

HCBS Final Rule Evidentiary Package

Caledonia Care and Rehab Buckley Apartments



Setting information

Setting name: Caledonia Care and Rehab-Buckley Apartments	ID # 30441
Street address: 425 Badger Street N, Caledonia, MN 55921	Phone: 507-725-3351
Setting website, if applicable: N/A	Date of site visit: 6/7/2018

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 Caledonia Care and Rehab

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

General summary

Caledonia Care and Rehab Buckley Apartments is located in Caledonia, Minnesota. Caledonia is a rural city in southeastern Minnesota. They are located in Houston County, near LaCrosse, Wisconsin. They are included in the LaCrosse metropolitan statistical area. In 2010 their population was listed at 2,868.

Buckley apartments is a customizing living setting located on the continuum of care campus of Caledonia Care and Rehab. The campus offers independent living, customized living, rehabilitation and skilled nursing in the nursing facility. The setting has 16 units total, and 5 people are enrolled in the Elderly Waiver to pay for their services, and 11 people are paying with private funds.

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 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/id_001787#)

Prong 1 and Prong 2 settings

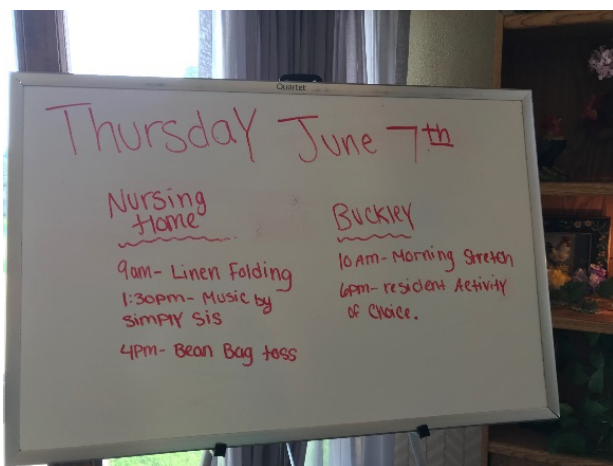
Meaningful distinction between the facility and HCBS setting

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>Buckley Apartments are run separately from the nursing facility. The Caledonia Care and Rehab campus has one administrator. However, the manager for the Buckley Apartments (customized living setting) is separate from the manager of the skilled nursing facility. Buckley Apartments has separate staff and activities for the customized living setting than the other settings on the campus. .</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 HCB settings regulations.)</p> <p>The administrator stated that the staff that are working in the nursing facility are dedicated to that site only. Nursing facility staff do not work at Buckley Apartments , the customized living setting.</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 at Buckley Apartments have several options for transportation. The setting has a van that is owned by the campus, and they can also utilize SEMCAC transportation, which is an agency that offers transportation through volunteer drivers. Rolling Hills Transit is also an option. Family often transport people to their medical appointments.</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 that institutional services are provided.</p> <p>In the aerial photo below, Buckley Apartments is the yellow rectangle and the red square is the nursing facility. The green star is the connecting hallway. Inside the building, the door connecting them as shown in the photo.</p> 

Community engagement opportunities and experiences

People living at Buckley Apartments have many options to keep them busy and to experience their community. They are asked to give input at resident meetings and staff frequently ask for their feedback on the activities they would like to do. They are made aware of their options for activities through a newsletter, staff reminders and calendars posted throughout the building. They also have whiteboards which are used to let people know what their options are for the day.



Some of the community experiences that have been offered are:

- Shopping
- Going to Quillens
- Elsie's Bar and Grill
- Trip to county fair
- Baseball games
- Playing Pool



People also go out independently or with friends and family for things like:

- Walks in the community
- Church
- Family gatherings and celebrations




The setting offers onsite activities as well, such as exercise classes, bingo, movie nights, card games and gardening. People can sit out in the gazebo as well.

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 submitted a compliant lease and included the HCBS requirements in the Housing with Services (HWS) contract. This is signed by the setting and the person receiving services.</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 to be on each individual unit door at Buckley Apartments. Observed staff knocking before entering, and when interviewed, people stated they have their own key.</p>	Compliant
<p>The setting facilitates that a person, <i>who shares a bedroom</i>, is with a roommate of their choice.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input type="checkbox"/> Observation made during on-site visit</p> <p>This is not applicable since the site does not have shared units.</p>	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> <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’s personal items and decorations were observed to be in their apartments. In addition, outside each person’s door was an area they could decorate as they choose. People interviewed said they were able to decorate with their own items. Shown below is an example of an area outside someone’s door.</p> 	Compliant

The setting provides people the freedom and support to control their daily schedules including access to food at any time.

- Compliant documentation submitted with attestation
- Observation made during on-site visit



When interviewed, people said that they did feel they controlled their own schedule. One man said “I nap when I want without any hassle”. They also felt they could access food at any time. There are kitchens in each unit, as shown in the photo to the right. There are two snack times per day. There is also a common area kitchen where staff will prepare soup or sandwiches or other snacks for people if they request it. Staff will also hold a meal for reheating when the person returns if they know in advance that they may miss a meal.

Compliant

The setting allows people to have visitors at any time.

- Compliant documentation submitted with attestation
- Observation made during on-site visit

When interviewed, both people said they could have visitors at any time in their apartments or in the building. In addition, there is a bigger room in the common area of the setting where they can spend time with family when they come to visit, either for a meal or a special occasion.



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>At this time there is nobody that still works independently, but the administration said they would accommodate someone if they desired to work. They have one person who likes to help with the volunteers that provide hair care, and the staff support her in this interest.</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 very accessible. There were wide hallways, and accommodations like grab bars in the restrooms to ensure safety and accessibility.</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> <p>See Community Engagement Section. Buckley Apartments does offer Occupational Therapy and Physical Therapy services that will come to their apartments. However, people always have the option of choosing a community provider. People are told this when they move in, and when new referrals are received for services.</p>	Compliant
<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>This is not applicable, as this setting does not provide any money management.</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>A person living at Buckley Apartments was asked if the staff respect her privacy and her answer was “Oh, most definitely!” Staff were observed knocking on people’s doors before they entered</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> <p>Observed interactions between people and the staff at Buckley were respectful and the staff stopped to listen to people’s concerns.</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>This setting submitted the Minnesota Bill of Rights, which they use to train their staff, along with the Vulnerable Adult Act, to inform staff of people’s right to be free from coercion and restraint. People are also given a copy of this document.</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 were observed coming and going from Buckley Apartments. People interviewed said they frequently get to make choices about their life. One woman said “We do try to tell them when we leave so they don’t worry” but said she can come and go as she pleases. One person interviewed said he likes to go out and sit outside.</p>	<p>Compliant</p>

Pictures of the HCBS setting



Patio area and dining room



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.