

HCBS Final Rule Evidentiary Package

LifeCare Assisted Living



Setting information

Setting name: LifeCare Greenbush Assisted Living	ID # 27672
Street address: 19120 200th St. Greenbush, MN 56726	Phone: 218-782-2131
Setting website, if applicable: LifeCare Greenbush Assisted Living (https://lifecaremedicalcenter.org/lifecare-greenbush-assisted-living/)	Date of site visit: 7/31/2018

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 LifeCare Greenbush Manor

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

General summary

LifeCare Greenbush Assisted Living is located on the outskirts of Greenbush, a small, rural town in northwest Minnesota. The population was 719 at the 2010 census.

The LifeCare Greenbush Medical Park is a large complex that includes the LifeCare Greenbush Assisted Living setting, LifeCare Greenbush Manor, which is a skilled nursing facility, LifeCare Rehab Services and an Altru Clinic.



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 tasks (e.g., delegated nursing tasks), home management tasks, meal preparation and service, socialization, assisting people with arranging meetings and appointments, assisting with money management, assisting people 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) (<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 for customized living services](http://www.dhs.state.mn.us/id_001787#) (http://www.dhs.state.mn.us/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>Management and programming of the LifeCare Assisted Living are separate from the institutional operations on the campus. LifeCare Assisted Living has a designated housing manager position and a director of long-term care position. These positions provide the oversight and management of the waiver-services setting. As a part of the LifeCare Greenbush Medical Park, LifeCare Assisted Living shares upper-level administrative and financial operations.</p>
<input checked="" type="checkbox"/> Met	<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-</p>

<input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable	<p>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>LifeCare Assisted Living has direct care staff on site seven days a week from 7:30 a.m. to 8 p.m. The assisted living registered nurse is on site three days a week and is available on call at days not on site. At night from 8 p.m. to 7:30 a.m., licensed staff (i.e., certified nurse assistants and a registered or licensed practical nurse) from the attached nursing facility provide coverage of the assisted living setting. The nursing facility staff who provide the nighttime coverage are trained on the HCBS setting requirements.</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 living at LifeCare Assisted Living have several transportation options available. Two of the options include a campus van and a bus that is wheelchair accessible. Other transportation options used by the waiver setting include Paul Bunyan transit, R&L Rides Service and the Rural Transportation Collaborative. Some people living in the setting continue to drive their own vehicles, and family members also provide transportation, when desired. Transportation options are listed in the setting’s policy manual and posted on site.</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>

Pictured in the aerial photo, the LifeCare Greenbush Assisted Living setting is outlined in yellow, LifeCare Greenbush Manor (nursing facility) is outlined in red, the areas of the building that are not highlighted

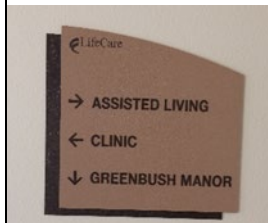


include the Altru Clinic-Greenbush area and the LifeCare Rehab Services



area. Pictured to the right is the hallway located between the assisted living setting and the clinic. The clinic

is located between the assisted living setting and the nursing facility.



Pictured left is signage showing directions to different areas of the campus.

Community engagement opportunities and experiences

LifeCare Assisted Living offers a variety of activities for people to participate in on a daily basis. Ideas for activities are elicited from people living at the setting monthly at the Resident Council meetings. The monthly calendar is placed on the activity board and handed out to each person at the beginning of every month.

The setting provides opportunities for community activities beyond the setting at least one time per month. Shopping trips to other local towns is a favorite activity of the people living in the setting.

The setting also provides opportunities for people to engage in the wider Greenbush community at least weekly. Examples of recent community activities include:

- County fair
- Going out for lunch or dinner at local restaurants
- Shopping at the dollar store
- Theater performances
- Veteran's programs
- Music in the city park
- Going on rides on the setting's ranger and pull behind trailer
- Local school programs
- Going fishing
- Activities in the gazebo area.

