

# HCBS Final Rule Evidentiary Package

## Sacred Heart Adult Day Program



### Setting information

Setting name: Sacred Heart Adult Day Program	ID # 802174
Street address: 1200 12 <sup>th</sup> St. SW, Austin, MN	Phone: 507-433-1808
Setting website, if applicable: <a href="https://www.sacredhcc.org">Sacred Heart Adult Day Program</a> <a href="https://www.sacredhcc.org/other-programs">https://www.sacredhcc.org/other-programs</a>	Date of site visit: 5/31/2018

## 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 checked="" type="checkbox"/> Community Access for Disability Inclusion (CADI) <input type="checkbox"/> Community Alternative Care (CAC) <input checked="" type="checkbox"/> Developmental Disabilities (DD)	Adult Day Service

## 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 Sacred Heart Care Center Inc., 1200 12 <sup>th</sup> St. SW, Austin, MN 55912

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

## General summary

Sacred Heart Adult Day program is located in southern Minnesota nestled along a small river across from a park and centered within a residential neighborhood. The Sacred Heart Adult Day program is on the Sacred Heart Care Center campus with two dedicated areas and entrances for performing adult day services. Sacred Heart Adult Day program serves older adults and people with disabilities, specializing in the care of seniors with dementia-related disorders such as Alzheimer's Disease. Sacred Heart Adult Day coordinated activities are based on individual abilities and have been designed to promote socialization, stimulate physical and mental activity and enhance self-esteem. This setting reported on the attestation that it serves 51 people with various pay sources, including waiver funding and private pay. The program is staffed from 7 a.m. to 4:30 p.m., and extended hours may be arranged based on a person's assessed needs.

# 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#):  
([http://www.dhs.state.mn.us/main/idcplg?IdcService=GET\\_DYNAMIC\\_CONVERSION&RevisionSelectionMethod=LatestReleased&dDocName=id\\_002205#](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	<b>Interconnectedness between the facility and the setting in question, including administrative or financial interconnectedness, does not exist or is minimal.</b>

<input type="checkbox"/> Not applicable	<p>Sacred Heart Adult Day is minimally connected with administrative operations of the care campus. The community-based settings and facility have separate administrative practices, trainings and staffing.</p>
<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable	<p><b>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;</b> (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 adult day settings are separate, with dedicated staff and training of staff in the community-based settings. Staff are not scheduled to work in the community-based setting or facility on the same or different shifts. The provider documented person-centered practices and staff training through the HCBS provider attestation.</p>
<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable	<p><b>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;</b> (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 adult day program has dedicated use of two accessible transportation vehicles shared by the care campus. People also use public transit, called the SMART Bus, and family transportation to come and go from the adult day program. People have flexibility to arrive late and leave early to accommodate their daily schedules.</p>
<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable	<p><b>The setting provides HCBS services in a space that is distinct from the space in which institutional services are provided.</b></p> <p>Sacred Heart Adult Day has two separate areas to provide adult day services. Both designated areas have separate and distinct entrances to enter the adult day program. One area is dedicated to serving people with dementia-related conditions that includes an activities room, a community room and an outside garden area. The second designated area contains a large activities room, a community room with space for exercise and quiet reading and a separate kitchenette.</p>



## Community engagement opportunities and experiences

Sacred Heart Adult Day program is located in Austin, a city in southern Minnesota, nestled along a small river across from a park and centered within a residential neighborhood. Sacred Heart coordinates on-site and community activities on a monthly basis that reflect local community events and people's preferences. People are able to attend as often as they prefer, including arriving late or leaving early to accommodate other services and appointments.

People share their preferences and interests during intake, care conferences and during everyday conversation and observational experiences. The activities are flexible, often with weekly changes as people share their interests and preferences. Community activities are coordinated two to three times a month.

Care conferences occur every three months and staff directly ask people about the future activities they would like to see scheduled. People have the flexibility to choose which activities they participate in, with a range of options each day. The daily schedule is posted conveniently each day in the main activities room, near the community bulletin boards. The preferences shared by people include both group and individual activities.

Community activities shared by people who receive services and administration include:

- Community walks in town and throughout neighborhood
- Community entertainment events such as festivals and fairs
- Library
- Lunch and picnics
- Nature drives
- Visiting nature centers

Activities shared by people who receive services and administration include: crafts (sewing, painting), group discussions (Bible study, current events, future activities), Mass, picnics, gardening in the adult day's garden, musical entertainment, music memories and reminisce activities, word games, crossword puzzles, memory games, mini golf and ladder ball, sing-alongs, slides/movies, bingo, poetry, birthday parties, exercises, cooking/baking and recreational activities.

When on-site group activities are organized, the groups are typically three to four people and each person has the option of which group to join. If the group community activities are organized, people may choose to attend or remain on-site and participate in other activities. Transportation is provided during these outings.

