

HCBS Final Rule Evidentiary Package

McCornell Court



Setting information

Setting name: McCornell Court	ID #30437
Street address: 122 North McCornell Ave Parkers Prairie, MN 56361	Phone: 218-338-4671
Setting website, if applicable: McCornell Court (http://www.stwilliamslivingcenter.com/services/assisted-living/)	Date of site visit: 7/30/2018

Waiver service type

Waiver service	Service type
<input type="checkbox"/> Alternative Care (AC) <input checked="" type="checkbox"/> Elderly Waiver (EW) <input type="checkbox"/> Brain Injury (BI) <input type="checkbox"/> Community Access for Disability Inclusion (CADI) <input type="checkbox"/> Community Alternative Care (CAC) <input type="checkbox"/> Developmental Disabilities (DD)	Customized Living

Reason for heightened scrutiny

Prong type	Category	Type of setting
Prong 1 Located in a Public or Private Institution	Name of Institution	Name of Institution St Williams Living Center

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

General summary

McCornell Court is located in Parkers Prairie, a rural city in Otter Tail County, Minnesota. Parkers Prairie is located approximately 30 miles south of Wadena, Minnesota. The population was estimated at 1,011 per census data in 2010. McCornell Court is located in a residential neighborhood, one block from the main road through town. It takes approximately five minutes to walk to the main business district in town.

McCornell Court is a customized living setting with 15 apartment units. At the time of the site visit, the setting served five people supported by a home and community-based waiver program and 10 people supported by other funding sources.

The customized living setting is located on a campus that includes St Williams Living Center, a skilled nursing facility that provides nursing and rehabilitation services. St Williams Living Center is operated as a non-profit corporation.

Customized living provider standards/qualifications

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

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

Customized living service definitions that support the setting requirements

Customized living (CL) and 24-hour CL services include component services designed to meet the person's assessed needs and goals. Individualized CL services may include supervision, home care aide tasks (e.g., assistance with activities of daily living), home health aide tasks (e.g., delegated nursing tasks), home management tasks, meal preparation and service, socialization, assisting people with arranging meetings and appointments, assisting with money management, assisting people with scheduling medical and social services and arranging for or providing transportation. If socialization is provided, it must be part of the service plan, related to established goals and outcomes and not diversional or recreational in nature.

For more details about the component services, including what is covered and distinctions between each, see [Customized Living Component Service Definitions, DHS-6790H \(PDF\)](https://edocs.dhs.state.mn.us/lfserver/Public/DHS-6790H-ENG) (<https://edocs.dhs.state.mn.us/lfserver/Public/DHS-6790H-ENG>).

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

[CBSM page for customized living services](http://www.dhs.state.mn.us/id_001787#) (http://www.dhs.state.mn.us/id_001787#)

Prong 1 and Prong 2 settings

Meaningful distinction between the facility and HCBS setting

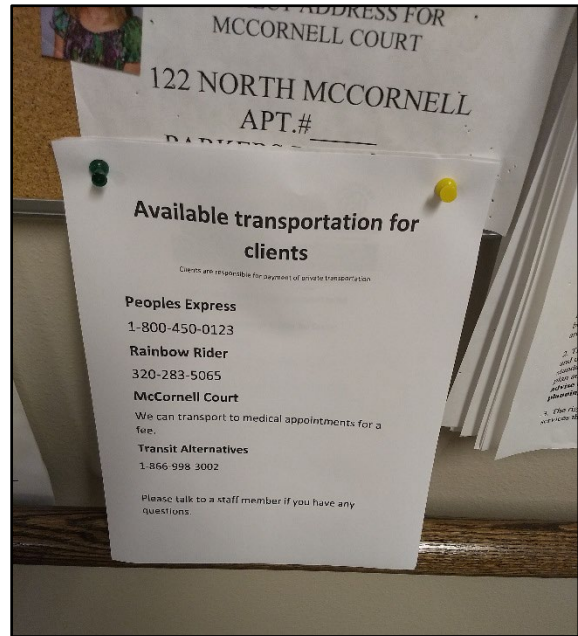
States must submit strong evidence that the setting presumed institutional has the characteristics of a HCBS setting and not an institutional setting.	
Determination	Summary
<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable	<p>Interconnectedness between the facility and the setting in question, including administrative or financial interconnectedness, does not exist or is minimal.</p> <p>McCornell Court and St. Williams Living Center share administrative oversight but have separate budgets, day-to-day operations and staffing. McCornell Court has a dedicated director of nursing who serves as operations manager and dedicated home health aides who provide services to residents. McCornell Court has a separate street address and entrance that is apart from the nursing facility. Food services are prepared in the nursing facility kitchen and served in a dedicated dining room. McCornell Court staff plan activities and events for residents.</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.</p> <p>Administration reported all staff that work in the customized living setting are trained specifically for home and community-based support in a manner consistent with the HCBS settings regulations. Administration confirmed nursing facility staff are not scheduled to work with people at the customized living setting on the same shift.</p>
<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable	<p>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>