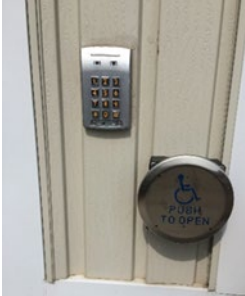

LifeCare Assisted Living also invites hosts community activities at the setting. Examples of the community integration provided at the setting include:



- Women of Today organization hosts an Easter party at the setting for the community
- Community musicians provide performances on site one time per month
- Local high school students provide one-to-one visits with people living at the setting.

People have choice of what to participate in, and schedules are varied between each person attending. Some activities that people living at the setting participate include:


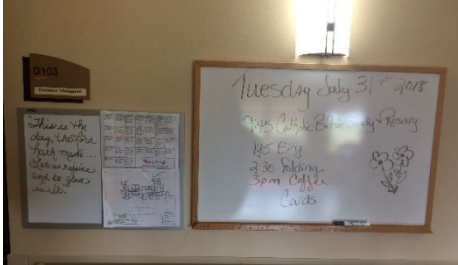
- Volunteering at the local library
- One man enjoys playing his harmonica for events
- Attending the Bone Builders exercise/wellness group
- Attending other on-site activities listed on the monthly calendar.

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 checked="" type="checkbox"/> Observation made during on-site visit</p> <p>The setting’s lease is compliant with all HCBS requirements. People interviewed at the setting confirmed that they have a signed lease and that it is reviewed annually.</p>	Compliant
<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>The setting’s lease/residency agreement states, “Tenants are given privacy in his/her living unit, including a lockable door. Tenants are allowed to lock their door at any time if desired. Each tenant will receive a key to only their room upon admission. Staff will not enter living unit unless they have knocked on the door and have gotten approval from that tenant before entering.”</p> <div style="display: flex; align-items: center;"> <div style="flex: 1;">  </div> <div style="flex: 1;">  </div> </div> <p>Pictured right is a unit door with a keyed locked, observed during on-site visit. People interviewed also confirmed that they have a key to their unit doors and the code to the facility entrance/exit doors (pictured left).</p>	Compliant
<p>The setting facilitates that a person, who shares a bedroom, is with a roommate of their choice.</p>	Compliant

<p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>This setting attests that bedrooms are not shared. A few units include two bedrooms. Each bedroom is separated from the common living space such as living room and kitchen. Each bedroom has its own bathroom. Each bedroom door has a keyed lock. Two-bedroom units were observed during on-site visit. Locks on bedroom and unit doors were observed.</p>	
<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>The setting’s Freedom to Furnish and Decorate Tenant Units and Living Areas policy states, “Tenants must be able to decorate with personal item such as pictures, books and sports memorabilia as based on their preference and interest.”</p> <p>Observation of person’s apartments made during on-site visit. Units were decorated per the person’s preferences.</p>	Compliant
<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> <div style="display: flex; justify-content: space-around;">   </div> <p>The setting’s lease/residency agreement states, “Tenants have the freedom to control their own daily schedule and activities. Monthly calendar is placed on activity board and handed out to each tenant and the beginning of every month. Snacks, water and coffee are available</p>	Compliant

<p>24 hours a day for tenant convenience. Tenants are allowed to request meals be brought to their room if meal times interfere with their daily routine. Support services will be scheduled based on tenant schedule.” Pictured above-left is a person’s kitchen in an apartment. Pictured above-right is the coffee/snack bar available at all times.</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’s lease/residency agreement states, “There are no posted visiting hours. All tenants are allowed to have their visitors of choice. Visitors are asked to use intercom service at main entrance to call tenant to open the main door. The main doors will remain locked from 9pm-7am for safety. Tenants are allowed to let visitors in at any hour, but they must meet them at the front door during night time hours.”</p> <p>People interviewed confirmed that they can have visitors at any time.</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>The setting’s lease/residency agreement states, “All tenants are allowed opportunity to have employment or volunteer as they wish. Staff will support your wishes to or not to work/volunteer at any workforce. Day services and activities will try to accommodate around work/volunteer schedules to allow you to enjoy personal time off. If you are interested in volunteering or finding work- notify the housing manager and they will support you in finding the perfect fit for you.”</p> <p>People interviewed on site reported that they do not have an interest in working or volunteering at this time.</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>The setting’s lease/residency agreement states, “Assisted Living Facility is physically accessible to each tenant. Access to common areas including kitchen, dining area, laundry, bathrooms, community rooms</p>	<p>Compliant</p>

