

# HCBS Final Rule Evidentiary Package

## Thrivent - Beacon House



### Setting information

Setting name: Thrivent - Beacon House	ID number: 1072152
Street address: 1318 Lori Avenue, Detroit Lakes, Minn.	Phone: 320-221-3857
Website, if applicable: <a href="https://www.thrivebehavioralnetwork.com/beacon-house/">Thrivent Beacon</a>  ( <a href="https://www.thrivebehavioralnetwork.com/beacon-house/">https://www.thrivebehavioralnetwork.com/beacon-house/</a> )	Date of site visit: 11/8/2018

## Waiver service type

Waiver service	Service type:
<input type="checkbox"/> Alternative Care (AC) <input 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)	Adult foster care

## 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  Click here to enter text.

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

## General summary

<p>Beacon House is located in Detroit Lakes, a northwestern Minnesota community of 8,569 people according to the 2010 census. Beacon House is at the end of a cul-de-sac in a residential neighborhood just off Highway 10, a main thoroughfare through Detroit Lakes.</p> <p>Beacon House is a single-family home where foster care services are provided for four people on HCBS waivers. It is co-located with Thrivent-Bayview, another adult foster care setting located next door at 1316 Lori Avenue. The setting is close to a restaurant, hotel and auto sales shop. It is very near Detroit Lake and just over a mile from downtown Detroit Lakes.</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/) (<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](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 <input type="checkbox"/> Unmet <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> (how often, what type of programming or activities are shared) and how the provider assures interests and preferences are supported at an individual level (people are engaged in planning community activities based on their preferences, variety of transportation options, schedules are varied, reverse integration is not the sole form of “community integration”):</p> <p>Staff and administrators report that people in different buildings only share programming on special occasions, like for the Super Bowl or a holiday meal. We did not observe staff working between homes on the same shifts; people sharing transportation across homes; or activities shared between homes. Staff and administrators reported that staff are not scheduled to work with people at the other co-located setting(s) on the same shift.</p> <p>Regarding supporting interests on the individual level, administrators report activities are “whatever the residents request” and include on-site activities like movies, cooking, exercise videos, and doing hair/nails. Off-site activities include going to car shows, karaoke, going to the mall, and going to church if requested. Beacon House also has a “1:1 Board” which offers people a 1:1 activity with a staff of their choice.</p>
<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <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 reported that staff are never scheduled to work with people at the other co-located setting(s) on the same shift. Shared staffing was not observed during the on-site visit.</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 other co-located setting (s), 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>

	Shared transportation between the colocated homes was not observed during the on-site visit. People at this setting have several options for transportation including the setting's vehicle, public bus, taxi/Uber, and family transports. Staff provide training in using transportation, for example helping people plan a bus route. Phone numbers for transportation providers are posted by the phone. Staff will review transportation options with people and coordinate volunteer drivers.
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## Community engagement opportunities and experiences

People go out into the community on their own on a daily to weekly basis and can use the public bus to do this. People go out in groups weekly and can choose their group. People can speak up if they do not want to participate in an activity.

People are very aware of things going on in their community and plan activities with staff. Staff support this by helping plan transportation, adding outings to people's calendars, and reminding them to attend. We also observed a bulletin board with community events.

People at this setting can request activities they want to partake in, both on-site and in the community. In the community, these activities have included:

- Community and Cultural Center
- Car shows
- Humane Society
- Movies
- Restaurants
- Mall/other retail shopping

People can also sign up for specific activities with the "1:1 Board," a white board where they choose a 1:1 activity with a staff member of their choice. One person interviewed at this setting reported that their favorite activities are picnics, going for ice cream, going swimming at the community center and going to the movies. This person goes out about two times a month but said this is by their choosing and that setting staff try to encourage them to go out into the community more.

