

HCBS Final Rule Evidentiary Package

Dungarvin Hiawatha 14



Setting information

Setting name: Dungarvin Hiawatha 14	ID number: 1070857
Street address: 3214 Hiawatha Ave S Minneapolis, MN	Phone: 651-699-6050
Website, if applicable: Dungarvin (https://www.dungarvin.com/locations/minnesota/)	Date of site visit: 10/26/2018

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 checked="" type="checkbox"/> Developmental Disabilities (DD)	Adult foster care; Supported Living Services

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

Dungarvin Hiawatha and its collocated settings are located in the metropolitan city of Minneapolis. Located in Hennepin County, its population was estimated at 422,331 according to the 2017 U.S. Census.

The Dungarvin Hiawatha 14 setting is a single-family home. There are six additional settings collocated. All settings are located nearby other private residences.

Dungarvin Hiawatha 14 provides services to four people, and three are on HCBS waiver programs.

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.</p> <p>The site administrator identified that the shared programming between the settings is very limited. There are two vans shared between the seven collocated Dungarvin Hiawatha settings, but that people tend to get rides individually versus in groups. Each setting has its own menu, and a staff identified that meals are only shared occasionally if a person invites a person from another house over to eat with them. A few shared activities are scheduled each year including barbeques and holiday parties.</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>Staff are assigned to work at a single setting during a shift, with the exception of a float staff, who is available to provide assistance at whichever setting requires it.</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>There are two vans shared between the seven collocated settings. Many people rely on public transportation, Metro Mobility or rides from family members. A transportation by insurance list was posted on a bulletin board at the setting.</p> <p>Dungarvin has an optional transportation and community safety education class that people at this setting can attend. The class offers trainings and updates on ease of transportation, public transportation and general travel in the area for anyone who is interested in participating.</p>

Community engagement opportunities and experiences

The site administrator reported that people who reside at the Dungarvin Hiawatha collocated settings are “not much for group activities. Most people are out on their own.” People are as independent as they want to be, and some people living at this setting have participated in the BI Walk and NAMI walk.

The setting maintains a monthly calendar of activities supported by the provider. The operational manager meets with each of the people living at this setting to complete a short questionnaire to see what activities they would like prior to developing the calendar for this setting. Some activities that people take part in include:

- Somali Museum of Minnesota
- Minnehaha Falls
- Art fairs
- Shopping.

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 (please select)
<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</p> <p><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</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Locks were observed on all the bedroom doors.</p>	Compliant
<p>The setting facilitates that a person, <i>who shares a bedroom</i>, is with a roommate of their choice.</p>	Compliant

<input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input type="checkbox"/> Observation made during on-site visit No shared bedrooms were observed.	
<p>The setting provides people with the freedom to furnish and decorate their bedroom and living unit within the lease or residency agreement.</p> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input checked="" type="checkbox"/> Observation made during on-site visit Bedrooms were observed to be individually decorated, and a person interviewed reported that they were able to decorate their bedroom according to their personal preferences.	Compliant
<p>The setting provides people the freedom and support to control their daily schedules including access to food at any time.</p> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input checked="" type="checkbox"/> Observation made during on-site visit People are able to control their daily schedule, including having access to food at any time.	Compliant
<p>The setting allows people to have visitors at any time.</p> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input checked="" type="checkbox"/> Observation made during on-site visit No restrictions were noted regarding when or where visitors are allowed at the setting, with the expectation of them not being allowed in other people’s bedrooms or in the staff office. The only noted restriction identified by the site coordinator is that the lease agreement specifies how frequently guests are allowed to spend the night.	Compliant
<p>The setting provides opportunities for people to seek employment and work in competitive integrated settings.</p> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input type="checkbox"/> Observation made during on-site visit	Compliant
<p>The setting is physically accessible to the individual.</p>	Compliant

<input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input type="checkbox"/> Observation made during on-site visit <p>The site administrator reported that most people who reside at the collocated Dungarvin Hiawatha settings use wheelchairs and that the settings are fully accessible to them.</p>	
<p>The setting provides people opportunities to access and engage in community life.</p> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input type="checkbox"/> Observation made during on-site visit <p>People have the opportunity to access the community independently, but opportunities to do it with or through the setting appear limited. A person interviewed reported that they are not able to get out as much as they would like to due to limited transportation being available through the setting and their not being comfortable with using public transportation on their own. They also reported that their income is limited, which further limits their opportunities for going into the community.</p>	Compliant
<p>The setting supports the person’s control of personal resources.</p> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input type="checkbox"/> Observation made during on-site visit	Compliant
<p>The setting ensures people’s right to privacy.</p> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input type="checkbox"/> Observation made during on-site visit	Compliant
<p>The setting ensures people’s dignity and respect.</p> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input type="checkbox"/> Observation made during on-site visit	Compliant
<p>The setting ensures people’s freedom from coercion and restraint.</p> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input type="checkbox"/> Observation made during on-site visit	Compliant

The setting optimizes individual initiative, autonomy and independence in making life choices, including daily schedule and with whom to interact.

Compliant

Compliant documentation submitted with attestation

Observation made during on-site visit

People determine their own schedule, including what they want to participate in with the setting and what they want to do independently.

Pictures of the HCBS setting

