

HCBS Final Rule Evidentiary Package

Augustana Lakeside Apartments



Setting information

Setting name: Augustana Lakeside Apartments	ID # 20568
Street address: 441 William Ave. E, Dassel, MN 55325	Phone: 320-275-3308
Setting website: Augustana Lakeside Apartments (http://lakesidecampus.org/community-info)	Date of site visit: 7/27/2018

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	Category	Type of setting
Prong 1 Located in a Public or Private Institution	Name of Institution	Name of Institution Augustana Lakeside Health Care Center

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

General summary

Augustana Lakeside Apartments are located in the city of Dassel, Meeker County, about 55 miles west of Minneapolis. Dassel had a population of 1,469 people in 2010.

Augustana Lakeside Apartments is a part of a continuum-of-care campus called Augustana Care Lakeside Campus, which includes a nursing facility and therapy services. According to the provider’s attestation, the customized living setting serves 33 people, including five people supported by public HCBS waiver programs.

The campus is owned and operated by Augustana Care, a nonprofit organization that provides senior housing, health care and community-based services to older adults and people with disabilities.

Customized living provider standards/qualifications

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

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

Customized living service definitions that support the setting requirements

Customized living (CL) and 24-hour CL services include component services designed to meet the person’s assessed needs and goals. Individualized CL services may include supervision, home care aide tasks (e.g., assistance with activities of daily living), home health aide 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:

[CBSM page on Customized Living](#)

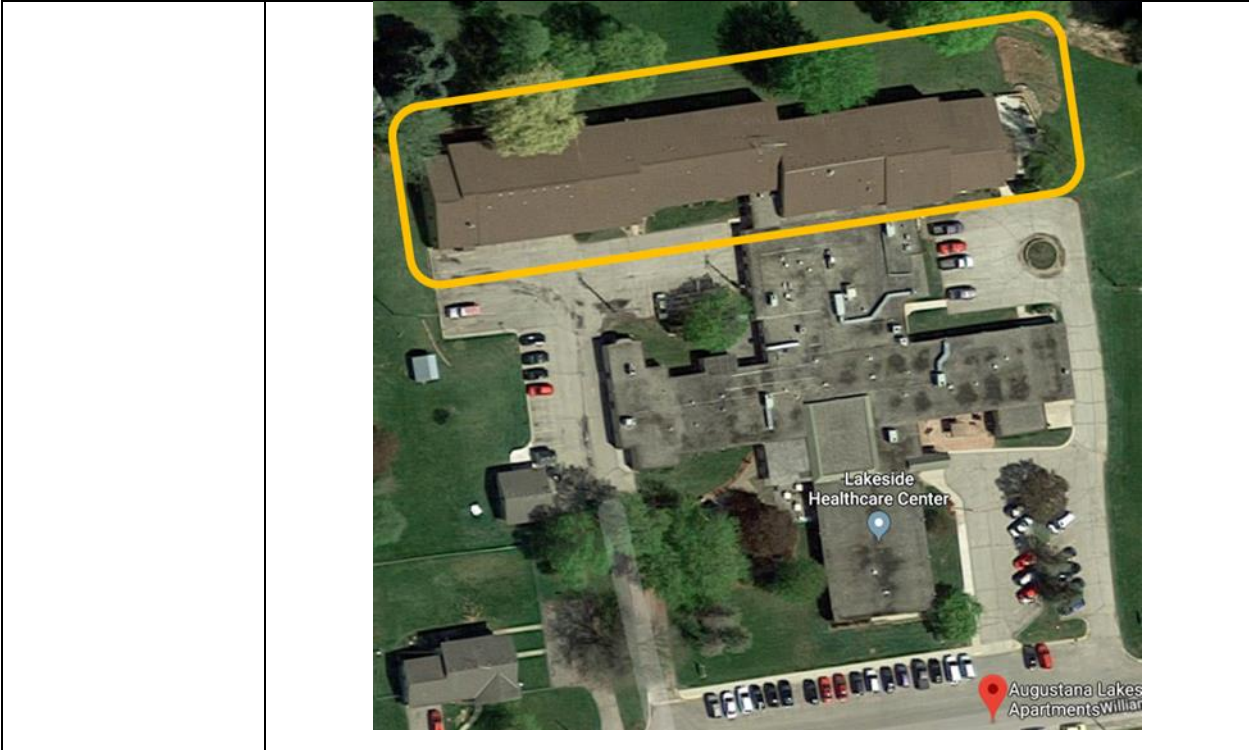
(http://www.dhs.state.mn.us/main/idcplg?IdcService=GET_DYNAMIC_CONVERSION&RevisionSelectionMethod=LatestReleased&dDocName=id_001787#)

