

HCBS Final Rule Evidentiary Package

St. James Manor



Setting information

Setting name: St. James Manor	ID # 22350
Street address: 415 Eighth Ave. SW, Perham MN 56573	Phone: 218-347-1854
Setting website, if applicable: St. James Manor (https://www.perhamhealth.org/perham-living/st-james-manor/)	Date of site visit: 7/27/2018

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 checked="" type="checkbox"/> Community Access for Disability Inclusion (CADI) <input checked="" 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 2 Located adjacent to a Public Institution	Name of Institution	Name of Institution Perham Living, 735 Third St. SW, Perham, MN, 56573

General summary

St. James Manor is a 38-unit apartment building that is a registered housing-with-services setting offering independent living and customized living services to people 62 and older and people with disabilities. Perham is a rural city in northwest Minnesota. As of the 2016 census, the population was 3,300.

St. James Manor is located within a residential area of Perham and is close to churches, restaurants, health care, parks and shopping.

St. James Manor is owned by the Perham Hospital District. Perham Living Home Care provides the customized living services in this setting. At the time of on-site visit, five people who live in the setting received customized living services funded by the 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 lives 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:

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>St. James Manor is an independent living apartment building located on the Perham Living/Perham Health continuum-of-care campus. All settings on the campus are owned by the Perham Hospital District. There is clear separation of the HCBS setting, St. James Manor, from the Perham Health nursing facility, also located on the campus. The two distinct 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>The Perham Health nursing facility staff do not provide support or backup for the staff at the HCBS setting, St. James Manor.</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> <p>St. James Manor and Perham Living Home Care have access to the campus van for community activities. The setting also has access to and uses the Perham city bus (Otter Express). Additionally, Perham has community volunteer drivers and family members provide transportation to people who receive services at the setting. Most people who live at St. James Manor provide their own transportation.</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>St. James Manor (building circled in red) is a separate independent living apartment building on the Perham Living campus. It is not physically connected to the institutional nursing facility (blue arrow); however, as seen in the aerial photo, St. James Manor is located on the Perham Living campus. St. James Manor has a separate building, parking, entrance and signage from the nursing facility located on the campus.</p> <div style="display: flex; justify-content: space-around;">   </div>

Community engagement opportunities and experiences

St. James Manor is an independent living apartment building for people 62 and older and people with disabilities. The majority of people who live in the building do not require customized living services. Although most people are independent and provide their own transportation, Perham Living Home Care does offer and facilitate weekly opportunities for community engagement as part of the customized living program. Most people go out into the community on a daily basis.

The setting provides a monthly “Town Center” calendar and a weekly “St. James Manor” calendar of activities that are occurring on site and in the community. The setting has an activity coordinator who solicits ideas for the activity calendar by attending the Resident Council monthly meetings and asking for resident input. Copies of the calendars are available in a holder on the wall in the main common entry of the setting, posted in each elevator.

The main source of transportation to engage in the community is the local “Otter Express” bus. The bus is scheduled to arrive at the setting three times per month as listed on the calendar. These scheduled trips are free. Activities the setting uses the Otter Express to go to include:

- Grocery shopping trips and farmers’ markets
- Banking trips
- General shopping trips to ShopKo, Supervalu, Walmart and Dollar Tree stores
- Town fairs and parades
- Community picnics

Pictures were observed of people who live at this setting enjoying a trolley ride around town with other residents of the community.

People use the Otter Express most often to go out on their own. The bus is available to call at any time a person would like to go somewhere. The cost to travel anywhere in Perham is about \$1 each way. Examples of places people who live in this setting go to most often include:

- Church
- Trade shows
- Fairs
- The senior center
- Men’s and women’s night out

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 a compliant lease and included the HCBS requirements in the Housing with Services (HWS) contract that is signed by the setting and the person who receive services.</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>Locks were observed on the apartment doors. HWS contract/lease includes the following right:</p> <p>“All residents have a right to and will be provided a lockable door to their units.”</p> <p>Observed keyed locks on apartment doors and an intercom (picture to right) in the apartments to allow people to allow access to visitors who ring the buzzer to their apartment.</p>	Compliant
<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>HWS contract/lease includes the following right:</p>	Compliant



