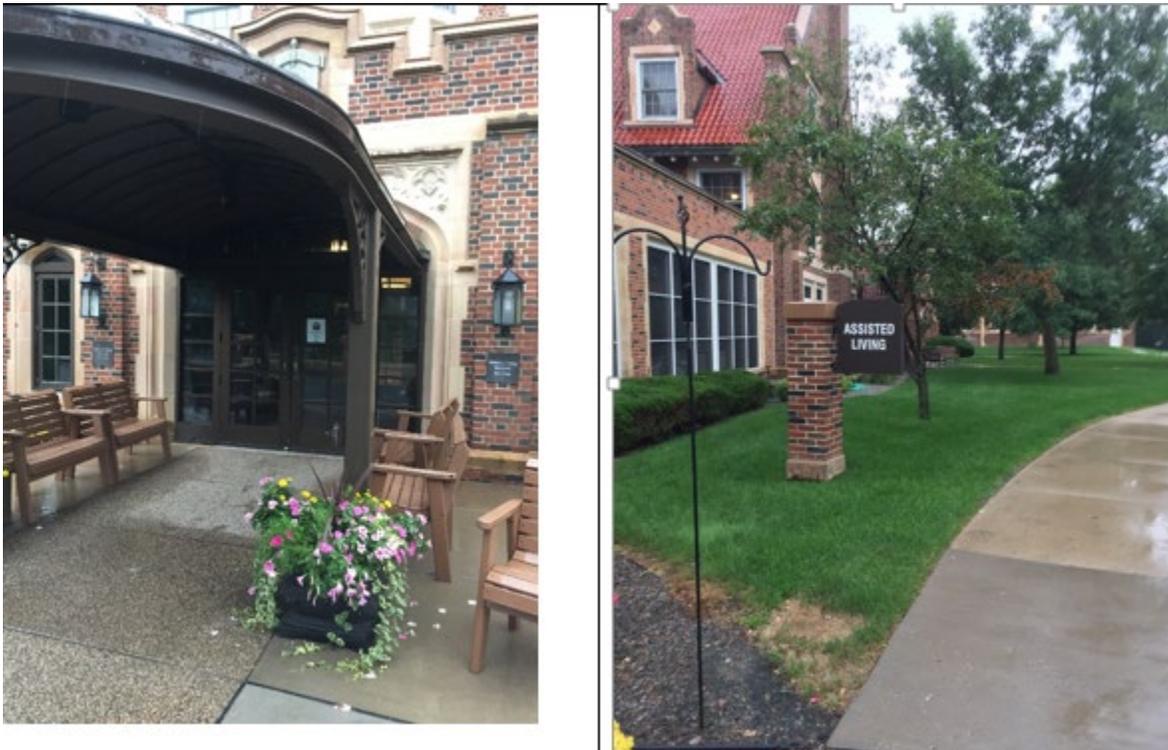


HCBS Final Rule Evidentiary Package

Minnesota Masonic Assisted Living



Setting information

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| Setting name: Minnesota Masonic Assisted Living | ID # 30419 |
| Street address: 11501 Masonic Home Drive, Bloomington, Minn. | Phone: 952.948.7915 |
| Setting website, if applicable: Minnesota Masonic Assisted Living (https://www.mnmasonichomes.org) | Date of site visit: 8/28/2018 |

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 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 1 Located in a Public or Private Institution | HCBS Setting Type | Name of Institution Minnesota Masonic Assisted Living |

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

General summary

Minnesota Masonic Assisted Living is a customized living setting located on a continuum of care campus in Bloomington, Minnesota, which is a suburb southwest of Minneapolis. The Minnesota Masonic Home campus is located within a residential area in close proximity to churches, restaurants, healthcare clinics, parks, and shopping. As of 2017, the United States Census Bureau estimated Bloomington has a population of 85,866.

The Minnesota Masonic Home is a non-profit organization. The Minnesota Masonic Home campus offers independent living, customized living, and skilled nursing & 24 hour customized living, specializing in support for people with dementia and other cognitive support needs, transitional care and outpatient services. The independent living allows people to rent single-family town homes.

The attestation completed by the provider on August 30, 2017 refers to the name of the setting as Assisted Living at Heritage Hall. Documentation completed by the provider also

refers to the customized living setting as Minnesota Masonic Assisted Living. This includes the 2017 tenant guide. As such the provider will be referred to as Minnesota Masonic Home throughout the document. Minnesota Masonic Home is an umbrella term that refers to all residential settings at the campus.

The total number of units is 45. At the time of the onsite visit on Aug. 28, 2018, the number of persons utilizing the Elderly Waiver to access customized living services was seven.

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>)

Minnesota’s Community Based Services Manual (CBSM) provides the following requirements for customized living services:

[CBSM page on Customized Living](#)

(http://www.dhs.state.mn.us/main/idcplg?IdcService=GET_DYNAMIC_CONVERSION&RevisionSelectionMethod=LatestReleased&dDocName=id_001787#)

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>Administratively, there is separation between the skilled nursing facility and the customized living setting. The settings have separate policies, directors, nursing, activities and resident assistant staff.</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>During the onsite review, both the administrator and home health aide staff reported a registered nurse supervisor from nursing facility is on back-up to offer evening assistance in the assisted living. During the interview the administrator indicated the nurse supervisor is trained HCBS settings protocols. Minnesota Masonic Home issued staff training that teach the standards and requirements of the HCBS settings rule.</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> |