Prong 1 and Prong 2 settings

Meaningful distinction between the facility and HCBS setting

States must submit strong evidence that the setting presumed institutional has the characteristics of a HCBS setting and not an institutional setting.	
Determination	Summary
<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable	<p>Interconnectedness between the facility and the setting in question, including administrative or financial interconnectedness, does not exist or is minimal.</p> <p>Augustana Lakeside Apartments, the customized living setting, has its own management team, including a manager to oversee housing services and a manager to oversee nursing services. The managers in the customized living setting report to an overall administrator of the campus, but run the day-to-day operations of the setting separately.</p>

	<p>The customized living setting is financially connected to the wider campus, but the setting also manages some of its financial decision-making at the program level.</p>
<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable	<p>To the extent any facility staff are assigned occasionally or on a limited basis to support or back up the HCBS staff, the facility staff are cross-trained to meet the same qualifications as the HCBS staff; (staff training materials that speak of the need to support individuals’ chosen activities), (person-centered planning), (the staff is trained specifically for home and community-based support in a manner consistent with the HCBS settings regulations.)</p> <p>The setting does not share any direct care staff with the nursing facility. All staff who work in the setting receive all required HCBS training.</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>The customized living setting does not have a van to assist people in the setting with transportation, but the people in the setting have several other options, including their own vehicles, family and friends, volunteer drivers, county transit, local taxi services and the Veterans Administration.</p>
<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable	<p>The setting provides HCBS services in a space that is distinct from the space in which institutional services are provided.</p> <p>Augustana Lakeside Apartments, the customized living setting, is separate from the nursing facility on the campus. It is on the same city block, but has a different building style, its own main entrance, signage and parking area. The setting is connected by a hallway to the nursing facility.</p> <p>The image below shows the setting outlined in gold. The setting is attached to the back of the care campus. The setting’s main entrance is at the southeast corner of the building outlined below. This entrance is pictured on Page 1 of the report.</p>



Community engagement opportunities and experiences

Augustana Lakeside Apartments plans and oversees its own community engagement opportunities separate from the adjacent nursing facility. These offerings are supported by the customized living setting’s managers and direct care staff.

People served in the setting provide input on community engagement opportunities through interest assessment forms at admission, bi-monthly tenant meetings and through direct communication with staff. People in the setting learn about opportunities through an activity calendar, a bulletin board, posters in the elevators and a newsletter.

Community engagement opportunities in the wider community include:

- Grocery and shopping trips
- Town festivals and community events
- Faith community events
- Seasonal trips, such as fishing and apple picking

Many people who live in the setting also make trips into the community on their own or with the support of family and friends or community transportation providers. These outings include:

- Errands
- Faith community events
- Family get-togethers.

The customized living setting also offers a wide array of activities on-site, including: exercise classes, autobiographical storytelling, coffee times, music-making and arts and crafts, Bible studies and book groups, special celebrations and parties, and a variety of games.

