

HCBS Final Rule Evidentiary Package

2187 Bonnie



Setting information

Setting name: 2187 Bonnie	ID number: 20271
Street address: 2187 Bonnie Lane, St. Paul MN	Phone: 218-348-2289
Website, if applicable: 2187 Bonnie http://www.shacmn.com/	Date of site visit: 11/13/2018

Waiver service type

Waiver service	Service type
<input type="checkbox"/> Alternative Care (AC) <input type="checkbox"/> Elderly Waiver (EW) <input checked="" 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 3 Effects of isolating characteristics	Effect of isolating characteristic	Is one of multiple homes located on the same street or adjoining property that shares programming activities

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

General summary

2187 Bonnie is a single family home located in a residential neighborhood in St. Paul, the state capital city, with a population of 309,180. The setting is near Highway 61 and a short distance from I-494, with restaurants and retail within 10 miles.

2187 Bonnie provides 24-hour Customized Living to five people on waivers. 2187 Bonnie is a single-family home and has a colocated setting on the same street with 2197 Bonnie.

Foster care/supported living service provider standards/qualifications

Licensure requirements and other state regulations for foster care services clearly distinguish these services/settings from institutional licensure or regulations.

- Child and adult foster care (BI, CAC, CADI waivers) and supported living service providers (DD waiver) must be licensed under [Minnesota Statutes 245D](https://www.revisor.mn.gov/statutes/cite/245D) (<https://www.revisor.mn.gov/statutes/cite/245D>).
- Adult foster care (Elderly Waiver and Alternative Care program) provider must meet the licensure requirements found in [Minnesota Rules, parts 9555.5050– 9555.6265](https://www.revisor.mn.gov/rules/9555/) (<https://www.revisor.mn.gov/rules/9555/>) and [Minnesota Statutes, section 245A](https://www.revisor.mn.gov/statutes/cite/245A) (<https://www.revisor.mn.gov/statutes/cite/245A>).

Foster care and supported living service definitions that support the setting requirements

Adult and child foster care for people on BI, CAC and CADI waivers:

Adult foster care is ongoing residential care and supportive services and includes personal care assistant services, homemaker, chore, behavioral aide services, companion services, and medication oversight (to the extent permitted under State law) provided in a licensed home. Minnesota's Community Based Service Manual (CBSM) provides requirements for [Adult or child foster care](http://www.dhs.state.mn.us/main/id_001786) (http://www.dhs.state.mn.us/main/id_001786)

Supported living services for people on the DD waiver:

Supported living services are "residential habilitation services" provided to participants who live in a supported living environment. Residential habilitation services consist of assistance with acquisition, retention, or improvement in skills related to activities of daily living, such as personal grooming and cleanliness, bed making and household chores, eating and the preparation of food, and the social and adaptive skills necessary to enable people to reside in a non-institutional setting. Minnesota's CBSM provides requirements for [Supported living services](http://www.dhs.state.mn.us/main/id_048987#) (http://www.dhs.state.mn.us/main/id_048987#)

Adult foster care for people on the Elderly Waiver/Alternative Care program:

Minnesota's CBSM provides requirements for [Adult foster care](http://www.dhs.state.mn.us/main/id_056766#foster) (http://www.dhs.state.mn.us/main/id_056766#foster) for people on the Elderly Waiver/Alternative Care program.

