

HCBS Final Rule Evidentiary Package

Pleasant View Estates



Setting information

Setting name: Pleasant View Estates	ID # 30553
Street address: 41 Brand Ave., Faribault, MN 55021	Phone: 507-333-5960
Setting website, if applicable:	Date of site visit: 8/14/2018

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	Choose an item. Pleasant Manor, 27 Brand Ave., Faribault, MN 55021

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

General summary

Pleasant View Estates is a customized living community in a housing-with-services establishment that serves 34 people in a rural community located in south-central Minnesota. Pleasant View Estates is attached to the Pleasant Manor nursing facility. The setting reported on its attestation that it serves 34 people across multiple payment sources, including 10 people who receive HCBS waiver funding. Pleasant View Estates is located in Faribault, Minnesota, a city with 23,662 people according to the 2010 Census. The setting sits at the edge of the town in a residential neighborhood, near a nature center. Pleasant View Estates provides dining, socializing, transportation, ADL and health supports and housekeeping in individual apartments that have small kitchenettes (small refrigerator, microwave and cupboards).

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>Pleasant View Estates’ setting is separate from the nursing facility. The setting has separate entrance into the customized living setting. Administration of Pleasant View Estates provides organization oversight but separates lines of business.</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>Pleasant View Estates setting staff do not provide services or support in the facility on the same work shift or different work shifts. Customized living staff receive training specific to the HCBS program and 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>Pleasant View Estates has a vehicle for transportation and is located directly on the “Faribault Red Loop” public transportation line. There are also local community volunteers who will provide transportation, along with residents who continue to drive. Some people who receive services also have family who are able to provide transportation as needed. Information about transportation is provided on request by staff, during move in, and included in a resident handbook.</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>Pleasant View Estates is a separate building, with separate signage and entrances, connected by secure doors to the nursing facility. The setting has its own dedicated community space used for people who receive customized living services.</p>

Community engagement opportunities and experiences

Pleasant View Estates is located in a rural city in south-central Minnesota. The setting is located near public transit that runs a loop through the city. A resident council meets monthly to plan future on-site and community activities. People who receive services lead these meetings. Input may also be provided throughout the month and may be shared by staff, family members or people who receive services. Updated monthly calendars are shared with people and are posted in public spaces.

Community activities are scheduled on a monthly calendar and posted outside the elevator. People may access community resources and activities via public transit, Pleasant View Estate vehicles, family members and volunteer drivers. Staff assist in navigating transportation. Brochure for public transportation options posted in entry way and on activities calendar.

People may choose which activities to participate in and engage in the community based on their personal preferences. There are scheduled group activities that occur monthly, and people attend weekly community activities independently. Community activities include:

- Community walks in the neighborhood and at parks
- Trips to Walmart
- Visits to the community center (includes indoor pool, aqua Zumba, fitness center, racquetball)
- Religious activities (e.g., church)
- Local county fair
- History center tours
- Dining out at a restaurant

There are multiple areas for activities to take place at the customized living setting. An activities room is available to people who receive services and their guests. Guests are encouraged to participate in activities, including meal times. Some activities shared by people and staff include bingo, arts and crafts, wellness / fitness activities, cards, games, trivia, holiday events and neighborhood walks.

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 that 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 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

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.

