

HCBS Final Rule Evidentiary Package

Shepherd Court Apartments



Setting information

Setting name: Shepherd Court Apartments	ID # 220
Street address: 330 13 th Street North Sauk Rapids, MN 56379	Phone: 320-253-5702
Setting website, if applicable: Good Shepherd Campus https://goodshepherdcampus.org/sauk-rapids-campus	Date of site visit: 4/16/2019

Waiver service type

Waiver service	Service type:
<input type="checkbox"/> Alternative Care (AC)	Customized Living

Waiver service	Service type:
<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)	

Reason for heightened scrutiny

Prong type	Category	Type of setting
Prong 1 Located in a Public or Private Institution	Name of Institution	Good Shepherd Nursing Home

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

General summary

Shepherd Court Apartments is a customized living setting in Sauk Rapids, MN. It is located on The Good Shepherd Community campus which offers a continuum of care services in Sauk Rapids, MN. The campus consists of 4 customized living buildings, including the Good Shepherd Apartments. (Each of these customized living settings will have a separate evidentiary package). The campus also includes a nursing facility.

Sauk Rapids is located in Benton County in central Minnesota. As of the 2010 census, it had a population of 12,773 people. It is a smaller city, but is close to St. Cloud which is a large city. Good Shepherd Apartments is located near several schools and parks and just a few miles from businesses.

Shepherd Court Apartments has 53 units, and at the time of the visit there were 2 people who were utilizing their Elderly Waiver.

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#)

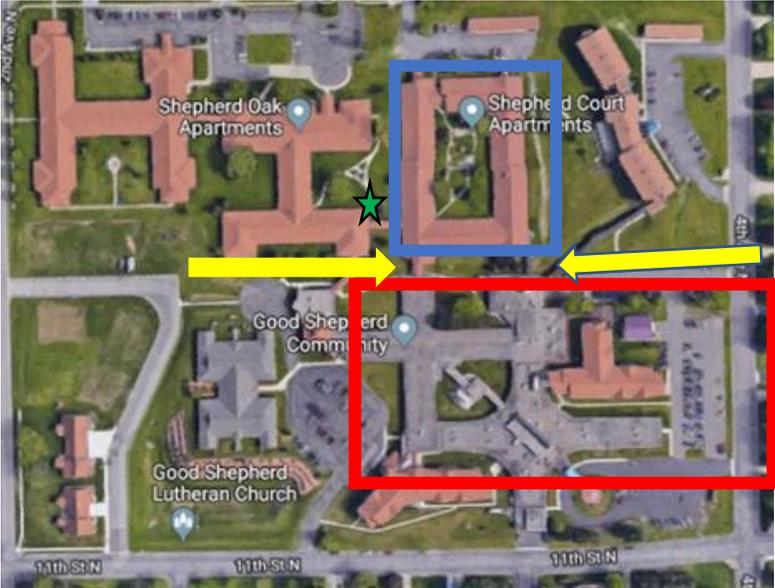
Prong 1 and Prong 2 settings

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>Shepherd Court Apartments is run completely separately from the nursing facility. Each has their own management at the setting level. The customized living settings have a Vice President of Outreach which supervises the housing directors for each of the customized living buildings. Each setting has its own housing manager, and the staff who work in the customized livings are dedicated to those buildings and do not work in the in the nursing facility. There is one Administrator that is responsible for the campus as a whole.</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>The customized living setting does not share staff with the nursing facility. All staff who work in the customized living setting receive training that is compliant with the HCBS rule.</p>

Determination	Summary
<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>People have many different options when it comes to transportation. Some people still drive and have their own cars at the setting. Some use taxis and ride services such as Lyft and Uber. In addition, the city bus has two different bus stops that pick up and drop off on campus. The setting uses a tour bus that they charter for activities. Care Cab is available for appointments if the other options aren't available. Lastly there is a local Dial A Ride service available. People ask any staff to assist them if they require assistance setting up rides. When I arrived on the campus, I saw people coming and going, and saw a Dial A Ride bus loading a passenger.</p> <p>People are given the options for transportation when they move in, and are encouraged to ask a staff for assistance any time they need help setting up a ride.</p> 

Determination	Summary
<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>Shepherd Court is connected to the nursing facility through a long corridor. The setting is outlined in blue below, and the nursing home is outlined in red. There are two enclosed corridors attaching the customized living setting to the nursing home. These are indicated by the yellow arrows. Shepherd Court is also attached to the Shepherd Oaks Apartments. This is shown with a green star.</p> 

Community engagement opportunities and experiences

People living at this setting have many opportunities to stay involved and engaged in their communities. Staff gather input from people when they move in and also through satisfaction surveys that are offered annually. Additionally, activity staff meet with people face to face to ask about what each person would like to do for activities at least once every 6 months. There are quarterly tenant council meetings where people have an opportunity to provide input on activities. During the site visit, I was shown the responses from the past survey and they received many responses from people to help guide their planning.

People are notified of the activities offered through posted calendars and flyers, as well as a channel on their television which lists events each day. Staff who plan activities get input from each customized living setting, and have separate activities at each building. However, any person can join any of the activities offered.

