

# HCBS Final Rule Evidentiary Package

## Parkwood Apartments



### Setting information

Setting name: Parkwood Apartments	ID # 246
Street address: 505 South 2nd Street Belview, MN 56214	Phone: 507-938-3020
Setting website, if applicable: <a href="http://parkviewseniorlivingbelview.com/parkwood-apartments/">Parkwood Apartments</a> ( <a href="http://parkviewseniorlivingbelview.com/parkwood-apartments/">http://parkviewseniorlivingbelview.com/parkwood-apartments/</a> )	Date of site visit: 8/21/2018

## 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	Name of Institution	Name of Institution Parkview Home

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

## General summary

Parkwood Apartments is located in Belview, a rural city in Redwood County, Minnesota. Belview is located approximately 45 miles south of Wilmar, Minnesota. The population was estimated at 384 per census data in 2010. Parkview Apartments is located in a residential and commercial neighborhood, just off the main highway through the city. It is approximately a three-minute drive to the main business district.

Parkwood Apartments is a customized living setting with 20 apartment units. At the time of the site visit, the setting served three people supported by a home and community-based waiver program and 15 people supported by other funding sources.

The customized living setting is located on a campus that includes Parkview Home, a skilled nursing facility. Parkview Home is a city-owned health care facility that provides skilled nursing and inpatient and outpatient services. The campus is governed by a local board of directors.

## 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 tasks (e.g., delegated nursing tasks), home management tasks, meal preparation and service, socialization, assisting people with arranging meetings and appointments, assisting with money management, assisting people 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) (<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 for customized living services](http://www.dhs.state.mn.us/id_001787#) ([http://www.dhs.state.mn.us/id\\_001787#](http://www.dhs.state.mn.us/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><b>Interconnectedness between the facility and the setting in question, including administrative or financial interconnectedness, does not exist or is minimal.</b></p> <p>The chief executive officer of the Parkview campus oversees administration of the customized living and nursing facility settings, and each setting has its own budget and staff. Parkwood Apartments has a designated registered nurse who serves as the day-to-day operations manager and dedicated home health aides that provide services to the residents. Food services are prepared in the nursing facility kitchen but served by customized living staff in a separate dining area. Activities are planned by customized living staff, and the setting has its own activity program and calendar.</p>
<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable	<p><b>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.</b></p> <p>Administration reported that all staff that work in the customized living setting are trained specifically for home and community-based support in a manner consistent with the HCBS settings regulations. Administration confirmed that nursing facility staff are not scheduled to work with people at the customized living setting on the same shift.</p>

<p><input checked="" type="checkbox"/>Met</p> <p><input type="checkbox"/>Unmet</p> <p><input type="checkbox"/>Not applicable</p>	<p><b>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.</b></p> <p>Parkwood Apartments is located in a rural area with limited public transportation. Residents use Community Transit of United Community Action Partnership, which provides public transit service in Redwood County and surrounding areas, including Belview. Some residents enrolled in managed care services may use BlueRide services to travel to medical appointments. Private regional transportation services (e.g., Peoples Express) also are used for routine or medical appointments in the surrounding area. People at the setting also use community volunteer drivers, family transports and their own vehicles for transportation needs. Transportation options are posted on bulletin boards and provided in the residency agreement.</p>
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Interior signage pointing to Parkview Home from direction of Parkwood Apartments. Fire doors and carpet color demarcation are visible



Interior signage pointing to Parkwood Apartments from direction of Parkview Home. Fire doors and carpet color demarcation are visible

## Community engagement opportunities and experiences

Community engagement is supported formally by setting staff through setting activities and supported informally by family and friends from the greater community. Administration staff reported they survey residents to obtain their personal preferences, and they support the residents' choices in their activities and schedules. Activities are tailored with feedback from people who live at the setting through periodic surveys and discussions with people, and also by obtaining resident preferences during admission and at regular health assessments.

People are notified of community activities through a calendar of community events, a setting newsletter, flyers and staff reminders. These community activities include:

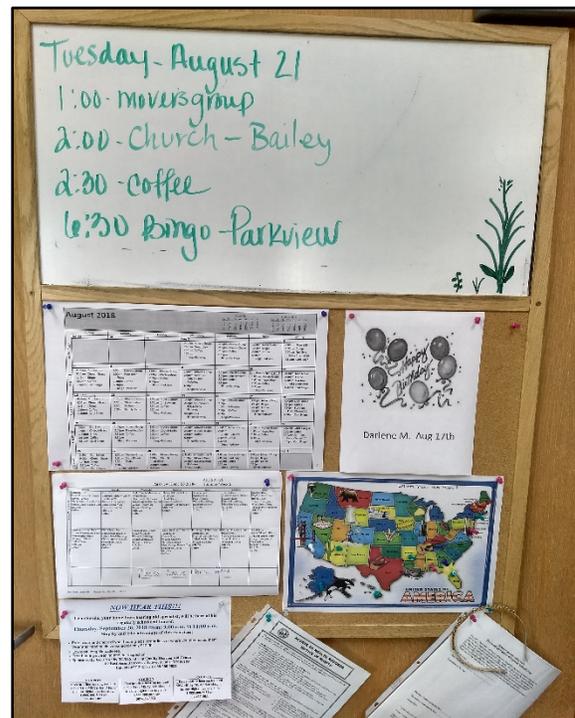
- Golf cart rides in the community
- Shopping trips
- "Old SOD Day" community festival
- Belview Public Library events
- Winery tours
- Picnics and community events in the local park.