<p>“Residents have the right to choose with whom they will share a unit, but must comply with the criteria found in St. James Manor’s Tenant Selection Plan.”</p> <p>Observation made of single-unit apartment. Person in the apartment reported, “I like it here.”</p>	
<p>The setting provides people with the freedom to furnish and decorate their bedrooms and living units 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>HWS contract/Lease includes the following right:</p> <p>“Residents can decorate and furnish their units within the terms of the Rental Agreement.”</p> <p>Person’s apartment observed to be decorated with her personal belongings.</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>HWS contract/lease includes the following right: “Resident may access food at any time in your unit, or at a resident function in the community room.” Pictured (right) is the coffee/snack /fruit common area. Also see living unit kitchen in picture below, where people may store and prepare food in their</p> <div style="display: flex; justify-content: space-around;">   </div> <p>individual apartments. Meals on Wheels and MOM’s food delivery options are also used by people who live in the setting.</p>	Compliant

<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>HWS contract/lease includes the following right: “Residents have the right to choose their visitors and at what time they wish to visit them. They may visit with their guests anywhere in St. James Manor, as long as the room is available.” Several sitting/visiting areas observed throughout the setting.</p> <div style="display: flex; justify-content: space-around;">   </div>	Compliant
<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>Setting’s “Client employment and volunteerism” policy states: “As part of the admission process for services, the nurse will assess and document any current employment or volunteer work and assess for any interest in these areas. If the resident has interest or a current working schedule, the facility will coordinate with the case manager on flexible scheduling, to accommodate the resident’s work schedule, as appropriate, in order to deliver services in a way to complement their schedule and meet their needs.</p> <p>Person interviewed at the setting reported that she did not desire to work or volunteer at this time.</p>	Compliant
<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>HWS contract/lease includes the following right: “Residents have physical access to the building at all times.” Director reported that</p>	Compliant

each person has keys to main entrance of the building and to their apartment doors.

Pictured right, is accessible shower in person’s apartment. Person interviewed reported that all areas of her apartment and common areas of the building are open and accessible.



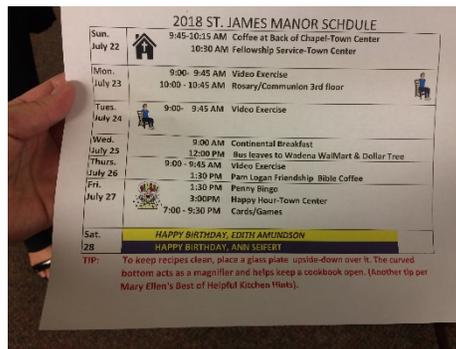
The setting provides people opportunities to access and engage in community life.

- Compliant documentation submitted with attestation
- Observation made during on-site visit

Setting policy, “Resident Rights in Housing with Services Settings” states, “Residents have the right to freely access and engage in community life and control their own schedules.” Pictured is a bulletin board with community events posted. Also pictured is a weekly activity calendar, including community-based activities for the week. During the on-site visit, people were observed coming and going from the setting. We observed people returning to the building from grocery shopping.



Bulletin board



Weekly activity calendar

Compliant

The setting supports the person’s control of personal resources.

- Compliant documentation submitted with attestation
- Observation made during on-site visit

HWS contract/lease includes the following right: “The resident has the right to manage their own resources.” Setting policy, “Resident Rights

Compliant

<p>in Housing with Services Settings,” states, “Setting supports the person's control of personal resources.”</p>	
<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>HWS contract/lease includes the following right: Each resident has privacy in their apartment with a lockable door. Setting policy, “Resident Rights in Housing with Services Settings,” states, “Ensure individual rights of privacy, dignity and respect, and freedom from coercion and restraint.” Pictured right, are individual keyed mail boxes.</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>HWS contract/lease includes the following right: “Residents have the right to be treated with dignity and respect at all times.” Setting policy, “Resident Rights in Housing with Services Settings,” states, “Ensure individual rights of privacy, dignity and respect, and freedom from coercion and restraint.”</p> <p>Observed staff conversing with people living in the setting in a respectful manner. People observed were well groomed and clothed in the 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 checked="" type="checkbox"/> Observation made during on-site visit</p> <p>HWS contract/lease includes the following right: “Residents have the right to live freely of coercion or restraint.” Setting policy, “Resident Rights in Housing with Services Settings,” states, “Ensure individual rights of privacy, dignity and respect, and freedom from coercion and restraint.”</p>	<p>Compliant</p>

<p>Observed people moving about freely inside and outside of the setting, as desired.</p>	
<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> <div data-bbox="201 543 647 873" data-label="Image"> </div> <p>HWS contract/lease includes the following right: “Residents have the right to have full autonomy and independence in making life choices including daily schedules and with whom they interact.” Pictured (left) is a laundry room.</p>	<p>Compliant</p>

Pictures of the HCBS setting



Perham Living nursing home entrance/building



St. James Manor entrance/building



Exercise equipment in common area



Visiting room in common area



Common room with refrigerator and microwave

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.