

# HCBS Final Rule Evidentiary Package

## Karl House



### Setting information

Setting name: Karl House	ID # 1072640
Street address: 515 Clayborn Ave North Parkers Prairie, MN 56361	Phone: 2183381001
Setting website, if applicable: <a href="http://stwilliamslivingcenter.com/pages/mental-health/adult-foster-care.html">St. Williams Living Center</a> <a href="http://stwilliamslivingcenter.com/pages/mental-health/adult-foster-care.html">http://stwilliamslivingcenter.com/pages/mental-health/adult-foster-care.html</a>	Date of site visit: 10/17/2018

## Waiver service type

Waiver service	Service type:
<input type="checkbox"/> Alternative Care (AC) <input type="checkbox"/> Elderly Waiver (EW) <input 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)	Adult Foster Care

## 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 receiving Medicaid HCBS waiver services.

## General summary

In the 2010 census, the population of Parkers Prairie was 1,011. Parkers Prairie is a rural community located in central Minnesota. Karl House is located in a residential neighborhood of single family homes on the north side of the town. There are private homes across the street, a tree farm nearby and the main highway is close to the home. There are restaurants and a park nearby. This setting is a single family home. Karl House, Assumption House, and Joseph house are located at the intersection of State St. and Clayborn Ave. Karl is 341 feet from Joseph House and 528 feet from Assumption House. There are four people served at this setting.

## Foster Care/Supported Living service provider standards/qualifications

Licensure requirements and other state regulations for foster care services clearly distinguish these services/settings from institutional licensure or regulations.

- Child and Adult Foster Care (BI, CAC, CADI waivers) and Supported Living Service providers (DD waiver) must be licensed under [Minnesota Statutes 245D](https://www.revisor.mn.gov/statutes/cite/245D) (<https://www.revisor.mn.gov/statutes/cite/245D>).

- Adult Foster Care (Elderly Waiver and Alternative Care program) provider must meet the licensure requirements found in [Minnesota Rules, parts 9555.5050– 9555.6265](https://www.revisor.mn.gov/rules/9555/) (<https://www.revisor.mn.gov/rules/9555/>) and [Minnesota Statutes, section 245A](https://www.revisor.mn.gov/statutes/cite/245A) (<https://www.revisor.mn.gov/statutes/cite/245A>).

## Foster Care and Supported Living service definitions that support the setting requirements

### Adult and child foster care for people on BI, CAC and CADI waivers:

Adult foster care is ongoing residential care and supportive services and includes personal care assistant services, homemaker, chore, behavioral aide services, companion services, and medication oversight (to the extent permitted under State law) provided in a licensed home. Minnesota’s Community Based Service Manual (CBSM) provides requirements for [Adult or child foster care](http://www.dhs.state.mn.us/main/id_001786) ([http://www.dhs.state.mn.us/main/id\\_001786](http://www.dhs.state.mn.us/main/id_001786))

### Supported Living services for people on the DD waiver:

Supported living services are “residential habilitation services” provided to participants who live in a supported living environment. Residential habilitation services consist of assistance with acquisition, retention, or improvement in skills related to activities of daily living, such as personal grooming and cleanliness, bed making and household chores, eating and the preparation of food, and the social and adaptive skills necessary to enable people to reside in a non-institutional setting. Minnesota’s CBSM provides requirements for [Supported living services](http://www.dhs.state.mn.us/main/id_048987#) ([http://www.dhs.state.mn.us/main/id\\_048987#](http://www.dhs.state.mn.us/main/id_048987#))

### Adult foster care for people on the Elderly waiver/Alternative Care program:

Minnesota’s CBSM provides requirements for [Adult foster care](http://www.dhs.state.mn.us/main/id_056766#foster) ([http://www.dhs.state.mn.us/main/id\\_056766#foster](http://www.dhs.state.mn.us/main/id_056766#foster)) for people on the Elderly waiver/Alternative Care program.

