

HCBS Final Rule Evidentiary Package

Peaceful Living 5861



Setting information

Setting name: Peaceful Living 5861	ID number: 31359
Street address: 5861 Oxboro Ave. N., Oak Park Heights, MN 55082	Phone: 608-797-1768
Website, if applicable: Peaceful Living Care (https://peacefullivingcare.com/)	Date of site visit: 10/25/2018

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)	Customized living

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 Multiple same street.

Note: The term people/person (resident for residential settings) refers to people who receive Medicaid HCBS waiver service(s).

General summary

Peaceful Living 5861 is located in Oak Park Heights, a small city of about 4,000 people located along the St. Croix River which borders Minnesota and Wisconsin. The setting is a single-family home in a residential neighborhood. A city park and several restaurants are nearby. The setting serves four people under the Customized Living waiver service and is on the same street as another setting operated by the same provider (Peaceful Living 5873).

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) (<https://edocs.dhs.state.mn.us/lfserver/Public/DHS-6790H-ENG>).

Minnesota's Community Based Services Manual (CBSM) provides the requirements for [customized living services](http://www.dhs.state.mn.us/main/id_001787) (http://www.dhs.state.mn.us/main/id_001787).

Prong 3 settings

Meaningful distinction between colocated 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 and how the provider assures interests and preferences are supported at an individual level:</p> <p>The administrator reported the two settings have limited share programming. The colocated settings do not share meals but may have shared holiday parties or community activities together such as five-dollar movie night. Staff reported shared programming may occur monthly and with “a few companywide activities per year.”</p> <p>The administrator reported people living at this setting express what they like to do for activities, sharing with staff in both formal (e.g. regular meetings) and informal (e.g. ad hoc conversations) processes. Staff assist people in making arrangements for activities when requested. For community group activities, each person chooses to participate via a sign-up if they want to go.</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 colocated setting (s) on the same shift:</p> <p>The administrator reported staff from one setting may work in the colocated setting only during emergencies. Each setting always has a primary staff person assigned but in emergencies the back-up staff person would cover both settings in the same shift. Staff who work in multiple settings receive person-centered cross-training of each person’s plan living in the home.</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>The setting has its own vehicle. The administrator reported that they provide a lot of transportation and that there is a need for more accessible transportation options in their area. There is not a regular public bus route nearby. A person interviewed reported that staff takes them where they need to go or helps them set up Metro Mobility.</p> <p>The administrator reported that transportation needs and options are discussed at the intake meeting and that staff will ride along on Metro Mobility the first few times if the person wants support using it.</p>
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Community engagement opportunities and experiences

<p>Peaceful Living regularly meets with people one on one and in a group to identify their preferred community activities. This includes providing resources that communicate local community events happening: local city websites, newspapers, flyers, library, rotary club, and Chamber of Commerce. Staff assist people with researching opportunities when requested. Transportation is available either by Peaceful Living staff or local public transit (Metro Mobility). Setting specific activity calendars are posted monthly and can be flexibly changed throughout the month. People are able to choose to participate in activities on their own or with the group.</p> <p>The administrator reported some people go out on their own frequently and others less often. The administrator reported they do group community activities about once a month. People will also self-coordinate group community activities that they call “guys day.” Group activities Peaceful Living coordinate based on people’s interests and preference include board and card games, stretching group, baking and candy making, Halloween decorating and prep, movies, and grilling / BBQ.</p> <p>Community activities reported by staff and people include:</p> <ul style="list-style-type: none"> • AA • Apple orchard and pumpkin picking • Art Festivals • Beach • Bowling • Car Shows • Casinos

- Church
- Concerts
- Craft stores
- Farmers market
- Graduation parties/weddings
- Halloween
- Ice cream shop
- Monster truck shows
- Picnics
- Restaurants
- Shopping
- Swimming
- Theatres
- Zoo

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 checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Each person has a lease and is able to request a copy at any time.</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>A person interviewed reported that they're not able to lock their door because they are a fall risk, but otherwise they could. Agency policy confirms a HCBS rights modification is completed. Staff are trained on this HCBS right, including the right to a lockable door. The site visitor observed that bedrooms can be locked from the inside but not from the outside.</p>	<p>Compliant</p>
<p>The setting facilitates that a person, who shares a bedroom, is with a roommate of his or her 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>Each person has their own individual bedroom. A person interviewed reported that they do not share their bedroom.</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>A person interviewed reported that they can decorate their room as they wish. Rooms were observed to uniquely decorated with different pictures, art, furniture, and bedding.</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>A person interviewed reported that they control their daily schedules, choosing which activities to participate in. People are able to have food at any time, including snacks, when they want one. Staff will assist a person in accessing food as needed. The administrator and staff interviewed reported that people can ask for a snack or get one from the kitchen at any time.</p>	<p>Compliant</p>

<p>The setting allows people to have visitors at any time.</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input checked="" type="checkbox"/> Observation made during on-site visit <p>A person interviewed reported that they can have visitors. Administrator and staff reported that persons usually visited with family members at community activities or at the family home. People may have visitors at any time.</p>	<p>Compliant</p>
<p>The setting provides opportunities for people to seek employment and work in competitive integrated settings.</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input checked="" type="checkbox"/> Observation made during on-site visit <p>A person interviewed reported they are currently looking for work but “there’s not much out there.” The person is working with two agencies to look for a job.</p> <p>Staff reported that they accommodate people who work by providing/coordinating transportation, helping the person get ready for work, and providing a flexible service schedule.</p> <p>The provider regularly explores a person’s interest in employment. When a person is interested, Peaceful Living coordinates with the person and their case manager to support the person’s employment goal. The administrator reported that staff accommodate people who work by providing/coordinating transportation, helping the person get ready for work, providing flexible service schedules to accommodate the person’s work schedule, and ensure that the person practices appropriate hygiene and is punctual.</p>	<p>Compliant</p>
<p>The setting is physically accessible to the individual.</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input checked="" type="checkbox"/> Observation made during on-site visit <p>A person interviewed reported that they are able to access all areas of the setting and that it is physically accessible.</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>An administrator and a staff person both reported that persons participate in a variety of community activities. A person interviewed reported that they like to go out, but due to transportation and occasional limited staffing availability they are not able to do so as often as they wish. To flexibly accommodate each person’s preferences, Peaceful Living will assist to identify alternative options, such as a different day or time, or develop strategies to use other transportation options, or identifies back-up staffing options.</p> <p>For more information, see community engagement section.</p>	<p>Compliant</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>A person interviewed reported that their parent helps them manage their money.</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>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 site visitor reported that persons were appropriately dressed, and that staff used persons’ names and seemed willing to accommodate individual preferences.</p>	<p>Compliant</p>

<p>The setting ensures people’s freedom from coercion and restraint.</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input checked="" type="checkbox"/> Observation made during on-site visit <p>The site visitor observed no signs of coercion or restraint. People were moving about inside and outside the setting.</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> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input checked="" type="checkbox"/> Observation made during on-site visit <p>A person interviewed reported that they can decide for themselves what to do and when to do it. The site visitor observed a staff person accommodating personal preferences by making three different lunches.</p>	<p>Compliant</p>

Pictures of the HCBS setting