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| | <p>People have their transportation needs met through a mix of different organizations and people. Most residents do not rely on public transportation. The customized living provides transportation to community activities with a bus owned by Minnesota Masonic Home. Some people receive transportation from other transportation providers, like Metro Mobility and Tender Love driving services.</p> <p>The administrator indicated families offer transportation to assisted living residents. In an interview with a person, she said she receives transportation to medical appointments from family members. The second person interviewed was a man that owns a car and often uses the car to access the community.</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 Minnesota Masonic Home campus has a central area called Town Square that is accessible to residents of both the nursing facility and to customized living people. The Town Square features a general store, game room, exercise facility, and beauty/barber shop. For more information Town Square (https://www.mnmasonichomes.org/town-square/). Also residents of the nursing facility and customized living have access to a non-denominational place of worship.</p> <p>Minnesota Masonic Home also has separate outdoor signage and entrance. A hallway separates the customized living and the nursing facility.</p>  |

Community engagement opportunities and experiences

At the customized living, residents are given opportunities to engage in the greater community up to 2 times a week. Residents are informed of activities (both onsite and offsite) via monthly newsletter that is delivered to each person’s residence and e-mail announcements. People also learn about activities via announcements from staff. Some of the community activities include:

- Visit to American Swedish Institute
- Music and the Lake Harriet band shell in Minneapolis
- Weekly shopping at local grocery or departments stores
- Outings to a local movie theatre
- The Minnesota State Fair in St. Paul
- Lunch at the local American Legion
- Boat cruises
- Minnesota Twins professional baseball games.

People are given the choice to participate in desirable activities and with any group of residents. People choose activities via a sign-up sheet. Staff reported, people are free to give input on activities at any time.

Onsite activities include; movies, bingo, art activities and access to the exercise room.

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> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input type="checkbox"/> Observation made during on-site visit</p> <p>The setting submitted a compliant lease and included the HCBS requirements into the Housing with Services (HWS) contract that is signed by the setting and the person receiving services.</p> | <p>Compliant</p> |

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| <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>Each customized living resident has their own lockable unit. Minnesota Masonic Home submitted supporting documentation that each person has privacy in his/her sleeping or living unit including a lockable door. A person receiving services interviewed said they have a lock on their door.</p> | <p>Compliant</p> |
| <p>The setting facilitates that a person, who shares a bedroom, is with a roommate of their choice.</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>During the onsite visit one person lived in a single occupancy room and the other person lived in a room with her spouse. Per the attestation Minnesota Masonic does not have shared bedrooms unless shared with a spouse.</p> | <p>Compliant</p> |
| <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 checked="" type="checkbox"/> Observation made during on-site visit</p> <p>At the time of the onsite interview both people’s apartments were decorated and furnished to their preferences. The provider sent information that staff are trained that people may decorate and furnish their unit as they choose. This right is also outlined in the lease agreement.</p> | <p>Compliant</p> |
| <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 each have their own kitchenette and have the ability to find food in Town Square store if they desire. When asked about individual</p> | <p>Compliant</p> |

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| <p>freedom, both people reported they can come and go when they want. One person mentioned if they want to leave the customized living they “sign-out” to keep staff informed. As stated earlier in the report one man has access to a car and uses the car to access the community.</p> | |
| <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 checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Observed during the onsite visit was a sign-in sheet for visitors to the customized living. At the time of the onsite interview a person’s son was visiting an interviewee.</p> <p>The visiting protocol is also addressed in the staff training handbook.</p> | <p>Compliant</p> |
| <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>Both interviewees indicated no desire to work. The right to employment is addressed in the staff training handbook.</p> | <p>Compliant</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>Observed during the onsite visit was a physically accessible building. The two people interviewed acknowledged the accessibility of the setting.</p> | <p>Compliant</p> |
| <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>Both people interviewed they have opportunities for community engagement. Stated on of this report are examples of different engagement in community life.</p> <p>The administrator indicated people may access professional specialty services if a person needs them. These services include rehabilitation,</p> | <p>Compliant</p> |

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| <p>occupational therapy, podiatry and dental needs. Residents are informed they can access providers outside the customized living. One man reported he visits the Veterans Administration for his medical needs.</p> | |
| <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 checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Each person interviewed indicated they have control over their personal resources. This setting does not offer money management for people.</p> | <p>Compliant</p> |
| <p>The setting ensures people’s right to privacy.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input type="checkbox"/> Observation made during on-site visit</p> <p>The right to privacy is addressed in the staff training checklist and stated in the Minnesota Home Care bill of rights given to each person.</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>The right to dignity and respect is addressed in the staff training checklist and stated in the Minnesota Home Care Bill of Rights given to each person. The people interviewed confirmed that are treated with dignity and respect. During the site visit, staff were observed addressing people by their chosen names, and people at the setting were dressed in clothing of their choosing.</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 type="checkbox"/> Observation made during on-site visit</p> <p>Persons are made aware of their freedom from coercion and restraint via, the Minnesota Home Care Bill of Rights and the Minnesota Vulnerable Adults Act. This is also addressed in staff training.</p> | <p>Compliant</p> |

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| <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>When asked about making individual choices one interview confirmed he has the freedom to make his own daily choices. Both people reported they can come and go when they want.</p> <p>Minnesota Masonic Home offers professional specialty services onsite, including occupational therapy, rehabilitation, nursing and medical services. As stated by the administrator the nurse onsite informs residents they have the right to choose services. Page 10 of resident handbook states, "You may obtain Medicare covered home care services through Fairview Home Care and Hospice or any other home care agency of your choice."</p> <p>The right to choose a provider is also echoed in the bill of rights given to people receiving services ("The right to choose freely among available providers and to change providers after services have begun, within the limits of health insurance, long-term care insurance, medical assistance, or other health programs.")</p> | <p>Compliant</p> |
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Pictures of the HCBS setting

Game and exercise room



Exercise room



Private bath



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.