

HCBS Final Rule Evidentiary Package

Amy Johnson Residence



Setting information

Setting name: Amy Johnson Residence	ID number: 777
Street address: 89 Virginia St., St. Paul, MN 55102	Phone: 651-224-3363
Website, if applicable: Amy Johnson Residence (http://www.amyjohnsontransportation.com/amy-johnson-residence.html)	Date of site visit: 2/21/2019

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 3 Effects of isolating characteristics	Effect of isolating characteristic	Serves primarily people on disability waivers and the people in the setting have limited interaction with the community

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

General summary

The setting is located in a historic residential neighborhood in St. Paul, Minnesota, which is in Ramsey County. St. Paul had a population of more than 287,000 during the 2010 U.S. Census. The multi-plex building is located close to downtown St. Paul, which features a variety of shops, restaurants and entertainment venues. Twenty-three people on waiver programs are served at 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 resides 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) (<https://edocs.dhs.state.mn.us/lfserver/Public/DHS-6790H-ENG>).

Minnesota's Community Based Services Manual (CBSM) provides the requirements for [customized living services](http://www.dhs.state.mn.us/mainid_001787) (http://www.dhs.state.mn.us/mainid_001787)

Prong 3 settings

Overcoming the presumed effects of isolating individuals receiving HCBS from the broader community

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>People are involved in planning community engagement opportunities (</p> <p>People interviewed reported they can mention if they want to have a specific community outing during their weekly “community meeting”. They also reported that activities are “posted on the board” and they can go on any outings they choose. A sign-up sheet is used to coordinate or arrange transportation needs. There is a monthly resident council meeting where people review new information, address concerns, and identify future community activities. During the monthly resident council meetings, staff are invited to review a different area of the HCBS rule rights, including strategies to support community engagement, personal autonomy, and daily choices.</p> <p>Staff and administration reported the setting has two vans; people can also take public transit, as well as taxis and Metro Mobility. Staff helps transport people and with making transportation plans depending on each person’s needs.</p>
<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable	<p>There are routine opportunities to participate in activities that take place in integrated community settings</p> <p>People interviewed reported that they go out on community activities at least once a week. People chose their preferred activities to attend and are free to make “last minute plans” according to interviews with staff and the administrator. A person interviewed reported they go out to eat each Wednesday with a friend, a family member, or alone. The person also reported they will invite another peer along if they each want to eat lunch at the place.</p> <p>The activities director coordinates the creation of a monthly calendar based on each person’s individual preferences and interests. A formal activities calendar is updated each month.</p> <p>See more information in the “community engagement” section.</p>

<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable	<p>Interests and preferences are supported at an individual level and can be individualized to the site</p> <p>When a person moves in, staff use a person-centered tool which outlines a person’s likes and what makes them feel valued. The activities coordinator uses this information to create activity calendars based upon a person’s interests and preferences. There are “open areas” reserved on the monthly calendar for impromptu ideas people think of throughout the month. Staff are trained to informally seek input from people about their preferred interests throughout each week. Staff and administrator reported some people choose daily activities while others are a couple times a week or a few times a month.</p> <p>People interviewed reported that they go out as much as they would like. One person reported that they wish they could go to the State Fair. One person reported that if they wanted to go do a particular activity, they can make a special request. Each person chooses their level of participation, who to interact with, and what each day looks like. People are free to have visitors at time and participate in community activities on their schedule. Staff will pack a meal and/or medications to accommodate a person’s preferred schedule.</p>
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Community engagement opportunities and experiences

There are a wide range of activities offered to people at this setting. People can choose to participate in individual or group community activities. People are able to access local businesses through a variety of transportation options—buses, walking, Metro Mobility, provider transportation, and light rail. The setting is closely located to a variety of businesses community gathering spaces and historic landmarks. If an idea for an activity is not formally listed on the activities calendar, people can ask staff to add it, or to independently attend. If a person requests help, staff will assist to make the activity happen.

