

HCBS Final Rule Evidentiary Package

Daybreak Adult Day Services



Setting information

Setting name: Daybreak Adult Day services	ID # 800629
Street address: 10 5TH St. SE, Cook, MN	Phone: 218-666-6240
Setting website, if applicable: Day Break Adult Day Services (https://www.cookhospital.org/services/adult-day-services/)	Date of site visit: 6/1/2018

Waiver service type

Waiver service	Service type:
<input checked="" 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)	Adult Day Service

Reason for heightened scrutiny

Prong type	Type of setting
Prong 1 Located in a Public or Private Institution	Cook Hospital and Care Center (nursing facility)

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

General summary

Daybreak adult day program is located in a residential neighborhood within the Cook Hospital and Care Center campus. Daybreak offers a full complement of social, recreational, and therapeutic activities are provided based on the individual member's interest and level of functioning.

Cook is a rural town, located in Northeastern Minnesota, with a population of 574 people (2010 census).

This setting reported they are serving 17 people with services funded through various pay sources, including waiver funding, veteran's services and private pay. The average number of people attending the program per day is 13.

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 directly licensed 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/main/idcplg?IdcService=GET_DYNAMIC_CONVERSION&RevisionSelectionMethod=LatestReleased&dDocName=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	<p>Interconnectedness between the facility and the setting in question, including administrative or financial interconnectedness, does not exist or is minimal.</p> <p>Daybreak adult day has a designated program manager and designated staff that work in the adult day program. Adult day program staff are not scheduled to work at the hospital or care center. The setting has service specific policies that meet HCBS requirements.</p> <p>Entrance into the building is shared between the care center and the adult day. There are separate doors to enter into the two adult day program spaces.</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>

	Staff from the care center or hospital do not work at the adult day program. Daybreak staff are trained on adult day specific policies and procedures that are outlined in the employee handbook.
<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 attending Daybreak adult day use several transportation options including public transit, taxi, community volunteer drivers and family transportation</p> <p>Daybreak also has a van used for community events/activities.</p>
<input 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>There is a space for Daybreak adult day that is specifically used for adult day programming, separate from the hospital and care center.</p>

Community engagement opportunities and experiences

The administrator reported that they ask people about their interests and activities they want to participate in. Information about community activities options, including transportation, is provided by having information available in an up-to-date binder, a calendar or bulletin board with current and upcoming events.

People receiving adult day services at Daybreak, go out into the community every Wednesday for shopping and lunch. The following recent community activities were also reported by the administrator, staff and people interviewed:

- AEOA senior picnic
- County fair
- Thrift store
- Perkins
- Pizza Ranch
- Village Inn
- Target
- Walmart
- South switch.

Planned individual and group activities suited to the needs and abilities of people receiving services are scheduled daily. Some examples of activities provided onsite include, Baking/cooking, games, crafts, gardening, films, bingo, table games, outings, parties, structured exercise programs, current events.

Administration, staff and people interviewed reported they have choice of activities they would like to participate in both individual and group activities.

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>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>Daybreak completes a Person-Centered Assessment as part of their intake to the adult day program. The person-centered assessment addresses each person’s needs, desires and choice to work for people under 55, on a regular basis. Daybreak will engage a person’s support team, to ensure a person’s needs, desires and choice to work is addressed. An assessment of interest in working will be completed during quarterly review meetings.</p> <p>Outside of the assessment process (and regardless of age), if a person expresses an interested in work, the Adult Day Services will engage the person’s support team.</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>Some people in the program were observed accessing different areas of the settings using wheelchairs and walkers.</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>Activity calendars are developed monthly and posted in a common area and distributed to people. People interviewed report that they provide input to develop the monthly calendar and enjoy the activities the program provides. See more information in the “community engagement” section.</p>	<p>Compliant</p>
<p>The setting supports the person’s control of personal resources.</p> <p><input type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input type="checkbox"/> Observation made during on-site visit</p> <p>Daybreak adult day does not support people with money management. People receiving services are responsible for their own personal money they bring to the adult day program.</p>	<p>Not applicable</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>Direct care staff and people receiving services are oriented to dignity, respect and privacy policies and procedures. These policies include the person’s right to be treated with dignity and respect, health and personal privacy and freedom from coercion and restraint.</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 receiving services are oriented to dignity, respect and privacy policies and procedures. These policies include the person’s right to be treated with dignity and respect, health and personal privacy and freedom from coercion and restraint.</p>	<p>Compliant</p>

<p>The setting ensures people’s freedom from coercion and restraint.</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input checked="" type="checkbox"/> Observation made during on-site visit <p>Direct care staff and people receiving services are oriented to dignity, respect and privacy policies and procedures. These policies include the person’s right to be treated with dignity and respect, health and personal privacy and freedom 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> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input checked="" type="checkbox"/> Observation made during on-site visit <p>Policy indicates that known interests and strengths of people receiving services are taken into consideration by the program director and staff when developing the monthly calendar and that each person may choose which activities to participate in or choose not to participate. Independent activities are offered to people that choose not to participate in group activities. This was verified by staff and interviews with people.</p>	<p>Compliant</p>

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.