

# HCBS Final Rule Evidentiary Package

## The Meadows of Karlstad



### Setting information

Setting name: The Meadows of Karlstad	ID # 30476
Street address: 306 Washington Ave. W, Karlstad, MN 56732	Phone: 218-436-3561
Setting website, if applicable: <a href="https://www.karlstadseniorliving.com/lifestyle-options/assisted-living/">The Meadows of Karlstad</a> ( <a href="https://www.karlstadseniorliving.com/lifestyle-options/assisted-living/">https://www.karlstadseniorliving.com/lifestyle-options/assisted-living/</a> )	Date of site visit: 8/20/2018

### 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	Name of Institution Karlstad Healthcare Center

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

## General summary

The Meadows of Karlstad is a housing-with-services setting that is also a licensed comprehensive home care provider, providing 24-hour customized living services. The Meadows is owned by Tealwood Senior Living and managed by Karlstad Senior Living. The setting is located on the Karlstad Senior Living continuum-of-care campus. The campus includes the Karlstad Healthcare Center, which is a skilled nursing facility.

The Karlstad Senior Living campus is located in the rural town of Karlstad, in northwestern Minnesota. According to the 2016 census, Karlstad's population was 724.

The Meadows reported on the setting's attestation that 20 people lived in the setting. Nine of the people received customized living services funded by the Elderly Waiver and 11 people had other types of funding, such as private pay. At the time of the on-site visit, 16 people were living in the setting.

## 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#](http://www.dhs.state.mn.us/main/idcplg?IdcService=GET_DYNAMIC_CONVERSION&RevisionSelectionMethod=LatestReleased&dDocName=id_001787#)

# Prong 1 and Prong 2 settings

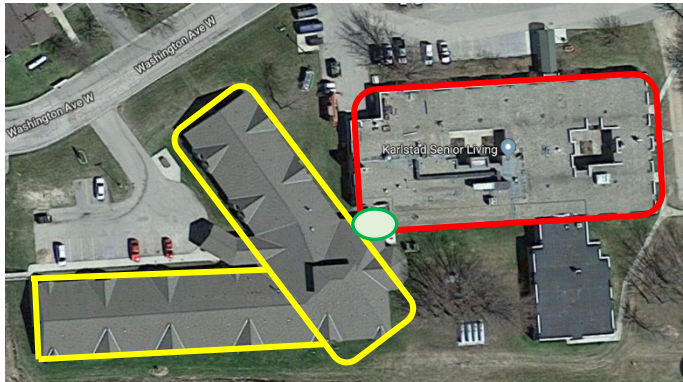
## Meaningful distinction between the facility and HCBS setting

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><b>Interconnectedness between the facility and the setting in question, including administrative or financial interconnectedness, does not exist or is minimal.</b></p> <p>As a continuum-of-care campus, The Meadows customized living setting and the attached Karlstad Healthcare Center nursing facility share administrative and business staff. The Meadows operates independently as a part of the campus and has all of the qualities of an HCBS setting.</p> <p>The meadow’s director of health services performs housing-coordination duties and oversees the customized living program and staff at the setting.</p> <p>The Meadows has setting-specific policies, staff and programming.</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 Karlstad Healthcare Center’s (nursing facility) direct care staff do not provide services at The Meadows. The Meadows hires direct care staff who trained to provide services to people who live in the waiver setting. Universal workers are staffed to be on-site at the setting 24 hours per day, seven days per week. The Meadows’ director of health services provides oversight of the universal workers and the customized living program.</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>

People who live at The Meadows have access to transportation provided by the setting. Staff from The Meadows provides transportation in the setting-owned van or car. R&L is a transportation company that provides transportation to medical appointments when needed. Family members also provide transportation when needed. The local community has limited transportation resources. This setting is filling that gap by providing local transportation as part of its packaged services.

**The setting provides HCBS services in a space that is distinct from the space that institutional services are provided.**

The Meadows (highlighted in yellow) is a separate building connected to the Karlstad Healthcare Center (highlighted in red) by a single back



hallway (circled in green). Both The Meadows and the Karlstad Healthcare Center have separate, distinct buildings, entrances and signage. See pictures below:

- Met
- Unmet
- Not applicable



*The Meadows sign*



*The Meadows building and entrance*



*Karlstad Healthcare Center sign*



*Karlstad Healthcare Center building and entrance*

## Community engagement opportunities and experiences

We observed on the monthly activity calendar that people are offered a variety of daily activities to participate in at this setting. People interviewed confirmed that they have choice of what to participate in, based on their preferences. Two people interviewed at this setting reported that they were free to participate in community-based activities according to their preferences, and keep the daily schedules they prefer.

