include a statement regarding: (4) a resident's right to choose a roommate if sharing a unit.”</li> </ul> <p><b>Narrative:</b></p> <p>Setting’s policy is compliant. Staff reported residents in the setting do not share rooms unless they share with a spouse, partner or other person of their choice. Resident interviewed lived in a single bedroom apartment. Resident reported they are not required to share a unit, but she did share the apartment with her spouse until he passed away.</p>	<p>Compliant</p>
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**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:**

Setting's policy is compliant. Living units observed during the site visit were decorated according to the residents' tastes and preferences, including family pictures and memorabilia, crafts and hobby items. Many people put up personalized decorations in the entrance to their living units. Administration reported that people are allowed to bring their personal decorations and furniture from home to decorate their units. Residents confirmed that decorations and furniture were their personal belongings, and they were able to decorate the unit as desired.



*Resident's decor in hallway near their apartment door.*



*Resident's furniture and decor in their apartment*



*Resident's bed, linen and furnishings in their bedroom*

<p><b>The setting provides people access to food at any time.</b></p> <p><b>Validation methods:</b></p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Interview(s) with administrative staff.</li> <li><input checked="" type="checkbox"/> Interview(s) with residents.</li> <li><input checked="" type="checkbox"/> Review of setting’s policy and procedure.</li> <li><input checked="" type="checkbox"/> Observation during on-site visit.</li> <li><input checked="" type="checkbox"/> State license requirement: As required under <a href="#">Minn. Stat. 144G.91</a>, "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."</li> <li><input type="checkbox"/> State statutory requirement: As required under <a href="#">Minn. Stat. 325F.722, subd. 2</a>, "(c) The contract must include a statement regarding: (2) a resident's right to access food at any time."</li> </ul> <p><b>Narrative:</b></p> <p>Setting’s policy is compliant. The LADL and the consultant confirmed that the setting provides menu choices, snacks are always available, and people store and prepare food in own apartments. Residents confirmed that they have access to food at any time. The menu is posted on the wall near dining area and reviewed with residents the day prior. Snacks and coffee observed in main dining area for residents. Residents and staff reported that residents are free to go out to eat, cook in own apartment or have a meal provided by the setting. The local grocery store also delivers groceries that the residents have ordered. One resident reported she likes to order diet coke and tootsie rolls from the grocery store.</p>	<p>Compliant</p>
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*Resident's kitchen area. Coffee pot, toaster and utensils belong to the resident.*



*Setting's dining room. Residents choose where to sit at each meal.*

<p><b>The setting allows people to have visitors at any time.</b></p> <p><b>Validation methods:</b></p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Interview(s) with administrative staff.</li> <li><input checked="" type="checkbox"/> Interview(s) with residents.</li> <li><input checked="" type="checkbox"/> Review of setting’s policy and procedure.</li> <li><input checked="" type="checkbox"/> Observation of people coming and going during on-site visit.</li> <li><input checked="" type="checkbox"/> State license requirement: As required under <a href="#">Minn. Stat. 144G.91</a>, "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)</li> <li><input type="checkbox"/> State statutory requirement: As required under <a href="#">Minn. Stat. 325F.722, subd. 2</a>, "(c) The contract must include a statement regarding: (3) a resident's right to choose the resident's visitors and times of visits."</li> </ul> <p><b>Narrative:</b></p> <p>Setting’s policy is compliant. LADL and consultant confirmed that the setting does not restrict visiting times or who people can visit with. Residents confirmed that their visitors come when they choose and are not limited or restricted to visiting hours. There is a call pad at the front entrance where visitors can ask to be let in if they arrive after the doors are locked in the evening. Residents can visit their friends and family in privacy in their own units or in any shared space within the building. The setting also has a room off the main dining room for private dinners or parties. Observed visitors coming and going from the building and visiting with residents.</p>	<p>Compliant</p>
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*Call pad located at front entrance to the HCBS setting.*

