

# HCBS Final Rule Evidentiary Package

## RiverVillage East



### Setting information

Setting name: RiverVillage East	ID number: 23147
Street address: 2919 Randolph St. N.E., Minneapolis, MN	Phone: 612-605-2505
Website, if applicable: <a href="https://catholiceldercare.org/senior-communities-minneapolis/rivervillage-east/">RiverVillage East</a> (https://catholiceldercare.org/senior-communities-minneapolis/rivervillage-east/)	Date of site visit: 10/16/2018

### 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 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

RiverVillage East is located northeast of downtown Minneapolis with an estimated population of 422,331 as of the 2017 census.

The collocated RiverVillage East and North settings are located within a shared building. The assisted living building (RiverVillage East) is connected to the Independent HUD apartment building and the Catholic church. There is separate signage identifying the two settings. The settings are located in a residential neighborhood, with single family homes down the block and across the street.

Check this box if setting meets CMS’s definition of Continuing Care Retirement Community

CMS CCRC definition: A housing community that provides different levels of care based on what each resident needs over time. This is sometimes called “life care” and can range from independent living in an apartment to assisted living to full-time care in a nursing home. Residents move from one setting to another based on their needs but continue to live as part of the community.

[Guidance related to CCRCs](#)

(<https://www.cms.gov/apps/glossary/default.asp?Letter=C&Language=English>) can be found on CMS’s website.

RiverVillage East provides services to 70 people; 25 are on HCBS waiver programs.

## 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](http://www.dhs.state.mn.us/main/id_001787)).

## 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>RiverVillage East develops its own calendar of activities based on people’s interests. There is a monthly tenants’ meeting that includes activities planning as a standing item. For activities, the bus owned by Catholic Elder Care is available, which may be shared between the two collocated settings. People from both settings may sign up for the outings/transportation at the front desk regardless of if they have any services provided by Catholic Elder Care. If a person living in the North setting receives meals in his or her plan, he or she may choose to receive meals in the dining area of the East setting or in his or her own apartment, which contains a full kitchen.</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>Both settings – RiverVillage East and RiverVillage North – use the same emergency call system if they need assistance. Home health aides who work at the East building also provide services to the few people in the North setting who also receive those services and are cross trained on the care plans for each person. The activity coordinator and nurse are also noted to provide services for both settings. The staff who are scheduled to work on the memory care unit within the RiverVillage East setting do not leave the memory care unit during their shift.</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>Transportation options are posted on the bulletin boards. At intake, the transportation options are gone over with the person and family members. The housing manager or reception staff will assist residents with transportation arrangements if needed. The receptionist at the front desk also will help people to set up transportation if needed. People are</p>

	<p>often directed to the receptionist if they need help setting up a medical ride, Metro Mobility or other transportation. The Northeast Senior Center has a transportation program that many people use.</p> <p>Transportation to activities scheduled through the program is provided using the setting's bus. The setting was just awarded a grant for an additional bus and driver to help get more residents out into the community more often.</p>
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## Community engagement opportunities and experiences

<p>RiverVillage East develops its own calendar of activities based on people's interests. There is an onsite activities coordinator who works with people to plan activities. The activities coordinator welcomes people to stop into her office to talk, or to share ideas with staff who will pass them along. They also have a monthly tenant meeting where people can discuss what they would like to do or make suggestions.</p> <p>Additionally, people are asked about their interests when the move in and on an ongoing basis through the tenants' meeting and when updating their service plan. People have the right to participate in their choice and preference of leisure activities. People are invited and encouraged to participate in group activity planning during the monthly tenant meetings at RiverVillage East. People who are unable to attend the group activity planning meeting may submit their preferences to the building manager.</p> <p>Activities are selected by the residents including the date and time of the activity. Activity calendars are posted in the building and delivered to each apartment weekly. Future activities or special outings are listed in advance on the monthly activity calendar to assure residents the ability to plan in advance.</p> <p>Some community activities people participate in include:</p> <ul style="list-style-type: none"><li>• Northeast Bank bingo party</li><li>• Shopping</li><li>• Lunches out</li><li>• Fall leaf tour</li><li>• Apple orchard trip</li><li>• Eastside neighborhood senior center</li><li>• Dance parties</li><li>• Pontoon rides</li><li>• Walks</li></ul>
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## 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> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Keyed locks were observed on the apartment doors, and one person was directly observed unlocking their apartment door during the site visit. On the memory care unit, the door to get into the unit has a badge lock. People can request entrance into the memory care unit by calling staff. To leave the memory care unit, there is a keypad with a pin code to disarm the alarm on the door and unlock without a delay. People without a rights modification are given the passcode to egress as they please.</p>	Compliant

<p><b>The setting facilitates that a person, who shares a bedroom, is with a roommate of his or her choice.</b></p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation  <input type="checkbox"/> Observation made during on-site visit</p>	<p>Compliant</p>
<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> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation  <input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Each unit that was observed was decorated unique to the person residing in it. Units were decorated with pictures and knick knacks. All furniture appeared to be different.</p>	<p>Compliant</p>
<p><b>The setting provides people the freedom and support to control their daily schedules including access to food at any time.</b></p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation  <input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>A person interviewed stated, “The schedule is all up to you. You can miss meals and they will give you a voucher to get a meal when you get back or if you don’t use it, you can use the voucher to have a family member come eat with you if you want.”</p> <p>People have access to food through a variety of means at any time including: call the front desk and they will call the kitchen to send a snack up, purchasing snacks at the coffee shop/store area, having food in their apartment, and snacks are provided during activities.</p>	<p>Compliant</p>
<p><b>The setting allows people to have visitors at any time.</b></p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation  <input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>No visiting hours are posted. There is a visitors log at the front desk, but no signs of visiting information. Staff report that there are many visitors daily. Some family members take residents off site to visit. No restricted visiting areas. Visitors are only unable to access other people’s apartments and the staff offices.</p> <p>During the hours of 8 p.m. to 6 a.m., the front doors are locked and people residing at the setting or visitors need a PIN code to enter. They can request the code from staff or can page the staff to let them in.</p>	<p>Compliant</p>

<p><b>The setting provides opportunities for people to seek employment and work in competitive integrated settings.</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>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>	Compliant
<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>The setting is in a residential neighborhood close to a park and other private residences. There are shops close by. There is a public bus stop less than a block from the building. People are free to come and go as they please. Some people go out more than weekly. People have opportunities to participate in community life both within and outside of the setting, with and without others residing at the setting.</p>	Compliant
<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>	Compliant
<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>	Compliant
<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 were referring to people by their first names. They were talking to people respectfully and appropriately.</p>	Compliant

<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><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>A person interviewed stated, “The schedule is all up to you. You can miss meals and they will give you a voucher to get a meal when you get back or if you don’t use it, you can use the voucher to have a family member come eat with you if you want.”</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 from Aug. 5, 2019 to Sept. 4, 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 [Aug. 5, 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: 10/1/2019**

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.