The Meadows offers a variety of community-engagement activities. The setting provides the majority of the transportation for these functions, as public transportation options are limited. Shopping days and eating out at local restaurants for lunch are regularly scheduled activities at least one to two times per month. Examples of other community-based activities include:

- Going to the town pavilion to listen to music entertainment
- Going to the town Legion to play bingo
- Going to the Honker Flats greenhouse
- Attending activities at the Bronson county park. At the park, people often go on golf cart rides
- Attending the Kickin Up Country music festival
- Attending county fairs
- Riding around town on the setting's golf cart
- Going out for ice cream

The Meadows also provides transportation for individual community-engagement activities such as:

- Driving people to their preferred beauty salon in town
- Driving people to local providers for medical and eye appointments
- Driving people to run errands, pick up groceries.

Some people continue to own and drive their own vehicles. Family members also are actively involved in providing transportation. Some people choose to continue to receive medical care from their doctors in distant towns. Family members often provide transportation for these long distance trips.

The Meadows also offers a variety of on-site activities as observed on the monthly calendar. People are asked for input regarding the activities they would like to see offered on the calendar.

## HCBS characteristics

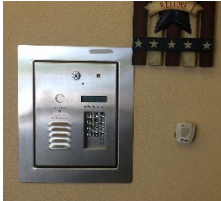
<p><b>This section is a summary of the individual HCBS characteristics required in the HCBS rule. The findings for each characteristic are identified through the setting attestation documentation, on-site observation or both.</b></p>	
<p><b>HCBS Rule requirement</b></p>	<p><b>Compliance status (Please 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 checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Compliant lease submitted and reviewed with the attestation. People interviewed on-site confirmed they signed a lease upon moving into the setting.</p>	<p>Compliant</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 checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>The Meadows' "Tenant Handbook" is compliant and states, "An apartment/mailbox key and an exterior door key are provided to each tenant. Tenant may request additional keys to be made for his/her family members by The Meadows."</p> <p>Keyed locks were observed on the apartment doors. People interviewed confirmed they have possession of the keys to their units.</p>	<p>Compliant</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 checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Setting has one- and two-bedroom apartments; however, all apartments are occupied by one individual and bedrooms are not shared.</p>	<p>Compliant</p>

<p>People interviewed reported that they lived alone in their apartments, as is their preference.</p>	
<p><b>The setting provides people with the freedom to furnish and decorate their bedroom and living unit within the lease or residency agreement.</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>People were interviewed in their apartments. The apartments were observed to be uniquely furnished and decorated according to each person’s preferences.</p>	<p>Compliant</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><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>The Meadows’ “Tenant Handbook” states, “The next day’s menu is available at the coffee table each morning. You will select your meal choices for the next day. You can always choose something off of the Always Available Menu if you would like something other than the choices being served for that meal. You are also able to invite guests to join you for a meal during your scheduled meal time(s).”</p> <p>The setting offers coffee and snacks 24 hours/day. Additionally, a formal snack is provided each afternoon. Each apartment also has a full-sized kitchen that includes a refrigerator, stove and oven for people to store and prepare food on their own.</p> <p>One person interviewed, reported that she never buys groceries because she chooses to eat the three meals per day provided by the setting and snacks are always available. She stated, “they give us too much food.”</p>	<p>Compliant</p>





<p><b>The setting allows people to have visitors at any time.</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>People can have visitors at any time. The code to the inside entrance is available to family members of tenants. When the exterior doors are locked, guests can use the buzzer to ring the individual apartment or the front desk staff to be let in.</p>	<p>Compliant</p>
<p><b>The setting provides opportunities for people to seek employment and work in competitive, integrated settings.</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>Staff training document regarding HCBS requirements includes the following, “There are opportunities for people to seek employment and work in competitive integrated settings, if they choose.” Upon interview, the executive director also reported that the setting does not have any barriers to people who would choose to work and the setting is flexible with people’s schedules.</p>	<p>Compliant</p>
<p><b>The setting is physically accessible to the individual.</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>Staff training document regarding HCBS requirements includes the following, “We comply with all ADA requirements and are physically accessible to people.”</p> <p>Photographs taken of accessibility modifications found in apartment bathrooms.</p>	<p>Compliant</p>
<p><b>The setting provides people opportunities to access and engage in community life.</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>Compliant</p>



