

HCBS Final Rule Evidentiary Package

Ebenezer Ridges Adult Day Program



Setting information

Setting name: Ebenezer Ridges Day Program	ID # 800712
Street address: 13810 Community Drive, Burnsville, MN	Phone: 952-898-3095
Setting website, if applicable: Ebenezer Ridges Adult Day Program (http://www.ebenzercares.org/ebenezer-ridges-adult-day-program.html)	Date of site visit: 6/29/2018

Waiver service type

Waiver service	Service type:
<input checked="" type="checkbox"/> Alternative Care (AC) <input checked="" 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 checked="" type="checkbox"/> Developmental Disabilities (DD)	Adult Day Service

Reason for heightened scrutiny

Prong type	Category	Type of setting
Prong 1 Located in a Public or Private Institution	Name of Institution Ebenezer Ridges Care Center	Nursing Facility

Note: The term people/person (resident for residential settings) refers to people receiving Medicaid HCBS waiver services.

General summary

The Ebenezer Ridges adult day program is located in metropolitan Minnesota where community activities, shopping, public transportation and other public venues are accessible and within close proximity (churches, parks, retail businesses).

Ebenezer Ridges serves 48 older adults and people with disabilities from multiple payer sources (waiver, private pay, veteran's benefits, and LTC insurance). There are 13 people receiving services funded through the HCBS waiver programs. Ebenezer Ridges provides entertainment, lifelong learning activities, intergenerational programming and a variety of offsite community activities on a regular basis.

Ebenezer Ridges has a living room that provides a place to socialize or participant in individual activities. The space also includes a computer center, activity rooms and a full kitchen for cooking activities.

Adult day provider standards/qualifications

Licensure requirements and other state regulations for adult day services clearly distinguish these services/settings from institutional licensure or regulations.

Adult day services provided in center-based facilities are directly licensed by the Department of Human Services. Adult day services serve functionally impaired adults on a regular basis for periods of fewer than 24 hours during the day in a setting that is not a residence.

Adult day service definitions that support the setting requirements

Minnesota's Community Based Services Manual (CBSM) provides the following requirements for [Adult day services](#):
(http://www.dhs.state.mn.us/main/id_002205#)

Adult day services must:

- Be based on the person's assessed needs
- Be directed toward the achievement of specific outcomes identified in the person's support plan
- Offer opportunities to participate in community groups (e.g., senior citizen centers or clubs, generic service organizations, adult education)
- Provide age-appropriate tasks and materials
- Provide community integration opportunities to enhance the person's social and physical interaction with people without disabilities
- Provide the supports necessary either to maintain or improve the person's ability to care for him or herself.

Prong 1 and Prong 2 settings

Meaningful distinction between the facility and HCBS setting

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>Interconnectedness between the facility and the setting in question, including administrative or financial interconnectedness, does not exist or is minimal.</p> <p>Daybreak adult day has a designated program administrator and designated staff that work in the adult day program. The setting has service specific policies that meet HCBS requirements that staff are trained on.</p>
<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable	<p>To the extent any facility staff are assigned occasionally or on a limited basis to support or back up the HCBS staff, the facility staff are cross-trained to meet the same qualifications as the HCBS staff; (staff training materials that speak of the need to support individuals' chosen activities), (person centered planning) (the staff is trained specifically for home and community-based support in a manner consistent with the HCB settings regulations.)</p> <p>On rare occasion, adult day program staff work at the care center, during hours the day program is closed. Care center staff do not work at the day program.</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 facility setting, to the exclusion of other options; (Describe the proximity to avenues of available public transportation or an explanation of how transportation is provided where public transportation is limited.)</p> <p>There are a variety of transportation options used by the people receiving services at Ebenezer Ridges Adult Day Center. The adult day program has a van that is used for community events/activities and to transport people to and from the program. People also use DARTS, Metro Mobility and family members for transportation. The program administrator and staff reported that they assist people with calling a taxi as requested.</p>

<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable	<p>The setting provides HCBS services in a space that is distinct from the space that institutional services are provided.</p> <p>The main entrance into the adult day program is separate from care center. There is an internal hallway that connects both buildings. There is a clear designated space for the Adult Day Program.</p> <p>The adult day program is on the same floor as the child care center, however the adult day program has a separate/distinct space.</p>
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Community engagement opportunities and experiences

There is an intergenerational daycare located on the same floor as the adult day program. Typically once a day the kids spend time doing an activity with the day program participants. They also share access to a playground area that can be directly accessed from the adult day program. People receiving services also go out on community activities with the children at the daycare.

It was reported by people receiving services that they are asked about interests and preferences regarding onsite and offsite activities every month. There is a newsletter that is on the website showing planned activities for the month. The monthly calendar of events is also posted on a bulletin board in a common area in the day program space. Daily activities are also shared with people verbally.

Staff and people receiving services reported that off-site community activities are planned regularly (2 or more times per month). The off-site activities are also listed on the monthly calendars. Staff noted that they check in with people on a regular (weekly/daily) basis on their preferences related to daily activities.

Community activities mentioned by administration, staff and people receiving services include:

- Restaurants
- Museums
- Movies
- Camps
- Zoo
- Bowling
- Twins game
- Dollar store
- Ace hardware
- Intergenerational activities with day care.

On site activities include pottery, Spanish, music, bingo, walks, games with kids from daycare, chair exercise, activities in the chapel and VR travel club.