People who live in the Customized Living setting frequently leave the setting independently, sometimes daily. They go to near-by businesses such as Quik Trip, Holiday, the bank, and Coburns. They can request a volunteer to go with them grocery shopping and the setting will try to accommodate them. They attend family gatherings and celebrations. They also walk their dogs, go to restaurants with family and friends and attend religious services.

There are sign-up sheets for the community based activities that the setting charters an accessible bus for. Some examples of the community activities offered by the setting are:

- Shopping at Coburns, Walmart, Dollar Tree and the local mall
- Day trips to places like Duluth
- Thanksgiving with the local Rotary
- Out to eat at local restaurants
- Visits to the local farmer's market called Fresh Thyme
- Trips to craft stores like Crafts Direct, Hobby Lobby or Michaels
- Trips to the cities to places like the Chanhassen Dinner Theatre



Bulletin board of activities

Onsite activities are also offered. Some examples are dice and card games, crafts, religious services, coffee time and music offerings. The setting also has an exercise program called EnerG which offers a variety of health and fitness activities.

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>The setting submitted an HCBS compliant lease template. In addition, when interviewed, people indicated that they had a lease in place.</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>Lockable doors were observed on each unit during the site visit. When asked if they could lock their door people indicated they could lock their door anytime. One person interviewed said “Yes, of course I can lock my door!”</p>	Compliant
<p>The setting facilitates that a person, <i>who shares a bedroom</i>, is with a roommate of their choice.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input type="checkbox"/> Observation made during on-site visit</p> <p>Not applicable. This site does not have shared bedrooms, except when the person chooses to share their room with a spouse, partner or friend of their choice. One person interviewed does share her unit with her spouse.</p>	Compliant

HCBS Rule requirement	Compliance status (Please select)
<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>While interviewing people in their apartments, personal effects such as pictures and collectibles were seen. When I interviewed one person in her home, I observed her apartment was individually decorated, and she had a guitar displayed that she said was very special to her because her husband used to play.</p> 	Compliant
<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 interviewed stated they feel they control their schedules. One person said “I make my own decisions and have never felt bossed around or made to do anything. Of course there are some things I need to do”.</p> <p>Each resident’s unit has a full kitchen to make and store food and snacks. The setting’s shared kitchen sells snacks until 7 pm each day and there is a store on campus that is open 24 hours. There are also vending machines available.</p>  <p><i>Kitchen in apartment</i></p>	Compliant

HCBS Rule requirement	Compliance status (Please select)
<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>Staff confirmed that people can have visitors whenever they wanted. When interviewed, one person said “I can have visitors anytime and I like to bring them to see the birds or different spots in the building. Not just my apartment”.</p>	Compliant
<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 type="checkbox"/> Observation made during on-site visit</p> <p>Though most people living at this setting do not work in a paid setting, there is one person doing general labor at an optical business. The setting staff stated that they do and would offer flexibility in areas such as medication times and timing for personal cares. They would also help make or supply bag lunches and help set up transportation as necessary to accommodate a person’s work schedule.</p>	Compliant

HCBS Rule requirement	Compliance status (Please select)
<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>Accessible features were observed people’s apartments. Grab bars, flexible shower heads, and shower bench were observed in a person’s bathroom. When asked if they could get around their unit and the building easily, people living in the setting indicated that they have no trouble with getting around, and no barriers were observed.</p>  <p><i>Bathroom shower with grab bars</i></p> <p>When asked if the setting is accessible to her, one person said “Oh yes! I get around here very easily!”</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>See Community Engagement section for leisure and recreation opportunities offered.</p> <p>The majority of people living in this setting get their medical services in the community, though some things like occupational therapy and physical therapy are offered onsite. Bluestone Physicians come to the site also. Staff assist people in setting up transportation to go to community appointments and activities. People are told of their options for providers at move in and each time they have a new need. They are given a list of providers covered by their insurance.</p> <p>When interviewed, one person said “Oh, I like to see all of my own doctors. I don’t see anyone here in this building for medical stuff”</p>	Compliant

HCBS Rule requirement	Compliance status (Please select)
<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 type="checkbox"/> Observation made during on-site visit</p> <p>This is not applicable. This setting does not offer money management services.</p>	Compliant
<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>Observed staff knocking on doors before entering an apartment. People interviewed said they felt their privacy was being respected by staff. One woman said “Oh staff are very good about our privacy.”</p>	Compliant
<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>One person interviewed said this about the staff at the setting: “You couldn’t ask for any better than these staff. They are always kind and there when you need them. ”</p>	Compliant
<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>Staff are trained on the Minnesota Home Care Bill of Rights and the Minnesota Vulnerable Adults Act, which address this right. People living at the setting are also given this information</p>	Compliant

HCBS Rule requirement	Compliance status (Please select)
<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 if they felt like they could make their own choices about their lives one person said “They really make you feel that this is your home and your life.” She said that she really doesn’t prefer to go out except with her children and she said staff respect her choice to stay home with her husband.</p>	<p>Compliant</p>

Pictures of the HCBS setting



Sitting area



Bird aviary



Chapel



Dining room