Prong 3 settings

Meaningful distinction between collocated settings

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>Describe the extent to which any shared programming (meals, transportation, social/recreational activities) occurs between different homes/buildings and how the provider assures interests and preferences are supported at an individual level</p> <p>The administrator reported that there is a shared van for activities between the collocated homes, however activities are shared only a few times a year (e.g. bingo). The administrator also reported that meals and staffing are separate. There was no shared programming observed during the on-site visit.</p>
<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable	<p>Describe the extent to which staff are scheduled to work with people at the other collocated setting (s) on the same shift:</p> <p>The administrator reported that staffing is completely separate for both settings. They reported that some staff are cross trained, for emergency back-up.</p> <p>Staff interviewed reported that they are never scheduled to work with people at the collocated setting on the same shift. There was no shared staffing observed between the collocated settings during the on-site visit.</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 other co-located setting (s), to the exclusion of other options</p> <p>The administrator and staff reported that there is a van shared between the collocated settings for activities. People do not rely primarily on the van for transportation and have other transportation options available including public taxi/Uber, Metro Mobility and family. The administrator reported that when someone moves in they have a conversation about transportation and help them get certified for Metro Mobility. The provider supports people with transportation by calling a taxi/Uber or</p>

Determination	Summary
	getting certified for Metro Mobility. Staff and a person interviewed reported that staff inform them of their transportation options, help them put contact information in their cell phones and arrange rides for them. There was no shared transportation observed between the collocated settings during the on-site visit.

Community engagement opportunities and experiences

Community activities are planned by people with the support of staff on a monthly basis and based on their personal preferences. People can choose if they want to participate in group activities and who they would like to participate with. An activity calendar is posted on the activity board to inform people of their options. When people go out on their own they like to go for walks, spend time with their friends and family, and participate in independent living skill activities in the community.

Both the administration and staff reported people are informed of activity options through calendars and activity boards. To support people in planning activities, the administrator reported that they have “monthly meetings to get together and talk about what want to do for the upcoming month.” Staff reported that they ask people their preferences and listen to their needs. The administrator reported people can choose not to participate in activities and when they don’t they “split up activities, engage in other things person is interested in, but ultimately they can choose to do whatever they want.”

Some community activities that have been planned include:

- The zoo
- Museums
- The mall
- The casino
- The movies with treats
- Shopping
- Restaurants
- The library
- The thrift store
- Apple orchard.

Onsite activities offered to the residents include bingo, having a birthday meal, playing games, watching TV, listening to music, painting nails and chatting.

People reported that they enjoy the Halloween party, bingo and apple orchard. “Halloween was the most enjoyable.” People are able to go out and they go out on community activities less than once a week. The administration said “unless it is in their care plans for safety reasons” there are no restrictions on when, how often or how long people can go out. People go out on their own weekly. There are weekly group activities and people choose who they want in their group. The administrator reported people have “A lot of choice and self-select [who they want to engage with]. Even for their birthday they can choose who they would like to attend with them.”

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
<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 <input type="checkbox"/> Observation made during on-site visit</p> <p>A person interviewed reported that they do have a lease.</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 <input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Each bedroom was observed to have a lock on the door. A person interviewed reported that they do have a lockable door on their bedroom.</p>	Compliant

HCBS Rule requirement	Compliance status
<p>The setting facilitates that a person, who shares a bedroom, is with a roommate of their choice.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input type="checkbox"/> Observation made during on-site visit</p> <p>Each person has their own individual bedroom.</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 <input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>A person interviewed reported that they have the freedom to furnish and decorate their bedroom.</p> <p>We observed bedrooms being individually furnished and decorated.</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 <input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>The administrator reported that people can get something to eat or grab a snack when they get hungry. Staff reported that they have an “open kitchen” and that people have the freedom to come and go as they choose.</p> <p>A person interviewed reported that snacks are available at any time and that they can decide for themselves what they do on a daily basis (“I let them know”).</p>	Compliant
<p>The setting allows people to have visitors at any time.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>A person interviewed reported that they can have visitors at any time. Visitors were not observed during the on-site visit, however there was a visitor log showing that people are visiting.</p>	Compliant