It was evident in the observation and interviews with people, staff, and administrators 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.
- 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

## 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.

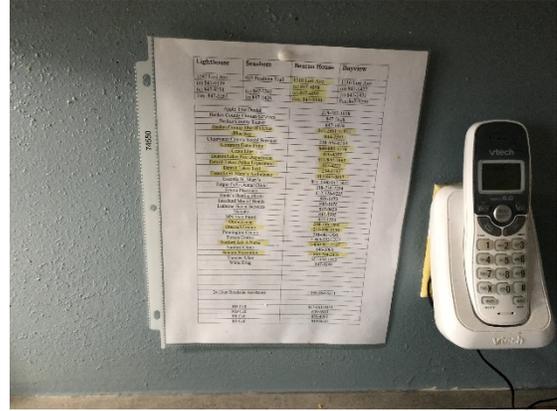
HCBS Rule requirement	Compliance status
<p><b>Each person at the setting has a written lease or residency agreement in place providing protections to address eviction processes and appeals.</b></p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input type="checkbox"/> Observation made during on-site visit</p>	Compliant
<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>A person receiving services reported that they are able to lock their bedroom door for privacy. Not only do they have a lockable door, but they use it and feel safe at home. We observed locks on a person’s bedroom during the onsite visit.</p>	Compliant
<p><b>The setting facilitates that a person, <i>who shares a bedroom</i>, is with a roommate of their 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>Each person has their own individual bedroom and a person interviewed also reported that they do not share a bedroom.</p>	Compliant
<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>A person receiving services reported they can decide how to furnish and decorate their room. It was observed during the onsite visit that bedrooms are decorated based on people’s interests and preferences.</p>	Not applicable to day service settings

HCBS Rule requirement	Compliance status
<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>As described above in “Community engagement,” staff work with people at Beacon House to plan community activities. People can choose not to partake in planned activities.</p> <p>People can snack when they are hungry; staff reported that people will bake items for snacks. We did not observe any signs (e.g. gates or locked doors) of the setting restricting people from freely coming and going.</p>	Compliant
<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 type="checkbox"/> Observation made during on-site visit</p> <p>A person receiving services reported they can have visitors at any time. We did not observe visitors coming and going at the time of the onsite visit. No visiting hours restrictions, a visitors’ log, or a restricted visitors’ meeting area were observed.</p>	Compliant
<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 type="checkbox"/> Observation made during on-site visit</p> <p>A person receiving services reported not working, but said they know they can talk to the home supervisor if they want to work. They may look for work when they are done with PT. Their interests for where to work include as a hotel housekeeper or a cashier. “Maybe [I’d like to work] in a hotel as a housekeeper, or as a cashier,” they said.</p> <p>The administrator and staff reported that people are working at independent sites in the community including Walmart. One person receiving services sends their work schedule to the taxi company every two weeks to arrange transportation to work.</p> <p>The setting has a flexible schedule for a person’s preferences and activities, and this applies to a person’s work schedule.</p>	Compliant

HCBS Rule requirement	Compliance status
<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 type="checkbox"/> Observation made during on-site visit</p> <p>A person receiving services reported their home is physically accessible for them.</p>	Compliant
<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>Beacon House has a bulletin board of activities and a “1:1 board” that includes options of activities people can do with staff. Staff support people to participate in community activities through helping arrange transportation, scheduling, and reminding people of activities. See “Community engagement” section for more information.</p>	Compliant
<p><b>The setting supports the person’s control of personal resources.</b></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><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>It was observed during the site visit that people store personal belongings (such as purses, cell phones, money) in their own personal bedrooms.</p>	Compliant
<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 staff treating people with dignity and respect. A person interviewed reported, “I get taken care of pretty well” and that they enjoy living at this setting.</p>	Compliant

HCBS Rule requirement	Compliance status
<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 type="checkbox"/> Observation made during on-site visit</p> <p>A person interviewed reported they can get to the kitchen, dining room, living room, bedroom, and bathroom when she wants or needs to. This person also reported that they can participate in community activities they enjoy as often as they like.</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 type="checkbox"/> Observation made during on-site visit</p> <p>Staff and administrators reported that there are no restrictions on when, how often, or how long people can go out into the community. A person receiving services reported they can decide what they want to do on a daily basis, and when. People at this setting have options for community activities, on-site activities and transportation.</p> <p>A person receiving services reported that they can have visitors at any time and they can opt out of planned activities if they do not want to participate.</p>	Compliant

# 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.