

# HCBS Final Rule Evidentiary Package

## Dungarvin Hiawatha 24



### Setting information

Setting name: Dungarvin Hiawatha 24	ID number: 1070859
Street address: 3224 Hiawatha Ave S Minneapolis, MN	Phone: 651-699-6050
Website, if applicable: <a href="https://www.dungarvin.com/locations/minnesota/">Dungarvin</a> ( <a href="https://www.dungarvin.com/locations/minnesota/">https://www.dungarvin.com/locations/minnesota/</a> )	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 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)	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

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 24 setting is a single-family home. There are six additional settings collocated. All settings are located nearby other private residences. Dungarvin Hiawatha 24 provides services to four people, and all 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](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 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><b>Describe the extent to which any shared programming (meals, transportation, social/recreational activities) occurs between different homes/buildings.</b></p> <p>The seven collocated Dungarvin Hiawatha settings do not share programming related to meals or social activities. The seven settings share two vans. However most transportation is identified as being done individually. Occasional activities will be shared between settings, including barbeques and celebrating birthdays.</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 collocated setting (s) on the same shift.</b></p> <p>Primary staff assigned to a setting are not scheduled to work with people at more than one setting. There is frequently a float staff, cross trained in all the different collocated settings, who will work at whichever setting requires assistance.</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></p> <p>The seven collocated settings share two accessible vans to provide transportation to people residing at the settings. However, people at the settings are also noted to frequently use other methods of transportation, including Metro Mobility, public transportation (bus and light rail) or rides from family.</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 at the Dunganvin Hiawatha collocated settings are “not much for group activities. Most people are out on their own.” A staff member reported that many of the people frequently go out at least three times per week on their own.

Community activities that people participate in on their own include:

- Going to the library
- Going swimming
- Taking trips to Target
- Taking trips to the Mall of America.

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 fair
- Minneapolis Institute of Art.

## 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><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>	Compliant

<input checked="" type="checkbox"/> Observation made during on-site visit Locks were observed on all the bedroom doors.	
<p><b>The setting facilitates that a person, <i>who shares a bedroom</i>, is with a roommate of their choice.</b></p> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input type="checkbox"/> Observation made during on-site visit No shared rooms were observed or reported.	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> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input checked="" type="checkbox"/> Observation made during on-site visit Each bedroom was observed to be decorated differently, based on the preferences of the person residing there.	Compliant
<p><b>The setting provides people the freedom and support to control their daily schedules including access to food at any time.</b></p> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input type="checkbox"/> Observation made during on-site visit	Compliant
<p><b>The setting allows people to have visitors at any time.</b></p> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input checked="" type="checkbox"/> Observation made during on-site visit No restrictions were observed or reported on when or where people are allowed to have visitors within the common spaces or those of the person whom they are visiting. The site coordinator did identify that there are restrictions listed in the lease agreement on how frequently people are allowed to spend the night.	Compliant
<p><b>The setting provides opportunities for people to seek employment and work in competitive integrated settings.</b></p> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input checked="" type="checkbox"/> Observation made during on-site visit	Compliant

<p>Staff assist people who are employed by allowing flexibility in the daily schedules to accommodate their work schedules and provide transportation assistance, as well as overnight staff waking people up to make they are up and ready for work and that their lunch is packed.</p>	
<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>Compliant</p>
<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>Staff reported people have the flexibility to do whatever they prefer during their day, and there is generally staff available to take them to do the things they prefer.</p>	<p>Compliant</p>
<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>	<p>Compliant</p>
<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 type="checkbox"/> Observation made during on-site visit</p>	<p>Compliant</p>
<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 type="checkbox"/> Observation made during on-site visit</p>	<p>Compliant</p>
<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>Compliant</p>
<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>Compliant</p>

<input type="checkbox"/> Observation made during on-site visit	
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## **Pictures of the HCBS setting**

No additional pictures
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