

# HCBS Final Rule Evidentiary Package

## Sholom Home Adult Day (Formally Deikel Family Altercare)



### Setting information

Setting name: Sholom Home Adult Day Program	ID # 1021665
Street address: 3620 Phillips Parkway St. Louis Park, MN	Phone: 952-935-6311
Setting website, if applicable: <a href="https://www.sholom.com/campuses/sholom-west/deikel-family-altercare-adult-day-program.html">Shalom Home Adult Day</a> ( <a href="https://www.sholom.com/campuses/sholom-west/deikel-family-altercare-adult-day-program.html">https://www.sholom.com/campuses/sholom-west/deikel-family-altercare-adult-day-program.html</a> )	Date of site visit: 8/23/2018

## Waiver service type

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

## Reason for heightened scrutiny

Prong type	Category	Type of setting
Prong 1 Located in a Public or Private Institution	HCBS Setting Type	Name of Institution Ackerberg Family Sholom West Campus

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

## General summary

Sholom Home Adult Day formally was called Altercare Adult Day. The purchase of Sholom Home Adult day was completed in October 2017. Sholom Home Adult day is located the western Minneapolis suburb of St. Louis Park, MN. As of 2017, the U.S. Census estimates St. Louis Park has a population of 49,029. Sholom Home Adult day is located in mixed residential setting and commercial businesses. Sholom Home Adult Day is connected to a residential setting with a separate entrance. To enter the adult day program, a person must be buzzed in.

The number of people served per the attestation at Sholom Home adult day is 17 people, with two people using Elderly Waiver/Alternative Care and four people using one of the disability waivers.

## Adult day provider standards/qualifications

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

Adult day services provided in center-based facilities are licensed directly by the Department of Human Services. Adult day services serve functionally impaired adults on a regular basis for periods of fewer than 24 hours during the day in a setting that is not a residence.

## Adult day service definitions that support the setting requirements

Minnesota’s Community-Based Services Manual (CBSM) provides the following requirements for [Adult day services](http://www.dhs.state.mn.us/id_002205#) ([http://www.dhs.state.mn.us/id\\_002205#](http://www.dhs.state.mn.us/id_002205#)):

Adult day services must:

- Be based on the person’s assessed needs
- Be directed toward the achievement of specific outcomes identified in the person’s support plan
- Offer opportunities to participate in community groups (e.g., senior citizen centers or clubs, generic service organizations, adult education)
- Provide age-appropriate tasks and materials
- Provide community integration opportunities to enhance the person’s social and physical interaction with people without disabilities
- Provide the supports necessary either to maintain or improve the person’s ability to care for him or herself.

## 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	<b>Interconnectedness between the facility and the setting in question, including administrative or financial interconnectedness, does not exist or is minimal.</b>

	<p>Sholom Home Adult Day has separate administrative leaders from the nursing facility and other medical services located on the continuum of care campus. Sholom Home has one paid licensed practical nurse who meets with the people in the adult day program once a month.</p>
<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable	<p><b>To the extent any facility staff are assigned occasionally or on a limited basis to support or back up the HCBS staff, the facility staff are cross-trained to meet the same qualifications as the HCBS staff;</b> (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>Per the policy handbook, staff are trained in adult day regulations. Training also includes understanding of “person-centered approaches (including dignity/respect and participant choice).” Adult day staff are separate from residential setting and nursing facility staff.</p>
<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable	<p><b>Participants in the setting in question do not have to rely primarily on transportation or other services provided by the facility setting, to the exclusion of other options;</b> (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 attend Sholom Home Adult Day rely on Metro Mobility or family members to provide transportation to the adult day program. As indicated by the participant handbook, “AlterCare does not provide vehicles for participant transportation. Family members may choose to provide transportation themselves or apply to Metro Mobility for their transportation needs. The Program Director and Program Supervisor can provide more information about Metro Mobility programs and assistance with the application. Jewish Family and Children's Service of Minneapolis: Transportation Service is an option for those people who live within the service area and can transfer independently in and out of a car.”</p>
<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable	<p><b>The setting provides HCBS services in a space that is distinct from the space that institutional services are provided.</b></p> <p>There is a distinct entrance to the Sholom Home Adult Day with signage that will guide people to the adult day program. To enter the adult day program, a person must press a doorbell and then be allowed into the setting. The adult day has office space, a large room for people, a private bath and restroom and large area for on-site activities.</p>

## Community engagement opportunities and experiences

People attending Shalom Home Adult Day access community activities once a month. Shalom Home Adult Day shares a bus with the residential setting to drive people to community outings. The bus is shared on a limited schedule between the continuum of care campus and adult day. The administrator reported Shalom Home allows and insures employees to use their vehicles to transport people to activities as needed during the adult day program hours.