## HCBS characteristics

<p><b>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.</b></p>	
<p><b>HCBS Rule requirement</b></p>	<p><b>Compliance status (Please select)</b></p>
<p><b>Each person at the setting has a written lease or residency agreement in place providing protections to address eviction processes and appeals.</b></p> <p><input type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input type="checkbox"/> Observation made during on-site visit</p>	<p>Not applicable to day service settings</p>
<p><b>Each person at the setting has privacy in his/her sleeping or living unit including a lockable door.</b></p> <p><input type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input type="checkbox"/> Observation made during on-site visit</p>	<p>Not applicable to day service settings</p>
<p><b>The setting facilitates that a person, who shares a bedroom, is with a roommate of his or her choice.</b></p> <p><input type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input type="checkbox"/> Observation made during on-site visit</p>	<p>Not applicable to day service settings</p>
<p><b>The setting provides people with the freedom to furnish and decorate their bedrooms and living units within the lease or residency agreement.</b></p> <p><input type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input type="checkbox"/> Observation made during on-site visit</p>	<p>Not applicable to day service settings</p>
<p><b>The setting provides people the freedom and support to control their daily schedules including access to food at any time.</b></p>	<p>Not applicable to day service settings</p>

<input type="checkbox"/> Compliant documentation submitted with attestation <input type="checkbox"/> Observation made during on-site visit	
<p><b>The setting allows people to have visitors at any time.</b></p> <input type="checkbox"/> Compliant documentation submitted with attestation <input type="checkbox"/> Observation made during on-site visit	<p>Not applicable to day service settings</p>
<p><b>The setting provides opportunities for people to seek employment and work in competitive, integrated settings.</b></p> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input type="checkbox"/> Observation made during on-site visit <p>Currently, one person who receives adult day services from Sacred Heart is working. The person is retired and works a few shifts at Walmart. When the person’s shifts overlap with the day services, Sacred Heart will accommodate the person’s typically planned day services schedule, including providing transportation or supporting the person to attend other days of the week.</p>	<p>Compliant</p>
<p><b>The setting is physically accessible to the individual.</b></p> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input checked="" type="checkbox"/> Observation made during on-site visit <p>The designated areas for adult day services are designed to support people with multiple mobility needs. We observed people navigating using scooter and walkers.</p>	<p>Compliant</p>
<p><b>The setting provides people opportunities to access and engage in community life.</b></p> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input checked="" type="checkbox"/> Observation made during on-site visit <p>The provider attestation documentation demonstrates people are offered multiple opportunities to engage in community life. During interviews with people who receive services, they shared the many different recreational and leisure activities available, including how they influence the daily, weekly and monthly scheduled events.</p>	<p>Compliant</p>



<p><b>The setting supports the person’s control of personal resources.</b></p> <p><input type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input type="checkbox"/> Observation made during on-site visit</p> <p>Sacred Heart does not provide personal resource management.</p>	<p>Compliant</p>
<p><b>The setting ensures people’s right to privacy.</b></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>Sacred Heart has areas within the setting where private conversations and personal cares can take place. The submitted and reviewed HCBS provider attestation policies documented people’s rights to privacy.</p>	<p>Compliant</p>
<p><b>The setting ensures people’s dignity and respect.</b></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>We observed Sacred Heart staff members communicating with people in a respectful manner, using people’s preferred names. Staff offered assistance, inquired about a person’s preference in how to receive support or options for the day. Respectful treatment of people was observed throughout the on-site visit. During the staff interview, the lead program coordinator became emotional when sharing how Sacred Heart supports people to remain engaged in their community, including how Sacred Heart provided supports for their own family many years ago.</p> <p>The people interviewed raved about their experience without prompting. They said Sacred Heart provides services that meet their needs, including options for accommodating a recent change in condition.</p>	<p>Compliant</p>
<p><b>The setting ensures people’s freedom from coercion and restraint.</b></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>Sacred Heart’s policies prohibiting the use of coercion and restraints submitted through the HCBS provider attestation are compliant. People who attend the adult day service in the designated memory care area have an assessed need for controlled access. People who do</p>	<p>Compliant</p>

<p>not have an assessed need for a memory care adult day are provided the option to receive adult day services in the second adult day designated area or provided the access code for the controlled-access areas.</p>	
<p><b>The setting optimizes individual initiative, autonomy, and independence in making life choices, including daily schedule and with whom to interact.</b></p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</li> <li><input checked="" type="checkbox"/> Observation made during on-site visit</li> </ul> <p>The policies submitted via the HCBS provider attestation indicate people receive services based on their interests and preferences. The program coordinator then develops the monthly calendar shared at the beginning of each month with each person. On a weekly basis, the activities may change based on people’s changing preferences. People may choose which activities to participate in or choose not to participate. There are independent activities offered to people who choose not to participate in group activities. This was verified in our interviews with staff and people who receive services. Staff support people to have individualized onsite options and identify individualized preferences for community activities. People interviewed confirmed they have choice and autonomy in their daily activities and may provide input to shape the daily and monthly planned activities.</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.**