

HCBS Final Rule Evidentiary Package

United Friends East



Setting information

Setting name: Horizon Health United Friends East	ID # 1073264
Street address: 301 1st Ave SE Pierz	Phone: (320)630-5305
Setting website, if applicable: Horizon Health United Friends https://www.horizonhealthservices.org/united-friends	Date of site visit: 9/18/2018

Waiver service type

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

Waiver service	Service type:
<input 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 checked="" type="checkbox"/> Developmental Disabilities (DD)	

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

Pierz is located in Morrison County in central Minnesota. The population of this rural community was 1,393 at the 2010 census. The setting is located in a residential neighborhood surrounded by single family homes. The setting is within close proximity to a school, church, bank, and Pierz city hall. The setting is a single family home. United Friends East and United Friends West, the collocated home, are on adjoining properties. There are 4 people on the DD waiver served by the program 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](#).
- Adult Foster Care (Elderly Waiver and Alternative Care program) provider must meet the licensure requirements found in [Minnesota Rules, parts 9555.5050 – 9555.6265](#) and [Minnesota Statutes, section 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.

http://www.dhs.state.mn.us/main/idcplg?IdcService=GET_DYNAMIC_CONVERSION&RevisionSelectionMethod=LatestReleased&dDocName=id_001786

Supported Living services for people on the DD waiver:

http://www.dhs.state.mn.us/main/idcplg?IdcService=GET_DYNAMIC_CONVERSION&RevisionSelectionMethod=LatestReleased&dDocName=id_048987#

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.

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

http://www.dhs.state.mn.us/main/idcplg?IdcService=GET_DYNAMIC_CONVERSION&RevisionSelectionMethod=LatestReleased&dDocName=id_056766#foster

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	<p>Describe the extent to which any shared programming (meals, transportation, social/recreational activities) occurs between different homes/buildings (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 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>Throughout the year there are opportunities for shared programming such as holiday parties, birthday parties, community</p>

Determination	Summary
	<p>walks, or shopping. Activities happen as requested by people receiving services. Each person has their own calendar with their specific desired events, activities, and appointments. People are not expected to join activities hosted by the provider and can select other activities as preferred.</p> <p>There are 5 menus planned between the two settings. The menus meet the specific dietary needs and preferences of the people living in the setting. Staff go grocery shopping for both settings at the same time.</p>
<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable	<p>Describe the extent to which staff are scheduled to work with people at the other collocated setting (s) on the same shift:</p> <p>There are shared staff between the collocated homes on an as needed basis. Shared staff are designated as float staff and cross trained for both settings. Some staff are assigned strictly to United Friends East house and do not work at the collocated site.</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 other co-located setting (s), 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>There are two shared vans between homes; one van is adapted and accessible. Other opportunities for transportation include community volunteer drivers, family, or taxis to Little Falls. Transportation is discussed at admission and move-in. Primarily people choose to use the vans for transportation and rides are at people's requests. The staff set up rides and arrange transportation for people living in this home.</p>

Community engagement opportunities and experiences

There is a bulletin board posted with community events and activities.



Each person at the house has their own calendar with their individualized choices of which events and activities they would like to participate in. Some of the community activities people participate in include:

- Going to Parks
- Taking walks
- Shopping
- School and community events
- Dances
- Zoo
- Movies

Once or twice a month, people go out individually in the community, often with family members, and engage in

- Eating out
- Riding golf carts at the golf course
- Going to cabin and fishing

People at the setting having hobbies that include sewing, crafting, cribbage, dice games, and bingo.

It was evident in observation and interviews with people, staff and the administrator that person-centered practices are at the forefront of service delivery by:

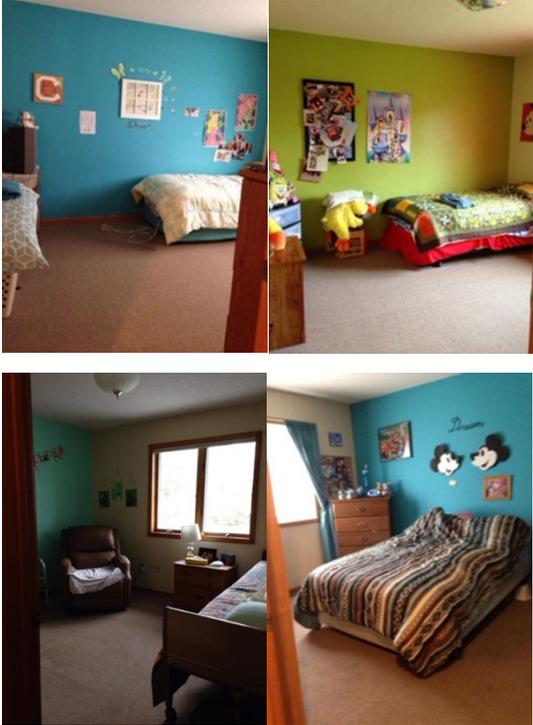
- Respecting and honoring the things each person thinks are important and encouraging informed choice and creativity.
- Supporting activities are flexible and work around the person's preferred schedule (people are not following a "set schedule")

- Encouraging people to share ideas and make choices about setting activities based on their own personal preferences and interests
- Ensuring people have opportunities and supports they need to be fully included in their community, individually and in groups, as desired
- Assisting people with developing meaningful relationships with other members of the community

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 type="checkbox"/> Observation made during on-site visit</p> <p>Residency agreement using the DHS 7176B sample form.</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>Reported by person interviewed that she has a lock and key for her room. Documentation submitted with attestation.</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>There are no shared bedrooms in this setting.</p>	Compliant
<p>The setting provides people with the freedom to furnish and decorate their bedroom and living unit within the lease or residency agreement.</p>	Compliant

HCBS Rule requirement	Compliance status (Please select)
<p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>It was observed that rooms were painted in different colors, there were pictures of family and friends were visible, there were different décor and different furniture in rooms.</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>It was observed that people have individual calendars posted with desired activities. People interviewed reported they have access to food at any time. Administrative and direct support staff reported that the food is not locked and, if needed, people ask for assistance.</p>	Compliant
<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>	Compliant

HCBS Rule requirement	Compliance status (Please select)
<p>During the site visit, a person was observed coming. They knocked on the door of the house, entered the home, and were greeted by people receiving services and staff. The visitor joined a person at the table. A log-in book was observed with the last entry date of November 2017. Staff report that people are not required to log either themselves or visitors in and out.</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>Administration, staff, and person interviewed all report that employment opportunities are available. Administration and staff report that work opportunities are not consistent. Some people in the home attend DT&H programs.</p>	Compliant
<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>Setting has an accessible van. Person interviewed reported the setting is accessible for her needs.</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>During site visit, a person was observed coming home from a community activity.</p>	Compliant
<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>Person interviewed reported most of the time she can easily get her money to spend as she wishes.</p>	Compliant

HCBS Rule requirement	Compliance status (Please select)
<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>People have their own room where they can keep their belongings. Locks were observed on doors. Person interviewed reported she chooses just to shut her door and does not need to lock it.</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>Staff were observed on site visit kneeling to speak to a person at eye level. Staff greeted the person returning home by telling them they were happy to see her back.</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>Policy submitted with attestation</p>	Compliant
<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>During site visit, it was observed someone coming home from a community activity, someone receiving a visitor at home, and individualized calendars of events. Person interviewed reported she can decide for herself what she will do daily and when which she verbally reports to staff. Person interviewed reported she attends appointments from community based providers and she asks staff to help her arrange transportation and appointment support.</p>	Compliant

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.