Some of the community activities include:

- Visits to the Landscape Arboretum
- Outdoor picnics
- Steamboat rides on the Mississippi river
- Going to the movies.

People typically are made aware of both on-site and off-site activities via a monthly calendar and daily announcements. There are no restrictions to participate in activities. The administrator and staff both said people give feedback about activities on a daily basis at meetings.

Some onsite activities include:

- Trivia
- Bingo
- Sing-along with Rachel
- Kick-ball
- Movies
- Root beer float social.

## HCBS characteristics

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

HCBS Rule requirement	Compliance status (Please select)
<p><b>The setting provides people the freedom and support to control their daily schedules including access to food at any time.</b></p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p>	Compliant

<p>During a tour of Sholom Home, the kitchen was observed to be accessible to the people attending the adult day program. One interviewee said they are allowed to get a snack when hungry.</p>	
<p><b>The setting provides opportunities for people to seek employment and work in competitive integrated settings.</b></p> <p><input checked="" type="checkbox"/>Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/>Observation made during on-site visit</p> <p>The participant handbook states, “all participants have a right to live, learn, work and enjoy life in the community.” Both interviewees said they have no interest to pursue employment.</p>	<p>Compliant</p>
<p><b>The setting is physically accessible to the individual.</b></p> <p><input checked="" type="checkbox"/>Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/>Observation made during on-site visit</p> <p>Both interviewees indicated the adult day setting is physically accessible. Outside the building and common spaces were observed to be accessible.</p>	<p>Compliant</p>
<p><b>The setting provides people opportunities to access and engage in community life.</b></p> <p><input checked="" type="checkbox"/>Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/>Observation made during on-site visit</p> <p>See the community engagement section. During interview with administrator and staff, both indicated they provide opportunities to access the community. People have the opportunity to participate in health services, as well as physical, occupational and speech therapy. Staff reported people are informed about other service choices by Sholom Home staff and their own personal health care providers. If a person wants to change providers, staff can facilitate any changes.</p>	<p>Compliant</p>
<p><b>The setting supports the person’s control of personal resources.</b></p> <p><input checked="" type="checkbox"/>Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/>Observation made during on-site visit</p> <p>There was a small space for people to store personal items</p>	<p>Compliant</p>
<p><b>The setting ensures people’s right to privacy.</b></p>	<p>Compliant</p>

<input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input type="checkbox"/> Observation made during on-site visit <p>The participant handbook states, “All participants shall have the right to every consideration of their privacy, individuality, and cultural identity as it relates to social, religious, and psychological well-being.”</p>	
<p><b>The setting ensures people’s dignity and respect.</b></p> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input checked="" type="checkbox"/> Observation made during on-site visit <p>The right to dignity and respect is addressed in staff orientation and the Sholom Home Adult Day Handbook.</p> <p>The respectful treatment of people by staff at the adult day program was observed. During the site visit, staff were observed addressing people by their chosen names, and people at the setting were dressed in clothing of their choosing.</p>	Compliant
<p><b>The setting ensures people’s freedom from coercion and restraint.</b></p> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input type="checkbox"/> Observation made during on-site visit <p>The assurance of people’s freedom from coercion and restraint is addressed in staff orientation and the Sholom Home Adult Day Handbook. Staff are trained on the Minnesota Home Care Bill of Rights, which informs them of people’s right in this area. People are given a copy of this document as well.</p>	Compliant
<p><b>The setting optimizes individual initiative, autonomy and independence in making life choices, including daily schedule and with whom to interact.</b></p> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input checked="" type="checkbox"/> Observation made during on-site visit <p>Sholom Home Adult Day staff reported people may choose to participate or not participate in activities at the adult day program. The administrator indicated people can choose to attend therapy appointments from on-site medical professionals. The administrator indicted if a person wants to change providers, they will help facilitate. She indicated this has not happened.</p>	Compliant

Staff reported people choose their own daily schedules, coming and going based on their personal schedules. This was supported observing people coming to the adult day program at various times.

## Pictures of the HCBS setting

Image of private shower



Image of on-site craft/game area





## Public comment summary

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

DHS sought public comment for 30 days (Feb. 6-March 7, 2019) before submitting settings to the Centers Medicare & Medicaid Services (CMS) for heightened scrutiny.

We sought public comments using the following methods:

- Evidentiary packages posted online on the [Home and Community Based Services Rule transition plan page](#)
- Evidentiary packages specific to each setting posted in a common area of the setting
- Notice of public comment period via [Feb. 6, 2019, eList announcement](#)
- Notification to lead agencies via regional resource specialists
- Notification to providers via email
- Notification to managed care organizations and Area Agencies on Aging (AA) via email
- Notification to long-term care ombudsman office via email
- Disability Hub MN virtual insight panel.

## Minnesota's recommendation

**Date of recommendation: 4/1/2019**

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