<p><b>The setting provides opportunities for people to volunteer or seek employment and work in competitive integrated settings.</b></p> <p><b>Validation methods:</b></p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Interview(s) with administrative staff.</li> <li><input checked="" type="checkbox"/> Interview(s) with residents.</li> <li><input checked="" type="checkbox"/> Review of setting’s policy and procedure.</li> <li><input checked="" type="checkbox"/> State license requirement: As required under <a href="#">Minn. Stat. 144G.91</a>, "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."</li> <li><input checked="" type="checkbox"/> State statutory requirement: As required under <a href="#">Minn. Stat. 256B.0911, subd. 29</a>, "(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."</li> </ul> <p><b>Narrative:</b></p> <p>Setting’s policy is compliant. LADL and consultant report that current residents have chosen not work or volunteer. Each resident is assessed on their interest at activity assessment and at annual assessment.</p> <p>One resident interviewed reported that she is aware that she can volunteer or work if she wants to. Resident reported she was an insurance agent for many years prior and ran a local campground.</p>	<p>Compliant</p>
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<p><b>The setting is physically accessible to the individual.</b></p> <p><b>Validation methods:</b></p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Interview(s) with administrative staff.</li> <li><input checked="" type="checkbox"/> Interview(s) with residents.</li> <li><input checked="" type="checkbox"/> Review of setting’s policy and procedure.</li> <li><input checked="" type="checkbox"/> Observation made during on-site visit.</li> <li><input checked="" type="checkbox"/> State license requirement: As required under <a href="#">Minn. Stat. 144G.11</a>, “Assisted living facilities:(1) are subject to and must comply with chapter 504B;”</li> <li><input type="checkbox"/> State statutory requirement: As required under <a href="#">Minn. Stat. 325F.722. subd. 8</a>, “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.”</li> <li><input checked="" type="checkbox"/> State statutory requirement: As required under <a href="#">Minn. Stat. 363A.10, subd. 1</a>, “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.”</li> </ul> <p><b>Narrative:</b></p> <p>Setting’s policy is compliant. LADL and consultant report that the setting is fully accessible to the residents. Accommodations such as grab bars, shower chairs, wheelchair accessible kitchens and bathrooms are available to residents. We observed grab bars and shower chairs in resident bathrooms and showers. Handrails were observed through the setting’s wide hallways. Setting has an elevator to access the different floors of the setting. Resident interviewed reported she can use and access all areas of her unit and shared spaces within the building. Observed several residents moving freely in and out of the setting.</p>	<p>Compliant</p>
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*Whirlpool bathtub and transfer seat that is used by residents with staff support.*



*Pictures painted by a resident. Wood handrails run the length of the hallways.*



*Grab bars by toilets in every bathroom with wheelchair accessible sink.*



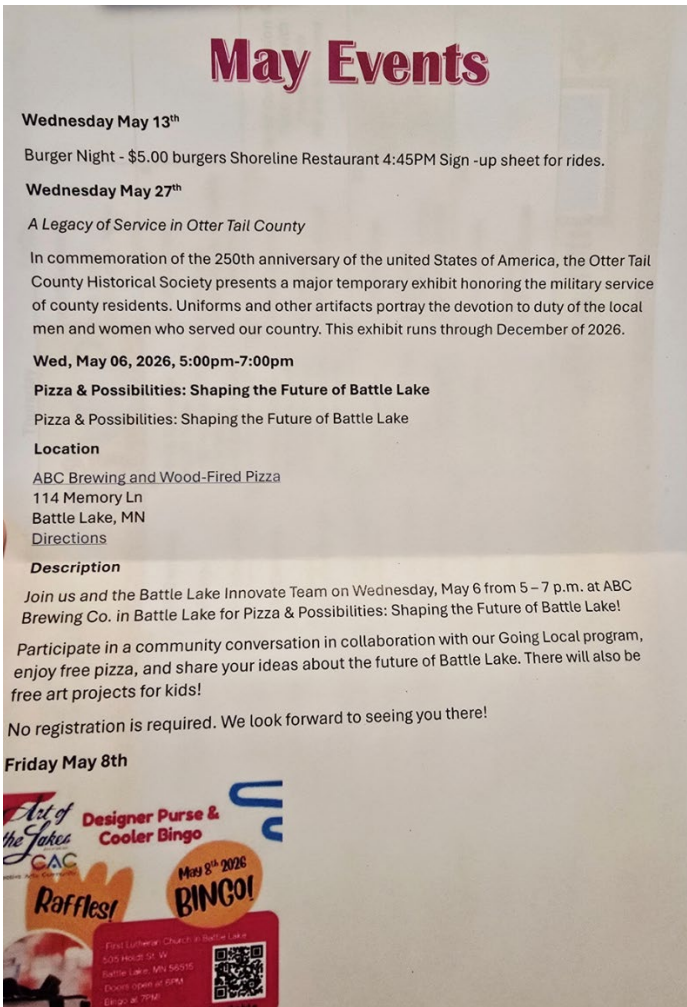
*Grab bars and handheld shower head on shower wall. Shower seat behind the shower curtain.*

