

# HCBS Final Rule Evidentiary Package

## The Lodge of Mountain Lake



### Setting information

Setting name: The Lodge of Mountain Lake	ID # 29275
Street address: 603 7th Ave. Mountain Lake, MN 56159	Phone: 507-427-2465
Setting website, if applicable: <a href="https://www.good-sam.com/locations/the-lodge-of-mountain-lake/the-lodge-of-mountain-lake">The Lodge of Mountain Lake</a> ( <a href="https://www.good-sam.com/locations/the-lodge-of-mountain-lake/the-lodge-of-mountain-lake">https://www.good-sam.com/locations/the-lodge-of-mountain-lake/the-lodge-of-mountain-lake</a> )	Date of site visit: 6/6/2018

## 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 checked="" 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	Name of Institution	Name of Institution Good Sam Society Mt Lake, 745 Basinger Memorial Drive, Mountain Lake, MN, 56159

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

## General summary

The Lodge of Mountain Lake is an assisted living community in a housing-with-services establishment that serves 26 people in a rural community located in southwest Minnesota. The Lodge is attached to the Good Samaritan Society Mountain Lake nursing facility. The setting reported on its attestation that it is serving 26 people across multiple payment sources, including six people receiving HCBS waiver funding. The Lodge is located in Mountain Lake, Minnesota, a town with 2,104 people in the 2010 U.S. Census. The Lodge is situated at the edge of the town within a residential neighborhood and near farm fields. The Lodge provides dining, socializing, transportation, activities of daily living (ADL) and health supports and housekeeping in one-bedroom apartments that have small kitchenettes (i.e., small refrigerator, microwave, and cupboards).

## 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#](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><b>Interconnectedness between the facility and the setting in question, including administrative or financial interconnectedness, does not exist or is minimal.</b></p> <p>The Lodge of Mountain Lake setting is separate from the facility. The setting has a separate entrance into the customized living setting. Administration of The Lodge provides organization oversight but separates lines of business.</p>
<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable	<p><b>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;</b> (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 Lodge setting staff do not provide services or support in the facility on the same work shift or different work shifts. Customized living staff receive training specific to the HCBS program and requirements. Before any staff delivers care in the customized living setting, they must receive specific training to the HCBS program. Only in emergency back-up scenarios would a staff from the facility ever be allowed to provide care in the HCBS setting.</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 facility setting, 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 Lodge has two vehicles—an accessible bus and van—it uses to provide transportation. Transportation options are posted in the staff areas and provided to people when they move in. If a person requests transportation support, staff will assist in coordinating rides. People also have the option of public transportation, community volunteers and, for some, family provides transportation.</p>

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

The Lodge is a separate building, with separate signage and entrances, connected through a short enclosed hallway to the nursing facility. The Lodge has its own dedicated community space used for people receiving customized living services.

Met

Unmet

Not applicable



## Community engagement opportunities and experiences

The Lodge of Mountain Lake has multiple community rooms and space to coordinate activities and support guests or visitors. Community activities are posted and constantly looped through a TV in the dining area. Additionally, a weekly schedule of activities are shared with each person. The weekly schedule is updated based on people’s preferences and input. These activities also are announced during meal times, and people share their ideas during this time too. Some of the on-site activities include bingo, cards, movies, reading club, exercise and news groups, church groups, games, bible study, devotion and puzzles. The community activities planned include:

- Community pool
- Stores for personal items
- Church and church activities
- Restaurants.

During the on-site visit, people said they are able to go out into the community as often as they prefer. People shared they use The Lodge’s transportation or have family transport as needed, and they also choose which activities to attend and with whom. The staff and administrator interviewed shared how The Lodge encourages people to actively participate in community activities and experience the community. Although the majority of people living at The Lodge of Mountain Lake are retired, The Lodge supports people who may work or volunteer. As learned in interviews with The Lodge staff, one person currently volunteers, and staff accommodate this person’s needs by providing transportation if needed and flexibly delivering services around the person’s schedule.