McCornell Court is located in a rural area with limited public transportation. The campus has an accessible shuttle bus that residents use for local transportation needs.

Residents also use Transit Alternatives, which provides regional transit service in Otter Tail County and surrounding areas, including Parkers Prairie. Some residents enrolled in managed care services may use BlueRide services to travel to medical appointments covered

under waiver programs. Some people use private regional transportation services (e.g., Rainbow Rider and Peoples Express) for routine or medical appointments in the surrounding area. People at the setting also use community volunteer drivers, family transports and their own vehicles for transportation needs.

Transportation options are posted on bulletin boards and provided in the residency agreement.

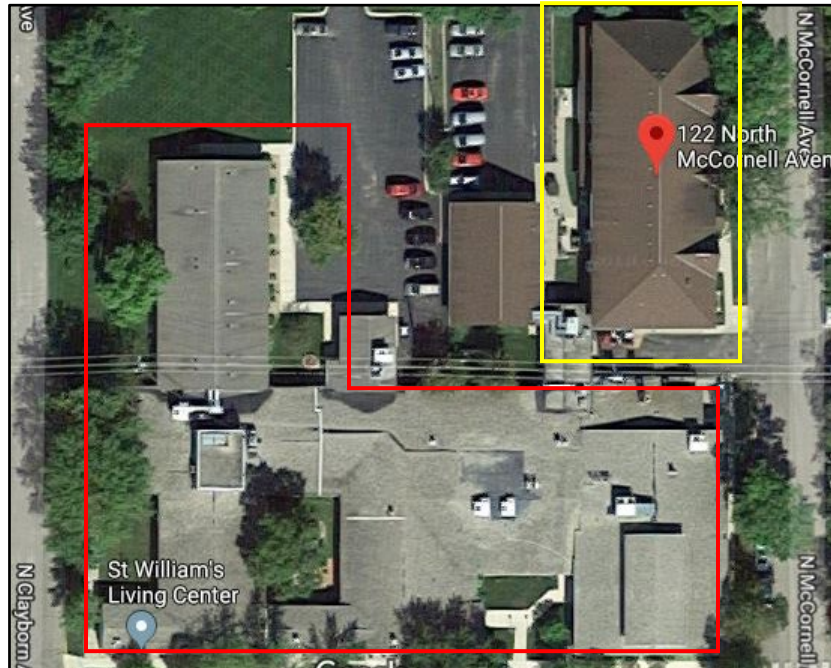


Transportation information posted on bulletin board

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

McCormell Court provides services in a space that is distinct from the space used by the nursing facility. Customized living services are provided in a separate building of the larger complex, connected via an indoor walkway. The setting has separate outside signage and a separate entrance from the nursing facility. In the picture below, McCormell Court is outlined in yellow, and St Williams Living Center is outlined in red.

- Met
- Unmet
- Not applicable



Aerial view of McCormell Court and St Williams Living Center campus

Community engagement opportunities and experiences

Community engagement is supported formally by staff through setting activities and informally by family and friends from the greater community. Administration staff reported they survey residents to obtain their personal preferences, and they support the residents' choices in activities and schedules. Staff tailor activities with feedback from residents through resident council meetings, periodic surveys and discussions with people. They also obtain residents' preferences during admission and at regular health assessments.