<p><b>Any modification of the rights specified in HCBS rule under <a href="#">441.301(c)(4)(vi)(A) through (D)</a> must be supported by a specific assessed need and documented in the person-centered plan on the HCBS Rights Modification Support Plan Attachment.</b></p> <p><b>Validation methods:</b></p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Interview(s) with administrative staff.</li> <li><input checked="" type="checkbox"/> Review of setting’s policy and procedure.</li> <li><input type="checkbox"/> Review of person’s support plan, if a rights modification is in place.</li> <li><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.</li> <li><input checked="" type="checkbox"/> State license requirement: As required under <a href="#">Minn. Stat. 144G.911</a>, “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.”</li> <li><input type="checkbox"/> State statutory requirement: As required under <a href="#">Minn. Stat. 325F.722, subd. 2</a>, “(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.”</li> </ul> <p><b>Narrative:</b></p> <p>LADL, consultant and direct support staff report the setting does not have residents on Elderly Waiver that require rights modifications at this time. LADL stated she communicates with the current resident waiver case manager. Residents are free to come and go from the setting. Residents are asked to sign in and out on a sheet located by the front entrance for tracking purposes.</p>	<p>Compliant</p>
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<p><b>The setting provides people opportunities to access and engage in community life to the same degree as individuals not receiving Medicaid.</b></p> <p><b>Validation methods:</b></p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Interview(s) with administrative staff.</li> <li><input checked="" type="checkbox"/> Interview(s) with residents.</li> <li><input checked="" type="checkbox"/> Review of setting’s policy and procedure, activity calendar(s).</li> <li><input checked="" type="checkbox"/> Observations during on-site visit.</li> <li><input checked="" type="checkbox"/> State license requirement: As required under <a href="#">Minn. Stat. 144G.91</a>, "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."</li> <li><input checked="" type="checkbox"/> State statutory requirement: As required under <a href="#">Minn. Stat. 256S.10, subd. 3</a>, "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."</li> </ul> <p><b>Narrative:</b></p> <p>Setting’s policy is compliant. LADL and consultant report various transportation options available. Options include:</p> <ul style="list-style-type: none"> <li>• Setting’s own accessible bus</li> <li>• Local community bus system</li> <li>• Community volunteer drivers</li> <li>• Resident’s family</li> <li>• Residents’ personal vehicle. The setting provides underground parking for the residents’ vehicles which they can access via an elevator.</li> </ul> <p>Residents are told about these options when they move in and whenever they request assistance with rides. The LALD is the main contact for assistance with transportation. However, residents can ask any of the staff for assistance with setting up transportation.</p> <p>One resident interviewed reported that she likes to participate in bingo, trivia and card game activities at the setting. She also enjoys it when local musicians come and hold a concert. This resident reports she likes to drive herself into town</p>	<p>Compliant</p>
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to have lunch at various dinners, sit by the lake and go clothes shopping with her friend who also lives at this setting.

Residents are offered a variety of activities onsite and in the community to participate in daily. Each resident chooses what they would like to participate in and when. Residents are surveyed monthly on their activity interests to assist in planning the activity calendar. Residents are provided with two calendars. One calendar shows activities offered onsite. The second calendar shows community activities that residents can choose to attend. The activities from these calendars are announced daily in the shared dining area after devotion.



