

HCBS Final Rule Evidentiary Package

Saint Therese of New Hope



Setting information

Setting name: Saint Therese of New Hope	ID # 20141
Street address: 8008 Bass Lake Road New Hope, MN	Phone: 763-531-5000
Setting website, if applicable: Saint Therese of New Hope (https://www.sttheresemn.org)	Date of site visit: 9/6/2018

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	HCBS Setting Type	Name of Institution Saint Therese of New Hope

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

General summary

Saint Therese is a customized living residential setting located on a campus setting in New Hope, Minnesota. Saint Therese is within a residential area in close proximity to churches, restaurants, healthcare, parks and shopping. As of 2017, the U.S. Census Bureau estimated New Hope has a population of 21,063.

Saint Therese is a continuum of care campus that offers different levels of care, including independent living, customized living, long-term care, hospice/palliative care and transitional care.

Saint Therese is nonprofit, Catholic senior living and care organization.

As of Sept. 6, 2018, there were 15 people using customized living services funded by the Elderly Waiver. Saint Therese has 224 customized living units, as well as two customized living units that offer 24-hour care for people who have dementia or other cognitive support needs. One of these units has one space with four rooms, and the other has one space with two rooms.

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#)

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>Administratively, there is separation between the skilled nursing facility and the customized living HCBS setting. The 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>During the on-site interview, both the administrator and staff indicated direct care staff from the skilled nursing facility are not scheduled to work in or offer back up for staff in the customized living setting.</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>People at Saint Therese have their transportation needs met through a mix of different organizations and people. Most residents do not rely on public transportation. The customized living setting provides transportation to community activities with a bus owned by Saint Therese. Some people receive transportation services from other transportation providers, like Metro Mobility and family. Saint Therese offers a concierge service to arrange transportation needs.</p>

One person interviewed indicated they use both the van for activities and the concierge service transportation scheduling for appointments or shopping.

The setting provides HCBS services in a space that is distinct from the space that institutional services are provided.

The people living at Saint Therese have an entrance devoted to the customized living setting at 8008 Bass Lake Road. The entrance to the skilled nursing facility is 8000 Bass Lake Road in New Hope. A hallway separates the customized living and the skilled nursing facility setting as shown in the pictures below.

- Met
- Unmet
- Not applicable



Community engagement opportunities and experiences

At the customized living setting, people are given opportunities to engage in the greater community at least two times a week, and sometimes three times a week. People are informed of activities (both on-site and off-site) via monthly calendar that is delivered to each person's residence. People also learn about activities via announcements from staff. People may offer suggestions on the sign-up sheet or at monthly meetings. People are given the choice to participate in desirable activities and with any group of residents and choose activities via a centrally located sign-up sheet.

Some of the community activities include:

- Weekly swimming at local pool
- Visit to apple orchard (Apple Jack)
- Weekly shopping at local grocery stores
- Lunch outings to local restaurants
- Men's outing to VFW (paid by the VFW).

People living in the setting also get out on their own with family and friends, and with the support of community transportation options. These trips include:

- Medical appointments
- Coffee dates and restaurant meals
- Family events.

As reported by a monthly calendar (see calendar image in "pictures of HCBS setting" section), on-site, programmed activities include:

- Worship services
- Adult coloring
- Card club
- Seamstress
- Movies
- Music in the lobby with Michelle.

HCBS characteristics

<p>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.</p>	
<p>HCBS Rule requirement</p>	<p>Compliance status (Please select)</p>
<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 provided an HCBS-compliant lease agreement as documentation through the provider attestation process. During the on-site interview, both interviewees indicated they have a signed lease.</p>	<p>Compliant</p>
<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>Each customized living resident has his/her own lockable unit. Additionally, for people living in the unit that offers 24-hour customized living for people with dementia and support needs, each person has an individual lock to his/her bedroom door, since he/she shares the space with other people. (See image in “pictures of HCBS setting” section)</p>	<p>Compliant</p>
<p>The setting facilitates that a person, who shares a bedroom, is with a roommate of their 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>During the on-site visit, both interviewees lived in a single-occupancy room. Per the attestation, Saint Therese does not have shared bedroom options.</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>Both people interviewed decorated and furnished their own rooms. The setting provided an HCBS-compliant documentation in the attestation assuring people have the right to furnish and decorate their bedroom and living unit with the lease agreement.</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>People each have their own kitchenettes in their apartments and ability to access food outside of meal times in “Café Rose,” the cafeteria located in the setting. One person living in the setting reported she cooks most of the time and has access to the café any time of day. The other person interviewed said she also can access food anytime. Both people interviewed confirmed they have freedom to control their daily schedules.</p>	<p>Compliant</p>
<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>Observed during the on-site visit was a sign-in sheet for visitors to the customized living setting. One interviewee confirmed her son is able to visit at any time.</p>	<p>Compliant</p>
<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 checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Both interviewees reported they have no interest in employment. The administrator indicated people may pursue work or volunteer options.</p>	<p>Compliant</p>
<p>The setting is physically accessible to the individual.</p>	<p>Compliant</p>

