

# HCBS Final Rule Evidentiary Package

## AFC – Connections (1012)



### Setting information

|   |                                |
|---|--------------------------------|
| Setting name: AFC - Connections (1012)  | ID number: 1073196             |
| Street address: 1012 17 <sup>th</sup> St. S, Moorhead MN  | Phone: 701-532-1145            |
| Website, if applicable: <a href="http://www.connections.services/">Connections</a><br><a href="http://www.connections.services/">http://www.connections.services/</a> | Date of site visit: 12/11/2018 |

## Waiver service type

| Waiver service   | Service type                                       |
|--|--|
| <input type="checkbox"/> Alternative Care (AC)<br><input type="checkbox"/> Elderly Waiver (EW)<br><input type="checkbox"/> Brain Injury (BI)<br><input checked="" type="checkbox"/> Community Access for Disability Inclusion (CADI)<br><input type="checkbox"/> Community Alternative Care (CAC)<br><input checked="" type="checkbox"/> Developmental Disabilities (DD) | Adult foster care; Supported living services (SLS) |

## 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

|   |
|---|
| <p>AFC – Connections (1012) is a duplex in a residential neighborhood in Moorhead, the largest city in northwest Minnesota. With a population of 42,005, Moorhead is bordered by the Red River of the North and Fargo, North Dakota. It is in Clay County. The setting is close by restaurants, retail and the university.</p> <p>AFC-Connections (1012) serves four people on waivers AFC – Connections has two additional settings co-located on the same street. AFC – Connections encourages residents to be active members of their community through recreation and participation and allows individuals with disabilities to explore their individuality by assisting them to live up to their full potential.</p> |
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# 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/>) and Minnesota Statutes, section 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](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#](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](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 colocated 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<br><input type="checkbox"/> Unmet<br><input type="checkbox"/> Not applicable | <p><b>Describe the extent to which any shared programming (meals, transportation, social/recreational activities) occurs between different homes/buildings:</b></p> <p>The administrator and staff reported that there is not any shared programming between the other settings. There was no evidence of shared meals, transportation, or activities during the on-site visit.</p>   |
| <input checked="" type="checkbox"/> Met<br><input type="checkbox"/> Unmet<br><input type="checkbox"/> Not applicable | <p><b>Describe the extent to which staff are scheduled to work with people at the other colocated setting (s) on the same shift:</b></p> <p>The administrator and staff reported that staff are not ever scheduled to work with people at the co-located settings on the same shift. The administrator reported that some staff work at another colocated settings but not on the same shift and that they are trained to work at each individual setting.</p>  |
| <input checked="" type="checkbox"/> Met<br><input type="checkbox"/> Unmet<br><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 a settingvan is used for transportation as requested. People also use the public bus (MATbus), family transportation, and staff use personal vehicles for transportation. The administrator reported “residents know that the setting van is available, and all know their community very well.” Staff reported that they provide options to people to choose from and that people will ask for rides.</p> |

## Community engagement opportunities and experiences

AFC – Connections (1012) provides people receiving services with opportunities to participate in activities and events in the community. People are made aware of activities and opportunities through the activity calendar, through the staff, from other people receiving services at this setting, and from NA meetings. They will also find out about things themselves through the internet and tell the staff about them. Staff support people receiving services in activities by providing transportation, helping plan, reminding them about events, and attending with them. People go out in groups weekly and can choose whether or not to participate, and who they want in their group.

Some community activities offered include:

- Shopping
- Going to the movies
- Going out to eat
- Parks
- Concerts
- Sporting events

Some onsite activities offered include playing cards, video games, board games, watching TV and movies, air hockey, basketball, and gardening.

When people receiving services go out on their own, they go personal shopping, for walks, to the movies, and to NA meetings.

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 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 personal 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 |
|--|-------------------|
| <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<br/> <input type="checkbox"/> Observation made during on-site visit</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<br/> <input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Each bedroom was observed to have locks.</p>   | Compliant         |
| <p>The setting facilitates that a person, <b>who shares a bedroom</b>, is with a roommate of their choice.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation<br/> <input type="checkbox"/> Observation made during on-site visit</p> <p>Each person has their own bedroom. A person interviewed reported that they do not share a room.</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<br/> <input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Bedrooms are individually decorated based on observation during the on-site visit. A person interviewed reported that they can furnish their room as they wish.</p> | Compliant         |

| HCBS Rule requirement   | Compliance status |
|---|-------------------|
| <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>A person interviewed reported that snacks are available at any time and that they have control over their daily schedule, telling us, “I get up at 6 am, have coffee, watch TV, and go about my day.”</p> <p>The administrator and staff reported that people receiving services can choose to not participate in planned activities and that they have the option to stay home and do another activity. People can go out on their own and there are no restrictions on when, how often, and how long they can go out. The administrator and staff reported that outside of meal times, people receiving services can get something to eat or grab a snack when they are hungry.</p> <p>During the on-site visit people were observed moving about inside and outside the setting.</p> | Compliant         |
| <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>Site visit staff did not observe visible signs of restricting people from coming or going from the setting. Site visit staff did not observe any posted visitor hours or sign-in log.</p>  | Compliant         |
| <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>The administrator and staff reported that two people receiving services work and two don’t work. The setting accommodates those who work by providing/coordinating transportation and helping them get ready for work. The administrator reported that they assist in the morning, help with lunch, and give reminders for work transportation. The administrator also reported that a discussion about work options is presented during the “client consults” with the program coordinator.</p>  | Compliant         |

| HCBS Rule requirement  | Compliance status |
|--|-------------------|
| <p>People have an opportunity to meet monthly to have these discussions and all options are presented at that time along with how to contact casemanagers and those that would be involved in assisting with securing employment in the community. This is also discussed during semi-annual meetings with the full team present.</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>A person interviewed reported that the setting is physically accessible to them. The resident said they can get to the kitchen, dining room, living/family room, bedroom, and bathroom when they want to and need to.</p> <p>A person interviewed reported that they can access all areas of the house. There were no barriers to access were observed during the on-site visit.</p>  | Compliant         |
| <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>A person interviewed reported that they like to go out and that they enjoy going to the mall, to go out to eat and to their favorite restaurant McDonald's, to cruise around town, to go to the movies, and shopping. They go out a couple of times a week and that is as often as they would like. They told us that they find out about activities themselves.</p> <p>The site visit staff observed bulletin boards or postings about community events and opportunities.</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>   | Compliant         |
| <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>Site visit staff observed lockable doors on the bedrooms.</p>  | Compliant         |

| HCBS Rule requirement  | Compliance status |
|--|-------------------|
| <p>The setting ensures people’s dignity and respect.</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>Staff were observed treating people with dignity and respect during the on-site visit.</p>   | Compliant         |
| <p>The setting ensures people’s freedom from coercion and restraint.</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>A person interviewed reported that they can access all parts of the house and they can come and go from the house. No barriers to free movement were observed, and people moving around inside and outside the house.</p>  | Compliant         |
| <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"> <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>A person interviewed reported that that they have control over their daily schedule. They said, “I get up at 6 am, have coffee, watch TV, and go about my day.” They indicated that they have a choice of who they receive medical services from and that they go to an office in the community for it.</p> <p>The administrator and staff reported that people can choose not to do an activity and that they can go out on their own without restrictions.</p> | Compliant         |

# Pictures of the HCBS setting