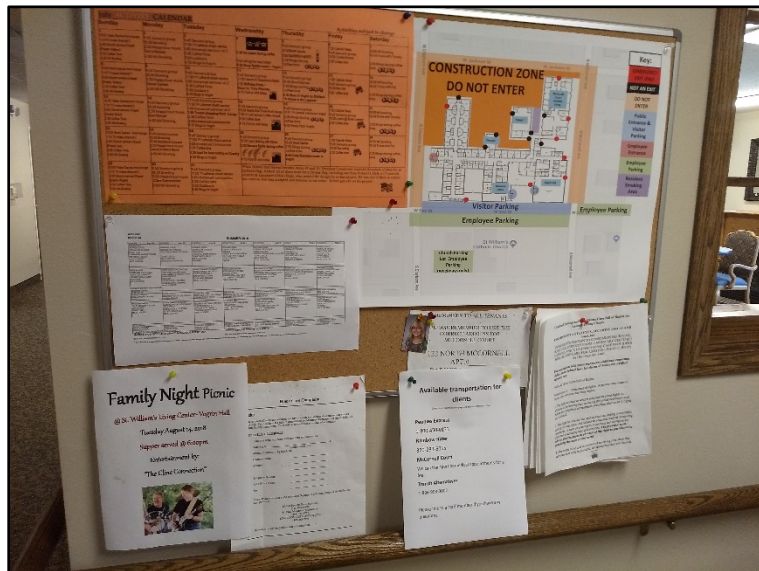
People are notified of community activities through a calendar of community events, flyers, and staff reminders. These activities include:

- Shopping trips
- Pontoon rides
- Fishing trips
- Picnics and community events.

People living at the setting also have the option to go out on their own or with family and friends. They also can use regional public and private transit and volunteer drivers.

These trips include:

- Family events
- Sightseeing
- Casino trips
- Church services and events
- General errands and shopping
- Community holiday events.



Community bulletin board with activity calendar and announcements

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

Examples of on-site activities include:

- Live music performances
- Happy hours
- Crafts
- Board games
- Social hours (e.g., coffee and ice cream socials)
- “Grilling out” activities
- Family nights
- Holiday parties
- Faith activities.



Weekly activity calendar for McCornell Court

People living at the setting have the option to choose not to participate at any time. Staff and residents both say residents are offered alternative times or activities or are free to participate in activities of their choosing.

HCBS characteristics

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

HCBS Rule requirement	Compliance status (Please select)
<p>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 type="checkbox"/> Observation made during on-site visit</p> <p>The setting provided an HCBS-compliant lease agreement as documentation through the provider attestation process.</p>	<p>Compliant</p>

<p>Each person at the setting has privacy in his/her sleeping or living unit including a lockable door.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Locks were observed on all unit doors in the setting. One resident stated she locks the door after the nurse comes to her apartment or when she goes out.</p> <div data-bbox="555 281 1122 961" data-label="Image"> </div> <p style="text-align: center;">Living unit door with lock and personalized decorations</p>	<p>Compliant</p>
<p>The setting facilitates that a person, who shares a bedroom, 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>Staff reported people in the setting do not share rooms unless they share with a spouse, partner or other person of their choice.</p>	<p>Compliant</p>
<p>The setting provides people with the freedom to furnish and decorate their bedroom and living unit within the lease or residency agreement.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p>	<p>Compliant</p>


The residency agreement allows people in the setting to decorate and personalize their living units.

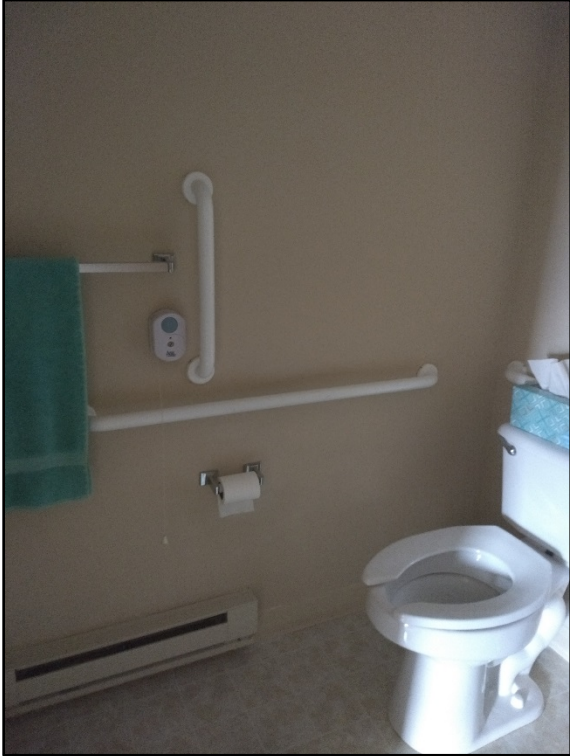
Living units observed during the site visit were decorated