## Prong 3 settings

### Meaningful distinction between co-located 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	<b>Describe the extent to which any shared programming (meals, transportation, social/recreational activities) occurs between different homes/buildings</b> (how often, what type of programming or activities are shared) and how the provider assures interests and preferences are supported at an individual level (people are engaged in planning

Determination	Summary
	<p>community activities based on their preferences, variety of transportation options, schedules are varied, reverse integration is not the sole form of “community integration”:</p> <p>Karl House sometimes collaborates with collocated settings to attend larger events like overnight trips to North Dakota or trips down to the Twin Cities metro area. People can choose to stay back and participate in their own activities. Throughout the week there are opportunities for people to participate in individualized activities. People are asked their preferences and included in making decisions about what events and activities are available to them. Karl House has its own schedule of events it follows.</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>Staff are never scheduled to work with people at other collocated settings on the same 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> (Describe the proximity to avenues of available public transportation or an explanation of how transportation is provided where public transportation is limited.)</p> <p>The setting has a vehicle available for getting people into the community. There are also other transportation options available to people including public tax, community volunteer drivers and family driving people. People have medical transportation available to them.</p>

## Community engagement opportunities and experiences

Karl's house works to ensure community engagement opportunities are available to people at the setting. The weekend activities are posted on the office door and communicated to people in conversations so people know what is going on. When a person indicates there is an activity they want to schedule, staff work with them to set it up as soon as possible. This includes researching the activity, scheduling, planning transportation, and determining if people want to go alone or in groups and if a staff is needed or wanted. There are no restrictions on when, how often, or how long people can go out. If someone chooses not to participate in a planned activity, they can stay home or do something else. Staffing is available for people who need it. Activities happen individually or in groups. When group activities occur, people choose who they want in their group.

Community activities that people participate in include:

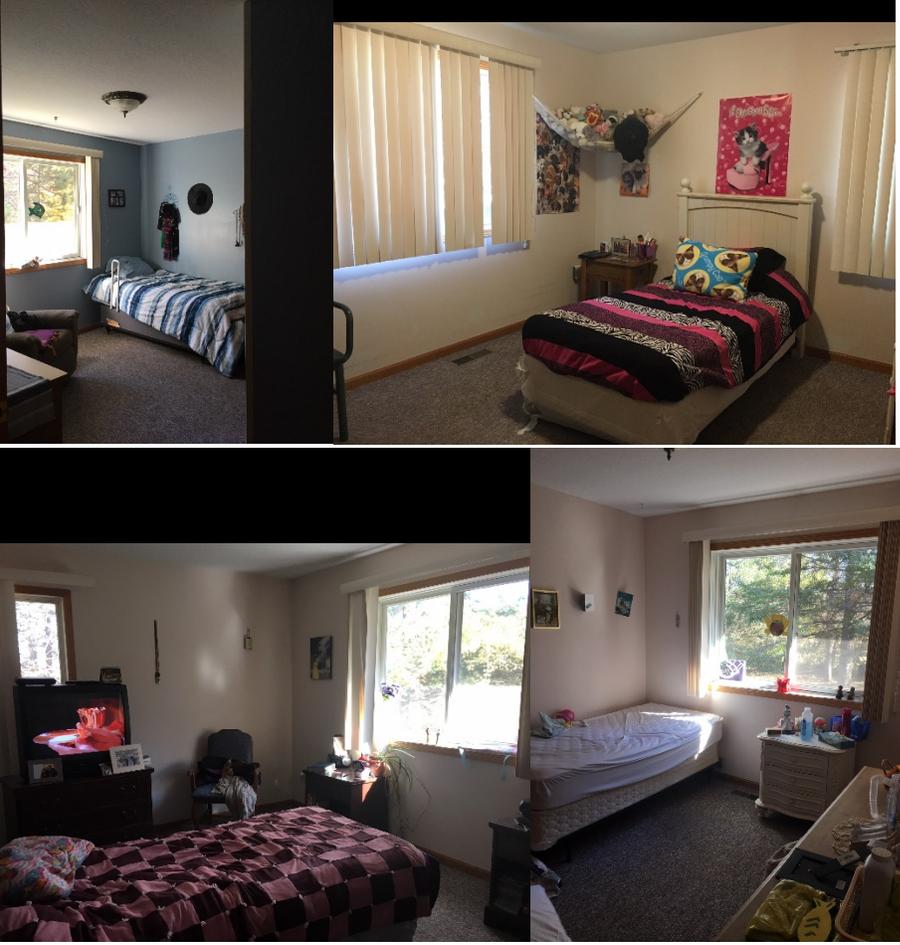
- Movies
- Pig roast
- Rides in the country
- Out for a treat
- Walks in the park
- Bingo
- The gym
- Out to eat
- Shopping
- coffee