## 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 checked="" type="checkbox"/> Observation made during on-site visit</p>	<p>Compliant</p>

<p>The Lodge of Mountain Lake submitted an HCBS-compliant lease that includes the requirements of the HCBS final rule. People interviewed reported receiving a lease upon moving in.</p>	
<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 type="checkbox"/> Observation made during on-site visit</p> <p>Each person is given a key to his/her living unit. The main doors to the setting are locked at night with a buzzer for entrance. People were not observed using their lockable doors.</p>	<p>Compliant</p>
<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 checked="" type="checkbox"/> Observation made during on-site visit</p> <p>The Lodge submitted HCBS-compliant documentation that demonstrates a person who shares a bedroom has roommates of their choice. One person receiving services interviewed reported living in a unit with a spouse.</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</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Observation made in an open apartment unit. The Lodge submitted HCBS-compliant documentation that demonstrates a person has the freedom to furnish and decorate his/her bedroom. During the interviews with people receiving services, their reports confirmed this policy in practice, and they even had friends outside the setting help decorate.</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</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p>	<p>Compliant</p>

<p>The Lodge submitted HCBS-compliant documentation that demonstrates a person has the freedom to control his/her daily schedule. During the interviews with people receiving services, their reports confirmed this policy in practice. The Lodge staff reported people have access to a variety of snacks and drinks throughout the day. Each living unit has a kitchenette that includes a small refrigerator, microwave, cupboards and a pantry.</p>	
<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> <p>The Lodge submitted HCBS-compliant documentation that demonstrates a person can have visitors at any time. During the interviews with people receiving services, their reports confirmed this policy in practice. Visitors were observed in the setting during the on-site visit. The front doors are locked for security purposes from 9 p.m. to 5:30 a.m., with each person having access to the building using a buzzer answered by staff.</p>	<p>Compliant</p>
<p><b>The setting provides opportunities for people to seek employment and work in competitive integrated settings.</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>The Lodge submitted HCBS-compliant documentation that demonstrates supporting opportunities for people to seek employment and work in competitive integrated settings. Although the majority of people living at The Lodge of Mountain Lake are retired, The Lodge supports people who may work or volunteer. As learned during interviews with The Lodge staff, one person currently volunteers, and staff accommodate this person’s needs by providing transportation if needed and flexibly delivering services around the person’s schedule.</p>	<p>Compliant</p>
<p><b>The setting is physically accessible to the individual.</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>All areas of The Lodge of Mountain Lake are physically accessible per on-site visit observation. The people receiving services interviewed</p>	<p>Compliant</p>

<p>confirmed they are able to access all areas of their apartments and the setting.</p>	
<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 Lodge of Mountain Lake has multiple community rooms and space people can use to gather or have visitors share in activities together. Community activities are posted and looped through a TV in the dining area. People were observed participating in both formal and informal activities together and going out for walks around the neighborhood. People receiving services reported they are able to decide when and what to do on a daily basis. The Lodge is using its space to host a community-wide event to share information about Wills and Trusts from a local law office.</p>	<p>Compliant</p>
<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> <p>This provider does not provide money management or control of a person’s personal resources.</p>	<p>Compliant</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>The Lodge submitted HCBS-compliant documentation that demonstrates people’s right to privacy is maintained.</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>The Lodge submitted HCBS-compliant documentation that demonstrates people are treated with dignity and respect. The Lodge staff were observed assisting visitors and people with their requests for support and help. Staff helped a friend find a person they were visiting who lived in the building but who could not be found in his room. A</p>	<p>Compliant</p>

<p>tour also was observed being provided to a family. People receiving services reported during interviews that they rate their services as, "Better than I expected," and one person went further stating, "Services are great!"</p>	
<p><b>The setting ensures people's freedom from coercion and restraint.</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>The Lodge submitted HCBS-compliant documentation that demonstrates people are free from coercion and restraint. During the on-site assessment, there was no evidence of coercion or restraint. People were observed coming and going at their leisure.</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> <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>People interviewed confirmed they are aware of community happenings and events. An activity calendar is shared weekly, and a TV loops additional community events in the main community space in the setting. It was also reported during meal times The Lodge announces the daily activities and takes input for future activities.</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 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.**