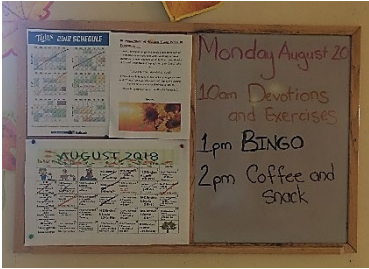
Key pad and buzzer at front entrance



Grab bars and shower bench

Grab bar by bathroom sink

The Meadows' "Tenant Handbook" states, "Each tenant will be provided with a calendar of activities for the month. Feel free to take part in as little or as much as you wish. If you have a suggestion for an activity or outing you would like to see added to the monthly schedule, please let us know."



Monthly and daily calendar posted on bulletin board in common area

One person interviewed reported that she enjoyed going out into the community. She is blind and uses a senior companion to accompany her to the local

library. She enjoys reading books in Braille and listening to audio books. She enjoys learning about history, so she also recently went to the history museum at Lake Bronson. She also attends her local church on Sundays and has friends in the community who give her a ride. She stated she is also huge music fan and recently attended a Diamond Rio concert in the town of Warren. She also goes shopping for music CDs or orders them online, with assistance.



Bulletin board with community event flyers and activity calendar

**The setting supports the person's control of personal resources.**

Compliant

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

Setting reported on attestation that money-management services are not provided. This is not applicable.

**The setting ensures people's right to privacy.**

Compliant

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

The Meadows' "Tenant Handbook" states, "Your apartment is your private home and The Meadows does everything it can to protect you from uninvited salesperson, solicitors and other intrusions on your privacy (see Solicitation). As in any other community, The Meadows tenants are also expected to respect the privacy of their neighbors."

Minnesota Home Care Bill of Rights document includes this right, "A person who receives home care services has these rights: The right to

<p>have personal, financial, and medical information kept private, and to be advised of the provider's policies and procedures regarding disclosure of such information.”</p> <p>Staff were observed knocking on people’s apartment doors and asking for permission to enter.</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>Minnesota Home Care Bill of Rights document includes this right, “A person who receives home care services has these rights: The right to be treated with courtesy and respect, and to have the client's property treated with respect.”</p> <p>Observations were made of staff treating people in the setting in a respectful manner by talking to them directly and offering assistance, if needed.</p>	Compliant
<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>The Meadow’s Maltreatment – Communication, Prevention, and Reporting Practice Guideline and Procedure document submitted with the attestation includes, “Consistent with the Minnesota Vulnerable Adults Act and Home Care Regulations The Meadows prohibits the maltreatment of home care clients. To support this prohibition, The Meadows educates clients, family members, and staff about how to report suspected maltreatment, and provides individualized staff assessments, staff tools, and resources to minimize the risk of maltreatment of a client.”</p> <p>People were observed freely moving about inside the setting and in and out of their individual apartments, as desired.</p>	Compliant
<p><b>The setting optimizes individual initiative, autonomy, and independence in making life choices, including daily schedule and with whom to interact.</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>	Compliant

Minnesota Home Care Bill of Rights document includes these rights, “8. The right to know that there may be other services available in the community, including other home care services and providers, and to know where to find information about these services; and 9. The right to choose freely among available providers and to change providers after services have begun, within the limits of health insurance, long-term care insurance, medical assistance, or other health programs.”

People interviewed reported that they chose their individual doctors and clinics. One person reported she continues to see her doctor in Thief River Falls. Another person reported she chose to see a doctor at the clinic in town.

# Pictures of the HCBS setting



*Common sitting area*



*Common sitting area*



*Common sitting area*



*Popcorn machine in common area*



*Exercise equipment*



*Laundry room*



*Alexa device people use to play music*



*Hallway connecting the buildings*



*Keyed mailboxes for privacy*

## 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.**