<input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input checked="" type="checkbox"/> Observation made during on-site visit <p>Observed during the on-site visit was a physically accessible building. The two people interviewed acknowledged the accessibility of the setting. The common spaces and living units were observed to be accessible. Living units and bathrooms were observed to have many accessibility features.</p>	
<p>The setting provides people opportunities to access and engage in community life.</p> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input checked="" type="checkbox"/> Observation made during on-site visit <p>See the community engagement section. Both residents interviewed said they have opportunities for community engagement with no restrictions on community life activities. Both people mentioned they are able to participate in weekly community life activities.</p> <p>The setting supports trips into the larger community for practical purposes (e.g., errands and medical appointments) but also for socialization and community engagement. The administrator indicated people may access other professional specialty services if the person needs them. People are informed about how to access other services in the resident handbook. If a person choose services like occupational therapy or physical therapy outside the setting, it is common for the setting to work with the person and the family.</p>	Compliant
<p>The setting supports the person’s control of personal resources.</p> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input checked="" type="checkbox"/> Observation made during on-site visit <p>Each resident interviewed indicated they have control over their personal resources. The provider indicated they do not offer money management services.</p>	Compliant
<p>The setting ensures people’s right to privacy.</p> <input checked="" type="checkbox"/> Compliant documentation submitted with attestation <input type="checkbox"/> Observation made during on-site visit	Compliant

<p>Staff are trained on people’s right to privacy which is covered in the Minnesota Home Care Bill of Rights. Also observed was respectful interaction with people living in the setting.</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>Staff are trained on the Minnesota Home Care Bill of Rights. People also are given this document to inform them of their right to be treated with dignity and respect. Further illustrating people’s dignity and respect was respectful interaction of the staff with people living in the setting.</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 type="checkbox"/> Observation made during on-site visit</p> <p>Through the provider attestation process, the provider indicated staff are trained on people’s right to be free from coercion and restraint. People also are given this document to inform them of their right to be free from coercion and restraint</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> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Both people interviewed reported they are able to exercise their individual initiative, autonomy and independence. One person interviewed said she felt free to come and go when she wanted. The other person interviewed said it was nice the setting/staff, “doesn’t get after you.”</p>	<p>Compliant</p>

Pictures of the HCBS setting

Library



Movie theatre



Craft room



Lockable apartment



Lockable bedroom – Dementia care unit



Monthly calendar



Saint Therese

September 2018

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
16 8-9:30: Continental breakfast - DR 10:00: Mass - MC 1:30: Matinee movie Theatre Room 6:30: Evening movie	17 8-9:30: Continental Breakfast 9:30: Veterans' group-DR 11:00: Mass - LI-C 12:15: Swimming Oxbow 12:30: Grace Gate-Lobby 3:00: Low Vision Support 2-3:00: Ice cream cones & sing-along DR 3:00: UNO- PR 6:00: 500 card club -PR	18 8-9:30: Continental Breakfast - DR 12:20: Shopping- Cub 1:00: Game of 500-PR 1:30: Matinee movie 4:00: Mass - MC 6:00: Cribbage - PR 6:30: Evening movie	19 8-9:30: Continental breakfast - DR 10:30: Apple Jack Orchard-L (sign-up at desk) 11:00: Mass - LFC 1:00: Adult coloring-PR 2:00: Gospel reflections 6:00: Bridge & 500-PR	20 8-9:30: Continental breakfast 10:00: Rosary makers - 10-12:00 Miracle Fair-PR 11:30: Ecumenical service 1:00 Writing Group-Lib 1:30: Education - DR 2:30: Music in the Lobby With Michelle 4:00: Mass - MC 7:30: Bingo- DR	21 8-9:30: Continental breakfast - 9:30 Men's Reflections with Fr. Blane-MC 1:30: Birthday Party with Joanne Bolles- 4:00: Mass- MC 6:00: Bridge & rummy	22 FIRST DAY OF AUTUMN 8-9:30: Continental breakfast 1:30: Matinee movie -TR 1:30 BINGO-DR 4:00: Mass- MC 6:00: Dominos- PR 6:30: Evening movie
23 8-9:30: Continental breakfast - DR 10:00: Mass- MC 1:30: Matinee movie Theatre Room 6:30: Evening movie	24 8-9:30: Continental breakfast - DR 10:00 Kohls/JCPenny (sign up at the desk) 11:00: Mass - LI-C 12:15: Swimming Oxbow (sign-up at the desk) 2-3:00: Ice cream cones & sing-along DR 3:00: UNO- PR 6:00: 500 card club -PR	25 8-9:30: Continental breakfast - DR 11:50 Piano with Judy-L 12:20: Shopping- Cub 1:00: Game of 500-PR 1:30: Matinee movie 4:00: Mass - MC 5:00 Oktoberfest with Dick Macko Orchestra 6:00: Cribbage - PR 6:30: Evening movie	26 8-9:30: Continental breakfast - DR 10:45 VFW Veterans'-L (sign-up at the desk) 11:00: Mass - LFC 1:00: Adult coloring- PR 2:00: Gospel reflections 6:00: Bridge & 500-PR	27 8-9:30: Continental breakfast - DR 10:00: Rosary makers 11:30: Ecumenical service 1:30: Food chat - DR 2-3:30 Seamstress - Lib 2:30: Music in the lobby With Michelle 4:00: Mass - MC 6:00: 500 tournament-PR	28 8-9:30: Continental breakfast - DR 9:30 Men's Reflections with Fr. Blane-MC 1:30 BINGO-DR 4:00: Mass- MC 6:00: Bridge & rummy	29 8-9:30: Continental breakfast 1:30: Matinee movie -TR 4:00: Mass- MC 6:00: Dominos- PR 6:30: Evening movie
30 8-9:30: Continental breakfast -DR 10:00: Mass- MC 1:30: Matinee movie Theatre Room 6:30: Evening movie		Gift Shop Hours 9:30 a.m. - 3:30 p.m. Monday - Saturday	Calendar is subject to change	Activity Dept. Phone Number (763)531-5038 Julie Thomas		Location Key CR - Craft room DR- Dining room LFC - Little flower chapel L- Lobby Lib. - Library MC - Main chapel PR - Party room TR - Theater room

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.