May community event flyer

May 2026  
All things seem possible in May

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
9:30 Community & Friends Fellowship Jim & Dawn 2:00 Bingo	10:00 Exercises 2:00 Games 3:15 Rosary 3:30 Coffee Social	10:00 Exercises 2:00 Games 3:30 Coffee Social	10:00 Exercises 2:00 Bingo 3:30 Coffee Social	10:00 Exercises 10:30 Trivia 1:30 Holmquist Family 2:30 Movie 3:30 Coffee Social	10:00 Exercises 1:00 Bridge 5:00 Friends & Family Gathering	10:00 Exercises 1:00 Bridge 3:30 Coffee Social
9:30 Community & Friends Fellowship Jim & Dawn 2:00 Bingo	10:00 Exercises 2:00 Games 3:15 Rosary 3:30 Coffee Social	10:00 Exercises 2:00 Games 2:35-2:50 Viking Library 3:15 Mass 3:30 Coffee Social	10:00 Exercises 2:00 Bingo 3:30 Coffee Social	10:00 Exercises 10:30 Bible Study 2:00 Mother's Day Blossoms Bar 3:30 Coffee Social	10:00 Exercises 1:00 Bridge 3:30 Coffee Social	10:00 Communion & Fellowship with Pastor Lynn All are Welcome
9:30 Community & Friends Fellowship Jim & Dawn 2:00 Bingo	10:00 Exercises 2:00 Games 3:15 Rosary 3:30 Coffee Social	10:00 Exercises 2:30 Music Group 3:30 Coffee Social	10:00 Exercises 1:30 Music w/David 2:00 Bingo 3:30 Coffee Social	10:00 Exercises 10:30 Trivia 1:30 Music w/Clines 2:30 Movie 3:30 Coffee Social	10:00 Exercises 1:00 Bridge 1:30 Music W/Gary 3:30 Coffee Social	Memorial Day
9:30 Community & Friends Fellowship Jim & Dawn 2:00 Bingo	10:00 Exercises 2:00 Games 3:15 Rosary 3:30 Coffee Social	10:00 Exercises 2:00 Games 2:35-2:50 Viking Library 3:30 Coffee Social	10:00 Exercises 2:00 Bingo 3:30 Coffee Social	10:00 Exercises 10:30 Trivia 2:30 Movie 3:30 Coffee Social	10:00 Exercises 1:00 Bridge 3:30 Coffee Social	
9:30 Community & Friends Fellowship Jim & Dawn 2:00 Bingo 5:00 Pizza Night	10:00 Exercises 2:00 Games 3:15 Rosary 3:30 Coffee Social	10:00 Exercises 2:00 Games 2:35-2:50 Viking Library 3:30 Coffee Social	10:00 Exercises 2:00 Bingo 3:30 Coffee Social	10:00 Exercises 10:30 Trivia 2:30 Movie 3:30 Coffee Social	10:00 Exercises 1:00 Bridge 3:30 Coffee Social	

lakeview Assisted Living 605 Lake Ave N, Battle Lake, MN 56515 218-862-5230

May onsite activity calendar

The setting supports the person's control of personal resources to the same degree as individuals not receiving Medicaid HCBS.

**Validation methods:**

- Interview(s) with administrative staff.
- Interview(s) with residents.
- Review of setting's policy and procedure.
- State license requirement: As required under [Minn. Stat. 144G.91](#), "Residents have the right to control personal resources."
- 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."

**Narrative:**

Setting's policy is compliant. LADL and consultant report that people have access to their own personal bank accounts, credit cards, cash and can access their funds at any time. The setting does not assist residents with their personal funds. Residents report they have access to their money, bank accounts, credit cards, cash at any time. One resident reported that she pays her own bills and has her own personal bank account at a local bank. If she needs help with financial matters, her daughter helps her with that.