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>	Compliant

<input checked="" type="checkbox"/> Observation made during on-site visit A compliant lease agreement was submitted with the provider attestation. A person interviewed in the setting confirmed that he is living in the setting under a lease agreement that was provided to him.	
<p>Each person at the setting has privacy in his/her sleeping or living unit including a lockable door.</p> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input checked="" type="checkbox"/> Observation made during on-site visit Locks were observed on living unit doors in the setting.	Compliant
<p>The setting facilitates that a person, who shares a bedroom, is with a roommate of his or her choice.</p> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input checked="" type="checkbox"/> Observation made during on-site visit People who live in this setting only share a living unit if they desire. People who share a unit generally share it with a spouse or partner. A person interviewed in the setting does not share his living unit.	Compliant
<p>The setting provides people with the freedom to furnish and decorate their bedroom and living unit within the lease or residency agreement.</p> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input checked="" type="checkbox"/> Observation made during on-site visit We observed that living units were decorated as people desired. A person interviewed in the setting had his living unit decorated as he preferred.	Compliant
<p>The setting provides people the freedom and support to control their daily schedules, including access to food at any time.</p> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input checked="" type="checkbox"/> Observation made during on-site visit A manager interviewed during the site visit confirmed that the setting works with the people they serve to accommodate their personal schedules and preferences.	Compliant

<p>The community dining space in the setting was observed to have food and drink options available between meals. All living units also have full kitchens for storing and preparing food.</p> <p>A person interviewed in the setting confirmed that staff accommodate his scheduling preferences. He regularly decides to sleep late and the staff always adjusts his services. He also confirmed that he has options for food between meals. He also expressed appreciation for a grocery delivery service in town that he frequently uses to replenish the food and drink in his living unit.</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>The setting allows visitors at any time according to the preferences of the people living in the setting. A person interviewed in the setting confirmed that he and his guests may come and go as they please, at any time of day.</p>	Compliant
<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>Staff interviewed in the setting were not aware of people living in the setting who were still employed. However, one staff person gave an example of a person who volunteers weekly who has her noon meal saved and delivered to her after she returns home.</p>	Compliant
<p>The setting is physically accessible to the individual.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>The building was observed to be accessible. A person interviewed said that he finds his living unit and the common spaces accessible, and that he believes the building’s managers would be receptive to requests for changes or accommodations.</p> <p>One example of an accommodation was shared by the management staff during the building tour. The setting has made sinks more</p>	Compliant

<p>accessible to people who use wheelchairs by permanently or temporarily modifying cabinets under sinks.</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. Attestation documents and the site visit showed that the setting supports a number of community engagement opportunities for people in the setting, offered on-site and in the wider community.</p> <p>A person interviewed in the setting stated that he gets into the wider community as often as he likes, on his own and with friends. He said that staff regularly reminds him of community activities and that he has enjoyed many offerings.</p> <p>A person interviewed in the setting had chosen to receive a few medical services on site, but he also continues to choose many services outside the setting.</p>	<p>Compliant</p>
<p>The setting supports the person’s control of personal resources.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>The setting’s attestation is compliant on this right. A person interviewed in the setting explained that he manages all of his own personal resources.</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>A person interviewed in the setting said that his privacy is respected by staff and others living in the setting. Also, during the tour of the setting, a person was observed using a common space, and was focusing on an activity, so the staff had us return to the space later to respect person’s use of the space.</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>During the site visit, staff were observed treating people with dignity and respect. For example, a person came to the manager’s office with a question during my visit and the manager kindly and efficiently addressed the person’s question.</p> <p>Also, a person interviewed in the setting said that “the staff are wonderful, timely and very respectful.”</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 type="checkbox"/> Observation made during on-site visit</p> <p>Staff are trained on the Minnesota Home Care Bill of Rights and the Minnesota Vulnerable Adults Act. A copy of the Home Care Bill of Rights is also given to people to inform them of their right to be free from coercion and restraint.</p>	<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>A person living in the setting said he felt his choices were honored and respected and that he was free to lead his life, day to day, as he likes.</p>	<p>Compliant</p>

Pictures of the HCBS setting



Dining area with food and beverage options between meals



Standard living unit kitchen



Outdoor space in the setting



Community activity bulletin board

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.