A person interviewed reported that Amy Johnson Residence has a “mystery rides” activity available. The person said, “You don’t know where you’re going” when you leave, but, “it’s usually coffee, snow sculptures, landmarks, museums, etc.” These opportunities expose people to new ideas and learn more about what their community has to offer. Some other community activities reported by staff and people include:

- Haircuts
- Restaurants
- Library
- Shopping
- Working out / YMCA
- Boating
- Museums
- State fair
- Neighborhood walks
- Camping.

The monthly resident council meeting is used to provide feedback on past and future community activities. The resident council meeting notes are posted two weeks after the meeting. All people living at Amy Johnson Residence are invited to participate and attend the resident council meetings.

Every two months, a setting specific newsletter is created. The newsletter is posted and shared with each person. Within the newsletter are upcoming events people have requested, past event highlights, and local community news. The newsletter is also sent to case managers, family and friends designated and chosen by each person.

(Note: the onsite visit occurred in [February following a series of snow storms](#) and shortly after the [2019 Polar Vortex in late January](#). It is typical for Minnesotans to participate in fewer community activities during inclement weather.).

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> <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>People interviewed reported that they have a written lease or residency agreement. If a person misplaces their signed lease, they may request a copy of the lease at any time. The lease is signed annually.</p>	Compliant
<p>Each person at the setting has privacy in his/her sleeping or living unit including a lockable door.</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input type="checkbox"/> Observation made during on-site visit <p>A person interviewed reported that they have a lock on their bedroom door. Each unit has a lockable door.</p>	Compliant
<p>The setting facilitates that a person, <i>who shares a bedroom</i>, is with a roommate of their choice.</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>People interviewed reported that they do share a bedroom. If there is a roommate issue, there is a grievance board where people can file a complaint; the administrator then helps develop a resolution to the issue. Another person said roommates can be changed as necessary.</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 type="checkbox"/> Observation made during on-site visit</p> <p>People interviewed reported that they are able to decorate their bedrooms however they want to. Each room is decorated with furniture and décor unique to the person. When a person requests assistance, staff will hang items and décor on the wall.</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</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>People interviewed reported that they have the ability to decide what they will do on a daily basis and when. There is a shared refrigerator and microwave available for all people to use at any time. People can store food in their living units as well. People can request a snack at any time and have meals saved when not home for typical meal time.</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 type="checkbox"/> Observation made during on-site visit</p> <p>A person interviewed reported that they are allowed to have visitors at any time. People can have visitors at any time. From 9pm to 7am are quiet hours and guests are requested to be respectful of other's preferred schedules. There is a visitor sign-in sheet with multiple entries.</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>Two people interviewed reported that they do not work and are retired. People living at Amy Johnson Residence are predominately older adults or near typical retirement age. As part of a person's annual assessment and first moving in, staff interview people about their vocation and volunteer interests. If a person is interested in work or volunteering, staff work with the person and case manager to support this goal. To accommodate a person's work or volunteer schedule staff</p>	Compliant

<p>will coordinate transportation, help the person get ready, pack a meal and/or medications, and flexibly deliver services to work for the person's work schedule.</p> <p>Additionally, Amy Johnson Residence organizes volunteer opportunities in the community that people can choose to sign up and attend.</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>Two people interviewed reported that they were able to access household areas.</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>See 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 type="checkbox"/> Observation made during on-site visit</p> <p>Two people reported that staff assist with money management, and are able to access their resources as they choose.</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>Observation made of areas throughout the setting that can be utilized for private conversations. Staff were observed to be cognizant of people's privacy, and were seen knocking on doors and waiting for a response before entering a person's unit. Staff are trained to be knowledgeable of people's right to privacy, including knocking on doors and waiting for a response before entering an apartment.</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>The observer reported that people were being treated with dignity and respect during the observation.</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
<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 interviewed reported they have the choice to decide what they will do on a daily basis and when. Staff and administrator reported people can choose to not participate in activities and stay at the setting with staff if they prefer. Also, staff and administration reported that there are no restrictions on when people can go out, but they will be asked to inform staff when they will be gone to prepare medications as needed.</p>	Compliant

Pictures of the HCBS setting