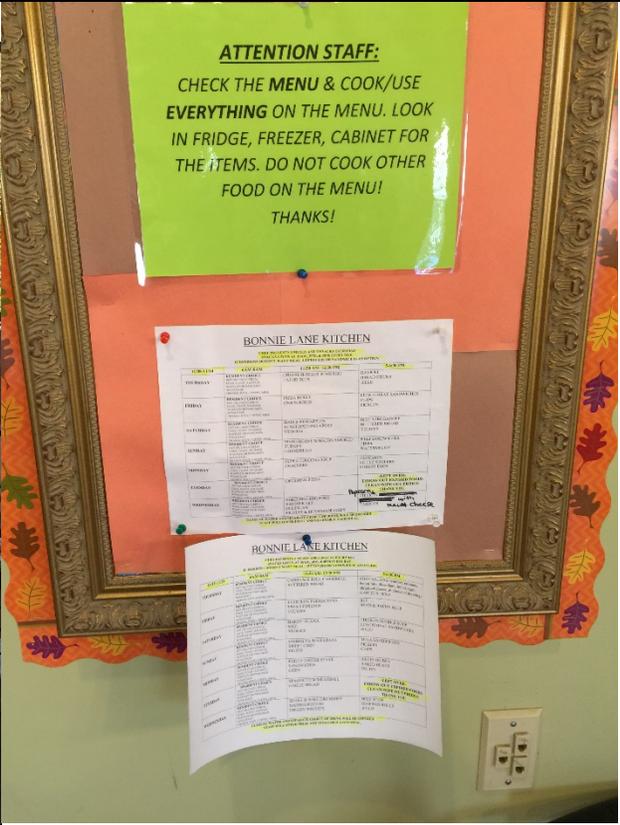
HCBS Rule requirement	Compliance status
<p>The setting provides opportunities for people to seek employment and work in competitive integrated settings.</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input checked="" type="checkbox"/> Observation made during on-site visit <p>The administrator reported that none of the people living there work, but if someone wanted to work they would “help them apply for jobs”. The administrator and staff reported that they would also provide/coordinate transportation to work, help the resident get ready for work and provide flexible service schedule to accommodate a person’s work schedule.</p> <p>A person interviewed reported that they worked years ago but are now retired.</p> <p>The agency policy reflects they provide flexible scheduling and activities during times that complement a person’s work schedule. The Life Enrichment Manager meets with all residents within a week of moving in and on-going basis thereafter. Obtaining employment is discussed at this time, and when a person does not express an interest in employment or is unable to obtain employment, the option of working will be discussed again within 90 days. The provider will collaborate with the person’s support team when they express interest in work.</p>	Compliant
<p>The setting is physically accessible to the individual.</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>During the on-site visit people were moving about inside and outside of the setting. A person interviewed reported that the setting is physically accessible to them.</p> <p>We observed people moving about inside and outside the setting.</p>	Compliant

HCBS Rule requirement	Compliance status
<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>For more information see the community engagement section.</p>	Compliant
<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 checked="" type="checkbox"/> Observation made during on-site visit</p> <p>A person interviewed reported that the provider does not help with money management.</p>	Compliant
<p>The setting ensures people’s right to privacy.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input type="checkbox"/> Observation made during on-site visit</p>	Compliant
<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>A person reported that the quality of services are “better than expected, it’s good, been here six months.”</p> <p>We observed people being treated with dignity and respect.</p>	Compliant
<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>There were no signs of coercion or restraint observed during the on-site visit. People were moving about inside and outside the setting.</p>	Compliant

HCBS Rule requirement	Compliance status
<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>The administrator and staff reported that people can choose what activities they want to participate in, that there are no restrictions for going out and that people can choose not to participate in activities.</p> <p>The administrator reported that there are medical services with a professional specialty provided onsite for physician and psychiatric services, but it is optional.” The administrator reported that people are informed of their choices for receiving services upon admission. There are no restrictions if a person t wants to change to a new provider and they “help them find resources.” The administrator also reported that when residents receive services outside the setting they “help set up and call MNET to get people to appointments outside of the home.”</p> <p>A person interviewed reported that they have a choice of in who they receive services from. The person reported “They come here and I like it. I could choose someone else though.” A person interviewed indicated they can decide for themselves what they will do on a daily basis and said “I let them know.”</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 from Aug. 5, 2019 to Sept. 4, 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 [Aug. 5, 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: 10/1/2019

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.