Compliant

<p><b>The setting ensures people’s right to privacy.</b></p> <p><b>Validation methods:</b></p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Interview(s) with administrative staff.</li> <li><input checked="" type="checkbox"/> Interview(s) with residents.</li> <li><input checked="" type="checkbox"/> Review of setting’s policy and procedure.</li> <li><input checked="" type="checkbox"/> Observation during on-site visit.</li> <li><input checked="" type="checkbox"/> State license requirements: As required under <a href="#">Minn. Stat. 144G.91</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." "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."</li> <li><input type="checkbox"/> State license requirements: As required under <a href="#">Minn. Stat. 144A.44, subd. 1</a>, "(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;"</li> </ul> <p><b>Narrative:</b></p> <p>Setting’s policy is compliant. LADL and consultant report that the setting ensures residents’ privacy by requiring direct support staff to knock on resident unit doors prior to entering, provide personal cares in residents’ apartments or in private areas and to not sharing private information about residents in hallways. Resident reported they feel their privacy is protected. She also stated, “The staff are so good to me. They are on-time and respectful.”</p> <p>Residents have access to a private, locked, mailbox located by the front entrance of the setting.</p>	<p>Compliant</p>
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*Resident's locked mailboxes*

<p><b>The setting ensures people’s dignity and respect.</b></p> <p><b>Validation methods:</b></p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Interview(s) with administrative staff.</li> <li><input checked="" type="checkbox"/> Interview(s) with residents.</li> <li><input checked="" type="checkbox"/> Review of setting’s policy and procedure.</li> <li><input checked="" type="checkbox"/> Observation during on-site visit.</li> <li><input checked="" type="checkbox"/> State license requirement: As required under <a href="#">Minn. Stat. 144G.91</a>, "Residents have the right to be treated with courtesy and respect, and to have the resident's property treated with respect."</li> <li><input type="checkbox"/> State license requirement: As required under <a href="#">Minn. Stat. 144A.44, subd. 1</a>, "(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."</li> </ul> <p><b>Narrative:</b></p> <p>Setting’s policy is compliant. LALD and consultant report the setting ensures residents are treated with dignity and respect. The setting has signage and a binder with their grievance forms on a table by the front entrance. The Assisted Living Bill of Rights are also posted near the visiting and dining areas for residents to review. Residents can take a form and fill it out to report a grievance. Residents report they feel they are respected. We observed staff call residents by their preferred names and talk respectfully with residents.</p>	<p>Compliant</p>
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<p><b>The setting ensures people’s freedom from coercion and restraint.</b></p> <p><b>Validation methods:</b></p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Interview(s) with administrative staff.</li> <li><input checked="" type="checkbox"/> Interview(s) with residents.</li> <li><input checked="" type="checkbox"/> Review of setting’s policy and procedure.</li> <li><input checked="" type="checkbox"/> Observation during on-site visit.</li> <li><input checked="" type="checkbox"/> State license requirement: As required under <a href="#">Minn. Stat. 144G.42</a>, “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 Statue 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.”</li> <li><input type="checkbox"/> State statutory requirement: As required under <a href="#">Minn. Stat. 325F.722, subd. 7</a>, “Residents must be free from any physical or chemical restraints imposed for purposes of discipline or convenience.”</li> </ul> <p><b>Narrative:</b></p> <p>Setting’s policy is compliant. Per policy and Elderly Waiver requirements, no restraints are used, and coercion is prohibited. Observed residents moving freely throughout the setting. Resident interviewed reports she drives her own vehicle, parks in the underground garage, takes her friend shopping when she wants to and has a key to come and go freely from her apartment and the setting.</p>	<p>Compliant</p>
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## Report suspected abuse, neglect, self-neglect or financial exploitation of vulnerable adults

CALL THE MINNESOTA ADULT ABUSE REPORTING CENTER: 1-844-880-1574

**Maltreatment could include:**

- ABUSE:** Including physical, emotional and sexual abuse; use of restraints; and/or involuntary isolation or punishment.
- NEGLECT:** Failure by a caregiver to fulfill a caretaking obligation.
- SELF-NEGLECT:** Failure by a vulnerable adult to adequately provide for their own health and safety, including having enough food, shelter, clothing, health care and/or supervision.
- FINANCIAL EXPLOITATION:** Unauthorized use of a vulnerable adult's funds or property, including theft or withholding of money or property and/or use of money or property not for the vulnerable adult's benefit.