<p>and other shared living areas are allowed to each tenant. Reasonable accommodations are provided upon request (Notify Housing Manager for more information). No gates or barricades are allowed between any rooms to detour other tenants to or from any common area. Grab bars are placed in hallways and grab bars are located in all bathrooms and showers for tenant’s accessibility.”</p> <p>People interviewed reported that they can access all common areas of the setting and all areas of their apartment.</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>The setting's lease/residency agreement states, “RN will offer several different activities weekly. RN will also discuss possible outings and events at resident council monthly and get feedback and ideas based on tenant input and interests. Staff will support tenants to attend outings in</p>  <p>the community and will provide a calendar of events and sign-up sheet on the activity board for tenant convenience. RN will deliver monthly calendar before the 1st of every month. All activities are available to all tenants regardless of payer source. Some outing will cost additional fees d/t meals or special events. RN will give every tenant transportation options in the community for additional support if staff are unable to assist to specific outings or appointments. Staff is driven to support all tenants’ access to the community including religious services, shopping and appointments. Contact Housing Manager for additional information.”</p>  <p>People interviewed on-site reported that they access the community and leave the setting as often as desired.</p>	<p>Compliant</p>
<p>The setting supports the person’s control of personal resources.</p>	<p>Compliant</p>

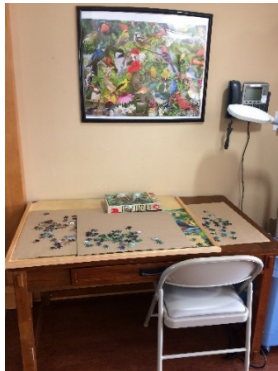
<input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input checked="" type="checkbox"/> Observation made during on-site visit <p>The setting's Handling of Client's Finances policy states, "All tenants are allowed to have access to personal funds, money, and information about their income at any time" and "Housing Manager or RN provides money management services for tenants who wish to have this service."</p> <p>People interviewed on site reported that they can access their funds at any time. Both people reported they maintain individual bank accounts outside of the setting.</p>	
<p>The setting ensures people's right to privacy.</p> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input checked="" type="checkbox"/> Observation made during on-site visit <p>The setting's lease/residency agreement states, "Staff will ensure all tenants are given privacy and that all their information is kept private and confidential. Personal cares will be done in the privacy of each tenants unit. Service plans will be kept in closed binders and reports will only be discussed with staff that needs to know the information to complete their job."</p> <p>People interviewed confirmed their privacy is maintained and personal cares are provided in their apartment or in privacy.</p>	Compliant
<p>The setting ensures people's dignity and respect.</p> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input checked="" type="checkbox"/> Observation made during on-site visit	Compliant
<p>The setting ensures people's freedom from coercion and restraint.</p> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation	Compliant



The setting's lease/residency agreement states, "Each Tenant is treated with great dignity and respect. Services will be provided in a way that respects the tenant and considers all person preferences."

Pictured left is one of the dining room tables where people choose where to sit.

<p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>The setting's lease/residency agreement states, "Tenants will be free from abuse, neglect and financial exploitation. Each tenant has a right to live in an environment free from coercion and restraint. Their choices are accounted for and honored as feasible. Complaint policy is reviewed with tenants at admission and annually. Restraints will never be used. Holding, seclusion or restrictive intervention will only be used in emergency to protect tenants or others from physical harm."</p> <p>Barriers were not observed at the setting during the on-site visit.</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>The setting's lease/residency agreement states, "Resident may, if Resident chooses, receive needed home care or supportive services from any other appropriately licensed home care provider or service agency of Resident's choice, if Resident does not wish to receive services from LifeCare Assisted Living, or if LifeCare Assisted Living does not provide needed services, such as Medicare skilled nursing or hospice services."</p> <p>People interviewed at on-site visit reported that they choose their providers. One person reported her primary physician is located in Thief River Falls, MN.</p>	<p>Compliant</p>



Pictures of the HCBS setting



Dining area



Sitting area in common area



Laundry room



Chapel area



Courtyard area



Outdoor patio 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.