People go out on their own into the community. For one person, it is important to her to go to church weekly. She does this with her daughter. The person interviewed indicated that some of the activities she has enjoyed the most include the state fair, shopping at different stores, buying clothes, and going out to eat.

## 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> <p>Provider attested to having the DHS-7176B form on file for each person.</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>Documentation submitted with attestation and locks were observed on doors during site visit.</p>	Compliant
<p><b>The setting facilitates that a person, <i>who shares a bedroom</i>, is with a roommate of their choice.</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>There are no shared bedrooms at this setting.</p>	Compliant
<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</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>People living at this setting love to make crafts. Each person has their room decorated with crafts. People have their own decorations in their room. It was observed that there was one person who decorated their room with a cat bedspread and poster. Another person has family pictures and a TV in her room.</p>	Compliant

HCBS Rule requirement	Compliance status (Please select)
	
<p><b>The setting provides people the freedom and support to control their daily schedules including access to food at any time.</b></p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</li> <li><input checked="" type="checkbox"/> Observation made during on-site visit</li> </ul> <p>Documentation submitted with attestation. The person interviewed reported she has her own snacks and she can eat them whenever she wants. Person interviewed reported setting her schedule including the times of day she ate.</p>	Compliant
<p><b>The setting allows people to have visitors at any time.</b></p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</li> <li><input checked="" type="checkbox"/> Observation made during on-site visit</li> </ul>	Compliant

HCBS Rule requirement	Compliance status (Please select)
Documentation was submitted with the attestation. Person interviewed reported that she can have visitors at any time.	
<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 checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Person interviewed shared that she is working at a thrift store location. The setting accommodates work schedules and assists as needed to ensure people can get to work</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 checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Person interviewed reported home is accessible for her. She could access all areas. During site visit, people were observed moving about the setting.</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>Documentation was submitted with attestation. Person interviewed reported on community engagement and access. She reported that works 5 days a week and the setting supports her in getting to work. She also enjoys several activities like going to the state fair, shopping at different stores, buying clothes and going out to eat. Person reported that she goes out about once a week and that is as often as she would like to go out.</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 checked="" type="checkbox"/> Observation made during on-site visit</p>	Compliant

HCBS Rule requirement	Compliance status (Please select)
<p>Documentation was submitted with attestation. Person interviewed reported having access to her money during site visit.</p>	
<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 checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Documentation submitted with attestation. During site visit, posted signs were observed reminding staff that they were in someone’s home.</p> 	<p>Compliant</p>
<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>During the on-site we observed respectful interactions between people receiving services and staff during site visit that ensured people’s dignity and respect.</p>	<p>Compliant</p>
<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>Documentation submitted with attestation.</p>	<p>Compliant</p>

HCBS Rule requirement	Compliance status (Please select)
<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 type="checkbox"/> Observation made during on-site visit</p> <p>Documentation submitted with attestation. Staff reported at site visit that people go out on their own into the community at least weekly. People can opt out of group activities and choose to do something they prefer.</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.