**MALTMETREATMENT COULD HAPPEN... Anywhere, by Anyone**

Abuse, neglect and financial exploitation of a vulnerable adult could occur anywhere - from one's own home to a nursing home, from an assisted living facility to an adult day program. Abusers include spouses, children, staff and caregivers. A vulnerable adult who is no longer able to care for themselves could also be in danger of "self-neglect."

**Vulnerable Adults in Minnesota NEED YOUR HELP**

**A vulnerable adult is anyone over age 18 who:**

- COULD HAVE** a physical, mental or emotional need that makes it hard for them to care for themselves without assistance
- COULD BE** in a hospital, nursing home, transitional care unit, assisted living, housing with services, board and care, foster care or other licensed care facility.
- COULD RECEIVE** services such as home care, day services, licensed services, or other personal care.

Maltreatment of vulnerable adults is a real and serious issue in Minnesota. It's under-reported because people don't know what to look for, don't know how to help, or just don't want to get involved.

**You doing something COULD BE all the difference. THAT'S THE POWER OF COULD.**

Call: 1-844-880-1574  
or visit: [mn.gov/dhs/adult-protection](http://mn.gov/dhs/adult-protection)

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**What You Do Could Be the Difference**

Report suspected maltreatment of a vulnerable adult by calling the Minnesota Adult Abuse Reporting Center at 1-844-880-1574.

The toll-free phone line is available 24 hours a day, seven days a week. Your identity will remain confidential and the appropriate investigative agencies will follow up on your report.

For serious or immediate danger, CALL 9-1-1.

**YOU COULD MAKE A DIFFERENCE**

**Signs of Maltreatment COULD BE**

There are some signs that could be maltreatment and should alert you that a report should be made:

**PHYSICAL SIGNS**

- Bruises and skin tears
- Black eyes, sunken eyes or cheeks, or poor coloration
- Broken bones, burns, cuts or infections
- Decontaminance
- Dehydration
- Lack of necessities such as food, water, or utilities
- Repeated falls

**EMOTIONAL SIGNS**

- Increased agitation, combativeness or confusion
- Fear or anxiety
- Depression or non-responsiveness
- Isolation or withdrawal
- Conflicting statements
- Hesitation to talk openly

**FINANCIAL SIGNS**

- Unused funds
- Lack of access to their own money
- Sudden changes made to will or banking practices
- Unexplained missing funds or valuables
- Forged signatures or financial transactions

6501-431-2400

**ADA** For accessible formats of this publication or assistance with additional equal access to our services, write to: [ada@mn.gov](mailto:ada@mn.gov), call 651-431-2400.

Poster on the wall with instruction on how to report abuse, neglect, self-neglect of financial exploitation of a vulnerable adult

The display board contains several panels of text, including the title "Minnesota Bill of Rights for Assisted Living" and various sections of text detailing rights and regulations for assisted living facilities.

Assisted Living Bill of Rights information.

**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:**

Setting's policy is compliant. This requirement was confirmed by the LADL, consultant and registered nurse. Staff reported that residents are free to make their own choices and choose who they want to spend their time with. Residents report varying degrees of interest in facility and community-based activities. One resident reported that she prefers to wake up around 8:00am. Staff bring her toast to her apartment as she likes to have toast and coffee in her apartment in the morning. She will then usually shower and get some exercise. She enjoys having coffee with some other residents later in the morning, then has her lunch. Each afternoon she does various activities but likes to have her coffee again around 3:30 p.m.



*Resident's depiction of themselves they designed out of various fabric and materials during a group activity.*

## **Additional pictures of the HCBS setting**



*Outdoor sitting area overlooking Battle Lake*



*Activity room*



*Additional seating and library shelves in the activity room*



*Additional seating options in activity room*



*Washing machine and a dryer located in each resident apartment.*

# Public comment summary

## Recommendation

**Date of recommendation:** Click or tap to enter a date.

Choose an item.