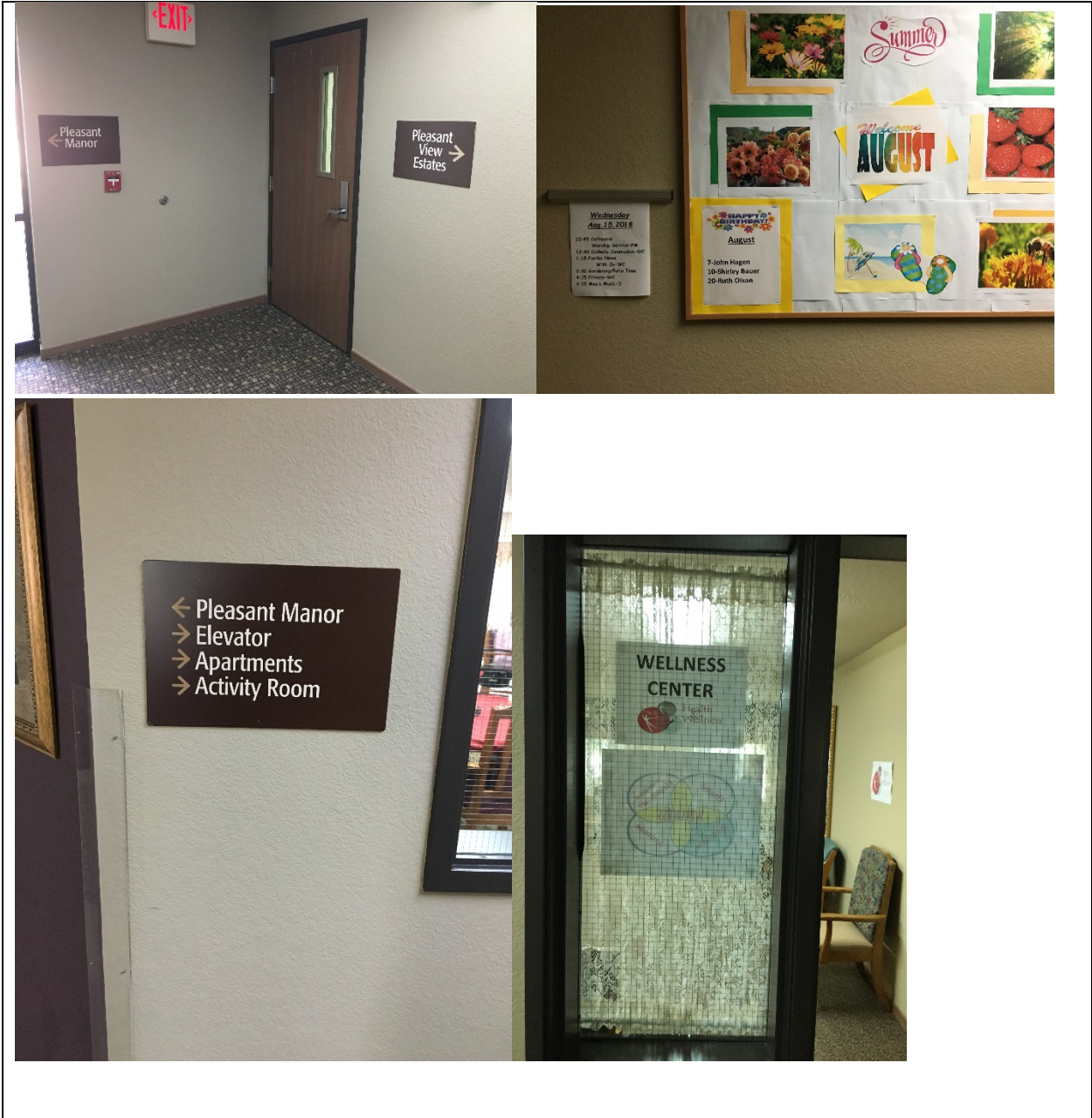
HCBS Rule requirement	Compliance status (Please select)
<p>Each person at the setting has a written lease or residency agreement in place providing protections to address eviction processes and appeals.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Pleasant View Estates submitted an HCBS-compliant lease that includes the requirements of the HCBS final rule. People interviewed reported receiving a lease upon moving in.</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>People who receive services have a key to their living units. During the site visit, people were observed using locks to their living unit and the main building doors.</p>	Compliant
<p>The setting facilitates that a person, who shares a bedroom, is with a roommate of his or her 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>Not applicable. Pleasant View Estates does not provide shared rooms.</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>Pleasant View Estates submitted HCBS-compliant documentation demonstrating a person has the freedom to furnish and decorate his or her bedroom. In interviews with people who receive services, their reports confirmed this policy in practice. During the site visit, we observed living units decorated based on individual preferences, including personal calendars, belongings and décor.</p>	<p>Compliant</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>Pleasant View Estates submitted HCBS-compliant documentation that demonstrates a person has the freedom to control his or her daily schedules. People who receive services reported choosing their daily activities (such as playing cards, trivia, attending religious services) and when and where to eat meals. During lunch, we observed people choosing where and with whom to sit and eat. It appeared the dining area was about half full, indicating people have a choice in when to eat.</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 checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Pleasant View Estates submitted HCBS-compliant documentation that demonstrates a person may have visitors at any time. People who receive services confirmed this policy in practice. During the site visit, we observed visitors in the setting, interacting with people in the common areas, dining room and hallways. People have their own living units where they may also have visitors at any time. There is a callbox at the entrance for visitors to gain entry.</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 type="checkbox"/> Observation made during on-site visit</p> <p>Pleasant View Estates submitted HCBS-compliant documentation that demonstrates supporting opportunities for people to seek employment and work in competitive, integrated settings. At this time, there are no known people who receive services who are employed.</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>Pleasant View Estates are physically accessible, according to our site visit observation. People who receive services who were interviewed confirmed they are able to access all areas of their apartments and the setting.</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>Pleasant View Estates has available public and private spaces in the setting for people to meet with visitors, socialize or share in activities together. Community activities are scheduled on a monthly calendar and posted outside the elevator. See Community Engagement section for further details.</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>Not applicable. Pleasant View Estates does not manage people’s 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>Compliant</p>

<p>Pleasant View Estates submitted HCBS-compliant documentation that demonstrates people’s right to privacy is maintained.</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>Pleasant View Estates submitted HCBS-compliant documentation that demonstrates people are treated with dignity and respect. During the site visit, we observed staff interacting with people who receive services by name, and follow up with previous conversations, and people warmly receptive to staff. People who receive services reported during interviews that they rate their services as, “Better than I expected.”</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>Pleasant View Estates submitted HCBS-compliant documentation that demonstrates people are free from coercion and restraint. During the site visit, we did not find any 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><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>People we interviewed confirmed they are aware of community happenings and events. Pleasant View Estates is located near public transit that runs multiple times a day. Staff reported assisting people in navigating transportation options to attend their preferred community activities. People reported having flexibility to determine how their day is scheduled and when they receive supports.</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.