

HCBS Final Rule Evidentiary Package

Woodland Good Samaritan Village Apartments



Setting information

Setting name: Woodland Good Samaritan Village Apartments	ID # 30309
Street address: 100, 200, 300 Buffalo Hills Lane, Brainerd, MN 56401	Phone: 218-855-6600
Setting website, if applicable: Woodland Good Samaritan Village Apartments (https://www.good-sam.com/locations/woodland/services/senior-living/housing-with-services-apartments)	Date of site visit: 6/29/2018

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 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	Type of setting
Prong 1 Located in a Public or Private Institution	Nursing Facility- Good Samaritan Society Woodland Skilled Nursing

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

General summary

Woodland Good Samaritan Village Apartments are located less than 4 miles from downtown Brainerd, Minnesota, among other residential settings. Brainerd is one of the largest cities in central Minnesota with a population of 13,592 (according to the 2010 census).

The setting reported on its attestation that it serves 73 people across multiple payment sources, including 29 people who receive HCBS waiver funding.

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 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 task (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](#)

(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>Woodland apartments are located in a separate space from the Good Samaritan skilled nursing facility. These settings are separated by a hallway and by separate entrances. There are designated common areas for people who live in Woodland apartments that are not accessible to people who live in the nursing facility. Each setting has separate staff training and orientation policies and procedures.</p>
<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet	<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),</p>

<input type="checkbox"/> Not applicable	<p>(person-centered planning) (the staff is trained specifically for home and community-based support in a manner consistent with the HCBS settings regulations.)</p> <p>Administrative and direct care staff reported that staff at Woodland apartments are not scheduled to work in the nursing facility. Staff receive training specific to home and community-based services, which was validated through the attestation desk audit process.</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 Woodland Apartments have several transportation options, including public transit, taxi, community volunteer drivers and family transportation. Woodland apartments has a bus to provide transportation for people who receive services. Administrative and direct care staff reported that they support people by training them on the use of transportation, coordinating transportation and helping determin bus routes.</p>

Community engagement opportunities and experiences

It was evident in observation and interviews with people, staff and the administrator that person-centered practices are at the forefront of service delivery by:

- Respecting and honoring the things each person thinks are important and encouraging informed choice and creativity.
- Supporting activities are flexible and work around the person's preferred schedule (people are not following a "set schedule")
- Encouraging people to share ideas and make choices about setting activities based on their own personal preferences and interests
- Ensuring people have opportunities and supports they need to be fully included in their community, individually and in groups, as desired
- Assisting people with developing meaningful relationships with other members of the community.

There is an activity coordinator on-site who assists with planning and coordinating off-site community activities with people who receive services and staff. The activity coordinator consults with people regularly to explore interests and offer suggestions about community activities/events. One person reported the "activity director is versatile" when discussing options for community activities. The setting provides support to people in planning activities to meet their interests by posting a monthly activity calendar (delivered each month to each tenant's apartment). Additionally, the activity calendar is posted in a common area and daily activities are announced during meal times. There are routine tenant meetings to give people updates and address or discuss areas of concern.

People who receive services at Woodland apartments frequently participate in activities within the community. Events and activities within the community include:

- Out to eat for dinner
- Casino
- Parks for music
- Shopping
- Fishing

People who receive services also reported that they go out with family and friends when they are not participating in activities through the customized living program. Administrative staff reported people go out on their own regularly to visit friends and go to the community center.

On-site activities reported include bingo, celebrations, choir/church services, walking paths and gardens.

HCBS characteristics

<p>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.</p>	
<p>HCBS Rule requirement</p>	<p>Compliance status (Please select)</p>
<p>Each person at the setting has a written lease or residency agreement in place providing protections to address eviction processes and appeals.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Woodland apartments submitted an HCBS-compliant lease that includes the requirements of the HCBS final rule.</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>Each person is given two keys to his or her living unit and an access code to the building entrance. The building is locked at night and may be accessed with a key fob.</p>	<p>Compliant</p>
<p>The setting facilitates that a person, who shares a bedroom, is with a roommate of his or her choice.</p> <p><input type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input type="checkbox"/> Observation made during on-site visit</p> <p>Woodland does not have shared bedrooms or units with roommates.</p>	<p>Not applicable</p>
<p>The setting provides people with the freedom to furnish and decorate their bedrooms and living units 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>

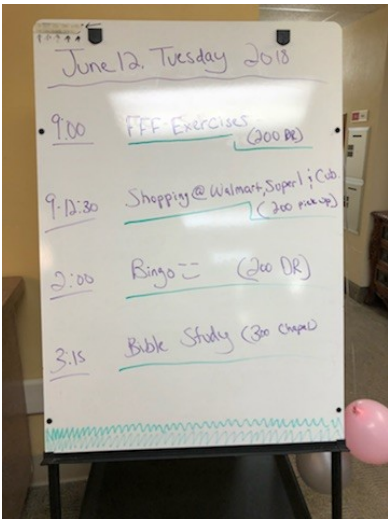
<p>It was observed that people have the freedom to personalize their apartments including the outside of their apartment during the on-site visit.</p>	
<p>The setting provides people the freedom and support to control their daily schedules including access to food at any time.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Administrative and direct care staff reported that people have many options for daily activities to choose from, including use of the community center, health and wellness programs and library. People have access to their own kitchens and food in their apartments. There are also a variety of other meal/snack options, including the café and village store.</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 type="checkbox"/> Observation made during on-site visit</p> <p>Woodland apartments reports that they encourage visitors. People are free to have visitors in their apartments or request use of a guest suite that is available for visiting relatives and friends.</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>Administrative and direct care staff report that they accommodate people to work by providing flexible service schedules and helping them get ready for work. One person reported working 20-30 hours per week for more than 20 years at the casino.</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>All areas of Woodland apartments were observed to be physically accessible during the on-site visit.</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>See “community engagement” section.</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 type="checkbox"/> Observation made during on-site visit</p>	<p>Compliant</p>
<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>Compliant</p>
<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>Direct care staff and people who receive services are oriented and regularly trained on dignity and respect policies and procedures.</p> <p>Respectful treatment of people served was observed during the site visit.</p>	<p>Compliant</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>Woodland apartments submitted HCBS-compliant documentation that demonstrates people are free from coercion and restraint. During the on-site visit, there was no evidence of coercion or restraint.</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>Compliant</p>

Observation made during on-site visit

Administrative and direct care staff reported that people have many options for daily activities to choose from including use of the community center, health and wellness programs, library and variety of food-service options. Some people drive and work in the community. Other people take the bus to go to appointments and to visit with friends and family.

Pictures of the HCBS setting



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.