Personal decorations in resident's living unit

according to the residents' tastes and preferences, including family pictures, memorabilia, crafts, decorative items and religious iconography. At the site visit, it was observed that many people put up personalized decorations in the entrances to their living units.

<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>Staff and residents confirmed people living at the setting have the freedom and support to control their own schedules, specifically about waking up and going to bed, coming and going from the setting and eating when they would like. Each living unit at the setting is equipped with a full kitchen, and residents report they store food in their pantries and refrigerators. One resident reported she keeps snacks in her fridge and cupboards for guests and herself.</p>  <p style="text-align: center;">Food and snacks available to residents in community dining area</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>Staff confirmed people living at the setting may have visitors at any time. During the site visit, visitors were observed coming and going from the setting. One resident stated her daughter comes to visit frequently, and she may come “at any time.”</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>Compliant</p>

<p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Staff stated the setting currently does not have any residents who choose to work formally, but the setting previously has had residents who chose to work. Staff stated they have one resident who volunteers at the nursing facility on occasion. Staff confirmed they would accommodate residents who wish to work by coordinating transportation, helping the person get ready for work and providing a flexible service schedule. Staff reported they would save meals or provide a packed lunch depending on residents' needs.</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>Common spaces and living units were observed to be accessible to people living at the setting. People who live at the setting indicated all living areas and common areas were accessible to them. Staff indicated they accommodate people living at the setting to provide additional accessibility accommodations to living units (i.e., grab bars in bathrooms and living areas).</p>  <p style="text-align: center;">Accessibility features installed in bathroom</p>	Compliant
<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>	Compliant

<p>The setting supports opportunities to access and engage in community life. The setting supports practical activities (e.g., errands and medical appointments), as well as personal engagement (e.g., social and family outings, faith-based activities and meals in the community).</p> <p>The staff provide information and resources on transportation options to access the greater community. Staff help people arrange transportation as needed, and many people arrange their own transportation.</p> <p>Activities are tailored with feedback from people who live at the setting through resident council meetings, discussions with people and by obtaining residents’ preferences during admission and at regular health assessments.</p> <p>Administration staff confirmed people living in the setting are informed of their right to choose any medical provider through the admission process and the Minnesota Home Care Bill of Rights. Staff confirmed there are no restrictions for people wishing to switch to a new provider.</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 does not provide money management services, and staff confirmed people living in the setting have full control over their 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>Staff are trained to respect the privacy of people living at the setting through HCBS settings rule training and the Minnesota Home Care Bill of Rights. During the site visit, staff were observed knocking on people’s living unit doors to obtain permission to enter.</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>	Compliant

<p>Staff are trained to ensure the dignity and respect of people living at the setting through HCBS settings rule training and the Minnesota Home Care Bill of Rights. During the site visit, staff were observed addressing people by their chosen names, and people living at the setting were dressed in clothing of their choosing.</p>	
<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 checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Staff are trained on the Minnesota Home Care Bill of Rights and the Minnesota Vulnerable Adults Act.</p>	<p>Compliant</p>
<p>The setting optimizes individual initiative, autonomy and independence in making life choices, including daily schedule and with whom to interact.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>People in the setting were observed leading their own lives, planning their own daily schedules and arranging their days as they like. Staff confirmed customized living services accommodate the schedules of the people served in the setting.</p>	<p>Compliant</p>

Pictures of the HCBS setting



Residents' mailboxes



Community area



Dining area

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.