It was observed that people are offered a variety of activities to participate in on a daily basis, people have choice of what to participate in and schedules are varied between each person attending. Onsite activities include baking, crafts, intergenerational programming, current events and musical performances. Some group activities like choir and tea parties were driven by the people receiving adult day services. In addition to group activities (crafts, games, social club), Ebenezer ridges adult day also offers the option for people to choose solitary activities (cards, reading). If someone chooses not to participate in a community activity, they stay back with staff.

HCBS characteristics

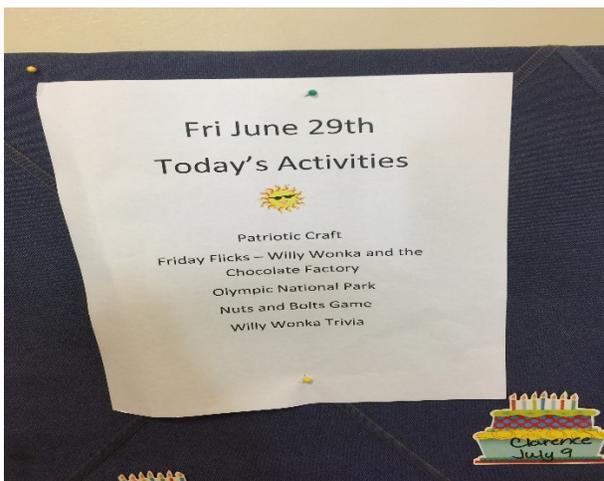
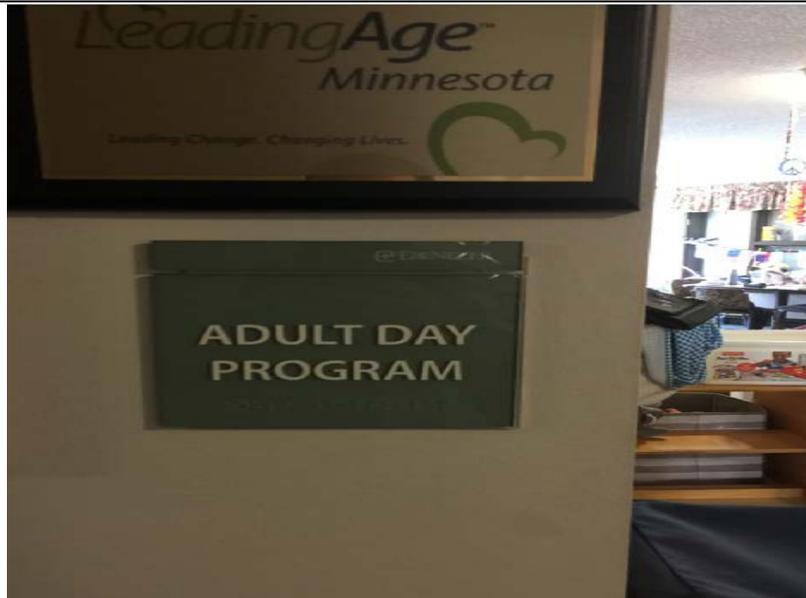
This section is a summary of the individual HCBS characteristics required in the HCBS rule. The findings for each characteristic are identified through the setting attestation documentation, on-site observation or both.

HCBS Rule requirement	Compliance status
<p>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 checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Policy and procedures related to providing opportunities for people to seek employment documents the following: People that work may attend the adult day whenever their schedule permits and the adult day will provide accommodations so they may continue employment.</p> <p>It was reported by the program administrator that no one receiving adult day services is currently working. One person interviewed is retired, but does volunteer.</p>	Compliant
<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>Some people in the program were observed accessing different areas of the settings using wheelchairs and walkers.</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>Policy indicates that people are offered opportunities to participate in a variety of recreation/leisure activities while attending our adult day program. People are also encouraged to contribute ideas for future activities and outings. Interviews with people receiving services confirmed that they have opportunities to contribute ideas for community activities on a monthly basis.</p> <p>See “community engagement” section for more information.</p>	<p>Compliant</p>
<p>The setting supports the person’s control of personal resources.</p> <p><input type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input type="checkbox"/> Observation made during on-site visit</p> <p>Ebenezer Ridges Adult Day does not provide personal resource management. People receiving services manage their own spending money (if needed on occasion for specific community activities).</p>	<p>Not applicable</p>
<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>Direct care staff and people receiving services are oriented to privacy policies and procedures. These policies include the person’s right to health and personal privacy.</p> <p>There is a closet and cubbies for people to store their personal belongings.</p>	<p>Compliant</p>
<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>Direct care staff and people receiving services are oriented and regularly trained on dignity and respect policies and procedures.</p> <p>Respectful treatment of people served was observed during the site visit. People also reported in their interviews that they enjoyed participating in the program.</p>	<p>Compliant</p>

<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>Direct care staff and people receiving services are oriented to policies and procedures related to people’s freedom from coercion and restraint.</p> <p>Respectful treatment of people served was observed during the site visit.</p>	<p>Compliant</p>
<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>Policy indicates that people receiving services known interests and strengths are taken into consideration by the program administrator and staff when developing the monthly calendar and that each person may choose which activities to participate in or choose not to participate. Independent activities are offered to people that choose not to participate in group activities. This was verified by staff and interviews with people and observed that people are choosing where they want to sit and who they want to interact with.</p>	<p>Compliant</p>

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 for 30 days (Feb. 6-March 7, 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 [Feb. 6, 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: 4/1/2019

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.