People living at the setting have the option to go out on their own or with family and friends. They also can use regional public and private transit and volunteer drivers. These trips include:

- Family events
- Fishing trips
- Sightseeing
- Church services and events
- General errands and shopping
- Community holiday events.

The setting provides an activity calendar for people to participate in at the setting, and it also includes activities taking place in the nursing facility. People also are informed of on-site activities through bulletin board announcements, staff announcements and reminders.

Examples of on-site activities include:



Bulletin board with activity calendar, food menu and announcements

- Live music entertainment
- Movies
- Games
- Social hours (e.g., coffee and donut hours)
- Polka dancing
- Exercise groups
- Faith activities.

People living at the setting have the option to choose not to participate at any time. Per staff and residents, people are offered alternative times or activities or are free to participate in activities of their choosing.

## 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> <p>The setting provided an HCBS-compliant lease agreement as documentation through the provider attestation process.</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>Locks were observed on all unit doors in the setting. Residents stated they use the locks when they go out of the setting.</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>	Compliant

<input checked="" type="checkbox"/> Observation made during on-site visit Staff reported people in the setting do not share rooms unless they share with a spouse, partner or other person of their choice.	
<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 The lease allows people in the setting to decorate and personalize their living units. Living units were observed during the site visit and were decorated according to the residents’ tastes and preferences, including family pictures, memorabilia, crafts, hobby items and religious iconography. At the site visit, it was observed that many people put up personalized decorations in the entrances to their living units.	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 checked="" type="checkbox"/> Observation made during on-site visit Staff and residents confirmed people living at the setting have the freedom and support to control their own schedules, specifically about waking up and going to bed, coming and going from the setting and eating when they would like. Each living unit at the setting is equipped with a kitchen, and residents reported they store food in their pantries and refrigerators. One resident reported she goes out on trips with her family, and another stated she “sleeps in when I want to.”	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 Staff confirmed people living at the setting may have visitors at any time. During the site visit, visitors were observed coming and going from the setting. Residents also stated during interviews that they may have visitors at any time.	Compliant
<p><b>The setting provides opportunities for people to seek employment and work in competitive integrated settings.</b></p>	Compliant

<input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input checked="" type="checkbox"/> Observation made during on-site visit <p>Staff stated the setting currently does not have any residents who choose to work but has previously had residents who chose to work. Staff confirmed they would accommodate residents who wish to work by coordinating transportation, helping the person get ready for work, and providing a flexible service schedule. Staff reported they would save meals or provide a packed lunch depending on residents' needs.</p>	
<p><b>The setting is physically accessible to the individual.</b></p> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input checked="" type="checkbox"/> Observation made during on-site visit <p>Common spaces and living units were observed to be accessible to people living at the setting. People who live at the setting indicated all living areas and common areas were accessible to them. Staff indicated they accommodate people living at the setting to provide additional accessibility accommodations to living units (i.e., grab bars in bathrooms and living areas).</p>	Compliant
<p><b>The setting provides people opportunities to access and engage in community life.</b></p> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input checked="" type="checkbox"/> Observation made during on-site visit <p>The setting supports opportunities to access and engage in community life. The setting supports practical activities (e.g., errands and medical appointments), as well as personal engagement (e.g., social and family outings, faith-based activities and meals in the community).</p> <p>The staff provide information and resources on transportation options to access the greater community. Staff help people arrange transportation as needed, and many people arrange their own transportation.</p> <p>Activities are tailored with feedback from people who live at the setting through resident meetings, discussions with people and by obtaining resident preferences during admission and at regular health assessments.</p>	Compliant

<p>Administration staff confirmed that people living in the setting are informed of their right to choose any medical provider through the admission process and the Minnesota Home Care Bill of Rights. Staff confirmed there are no restrictions for people wishing to switch to a new provider.</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 checked="" type="checkbox"/> Observation made during on-site visit</p> <p>The setting does not provide money management services, and staff confirmed people living in the setting have full control over their personal finances.</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 checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Staff are trained to respect the privacy of people living at the setting through HCBS settings rule training and the Minnesota Home Care Bill of Rights. During the site visit, staff were observed knocking on people’s living unit doors to obtain permission to enter.</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 checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Staff are trained to ensure the dignity and respect of people living at the setting through HCBS settings rule training</p>	<p>Compliant</p>



Parkwood Apartments mission statement

<p>and the Minnesota Home Care Bill of Rights. During the site visit, staff were observed addressing people by their chosen names, and people living at the setting were dressed in clothing of their choosing.</p>	
<p><b>The setting ensures people’s freedom from coercion and restraint.</b></p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</li> <li><input checked="" type="checkbox"/> Observation made during on-site visit</li> </ul> <p>Staff are trained on the Minnesota Home Care Bill of Rights and the Minnesota Vulnerable Adults Act. People in the setting are provided a copy of the Home Care Bill of Rights at admission.</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> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</li> <li><input checked="" type="checkbox"/> Observation made during on-site visit</li> </ul> <p>People in the setting were observed to lead their own lives and plan their own daily schedules, coming and going as desired, and arranging their days as they would like. Staff confirmed customized living services accommodate the schedules of the people served in this setting.</p>	<p>Compliant</p>

# Pictures of the HCBS setting



Kitchen in common area with fresh fruit for residents



Sitting area in foyer with newspapers and reading materials



Dining room and community area in background



Parkview campus and adjacent city park

## Public comment summary

**The Minnesota Department of Human Services (DHS) did not receive public comments for this setting.**

DHS sought public comment from April 30, 2019, to June 9, 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 [May 10, 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: 7/1/2019**

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.