

## **Summary of CMS Home and Community Based Services (HCBS) Settings Rule Site Visit**

### **Location Information**

**Location:** 410 S. 2<sup>nd</sup> Street, Bismarck, ND 58504

**Type:** Agency Foster Home for Adults OR Adult Residential Care

**Name:** Edwinton Place

**Visit Date:** 02/19/2026

**State Staff:** Erica Reiner

**Specialized Services:** Permanent Supportive Housing

**License:** N/A

**Capacity:** 40 private living units

**Medicaid Consumers:** 0

### **Education Provided**

- Information and education regarding the Home and Community Based Services Settings requirements published in the Federal Register on January 16, 2014, was emailed to the Edwinton Place Executive Director.
- An assessment tool was developed by the state that was based on the settings criteria and the exploratory questions provided by CMS.
- State staff utilized North Dakota Administrative Code Chapter 75-03-23 Provisions of Home and Community Based Services Under the Service Payments for Elderly and Disabled Program and the Medicaid Waiver for the Aged and Disabled Program, HCBS Settings Rule 525-05-44, and technical assistance information from the CMS website as resources to provide education.

### **Technical Assistance**

- The State provided technical assistance upon request and the provider submitted an evidence package for the state to review prior to onsite visit.
- The evidence package was used by the state to prove compliance with setting requirements.
- The assessment tool was completed onsite, and a written summary of suggestions and areas that needed change to come into compliance.

### **Settings Experience Interviews**

- Ninety days after the first Medicaid consumer moves into the setting a Settings Experience Review will be completed by the state staff.
- Survey questions focused on the quality of the tenant's experiences, integration into the broader community, options for choice in where to live, ensuring the tenant's rights of privacy, dignity, and respect, freedom from coercion and restraint, and ensuring the tenant has initiative, autonomy, and independence in making choices.

## **HCBS Settings Requirements Review of Facility**

### **Setting Selection**

Setting is selected by the tenant from among setting options including non-disability specific settings and are private units in a residential setting. The setting allows tenants to choose this setting freely.

### **Community Integration**

The setting provides opportunities to seek employment, volunteer, engage in community life, and control personal resources. The setting promotes community integration through posted community resources and emergency information available on the bulletin board at the entrance. A University of Mary student visits weekly to provide skills training such as laundry and housekeeping, which helps residents develop independent living skills that support broader community involvement. Tenants also use bicycles, which were observed outside the building, as a way to independently access the community and engage in local activities.

### **Access to the Greater Community**

Tenants have autonomy in managing daily routines and welcoming visitors, as there are no visiting-hour limitations. The laundry room is accessible to all tenants at any time, with laundry soap provided, supporting independence in completing daily tasks. Tenants may manage their own medications within their rooms unless additional support is required, at which point Dakota Foundation, or another provider of the tenants choice, can provide. HCBS may also be a resource for assistance.

### **Autonomy and Independence**

The setting maintains a secure entrance where visitors check in or are buzzed in by tenants, balancing safety with tenant privacy and choice. Previously identified restrictions such as bag checks and visiting-hour limitations are no longer in place, supporting a respectful and non-restrictive environment. The absence of posted restrictive house rules further enhances tenants' privacy and dignity.

### **Privacy and Respect**

Tenants have privacy in their rooms and personal interactions, and staff are trained on dignity, respect, and tenant rights.

### **Choice of Services and Supports**

Tenants have choice in supportive services, including medication assistance provided by Dakota Foundation or another provider of choice when needed, or the option to manage their own medications independently. Weekly skills training is offered through a University of Mary student who supports individualized skill development based on tenants needs.

After one year, the lease may be renewed for a specified time period or proceed month to month. The tenant may vacate the private living unit with (at least) a 30-day written notice to the landlord and Burleigh County Housing Authority (BCHA) after the 1-year

term of the lease expires. If the tenant chooses to remain in the unit, the tenant must be recertified by BCHA for eligibility and the unit must be inspected annually. A voucher program is available to help with rental payments. The Voucher Program provides assistance for low income families in the private rental market through the Housing Assistance Payments Program. (HAP)

### **Equal Access**

Equal access is supported throughout the building, which includes accessible bathrooms in all units and ADA-accessible apartments on each floor. All tenants have full access to the community room, lounge, and laundry area, and rooms are furnished with essential items such as towels, bedding, and dishware to support independence for all tenants regardless of ability.

### **Person-Centered Service Plan**

The Person-Centered Service Plan address goals, preferences, health needs, social supports, and community integration. There are currently no tenants served under the HCBS Waiver or the Service Payments for the Elderly and Disabled (SPED) Program residing in this setting.

### **Additional HCBS Residential Setting Requirements**

The tenant has a lease or legally enforceable agreement that follows North Dakota landlord tenant laws. The tenant has privacy in their unit including lockable doors and freedom to furnish or decorate their unit. The tenant controls their own schedule, including access to food at all times. The tenant may have visitors at any time, including overnight guests. The setting is physically accessible. HCBS Setting Requirements focus on the quality of tenants' experiences and access to community living.

The building is neat and clean, with no concerns noted related to restrictions. The bulletin board contains resources rather than rules, and the environment supports unrestricted visitation, independence, and full accessibility.

### **Person-Centered Service Plan Requirements**

The planning process must be individualized and directed by the consumer or legal decision maker. Meetings must occur at times and locations convenient for all involved. The process must reflect cultural considerations and use plain language. The plan discusses community integration and personal preferences. Strategies for solving disagreements are included. The plan offers choices regarding services, supports, and providers. Individuals may request updates to the plan at any time. The plan identifies strengths, needs, goals, preferences, and desired outcomes. Risks and plans to minimize them may be included. The plan includes goals related to relationships, community participation, healthcare, wellness, employment, and education. The plan is signed by all responsible tenants and providers.

## **Review and Recommendations**

**Date of Review of Evidence Packaging by the Aging Services Section:** Ongoing through 09/16/2026

**Reviewed by the following staff:** Kathryn Good, Erica Reiner

**Recommendations to Meet Compliance:** Prior restrictive practices such as limited visiting hours, bag checks or restrictions on alcohol consumption were removed as recommended to meet the HCBS Settings Rule requirements.

**Date of Compliance with Above Recommendations:** 09/16/2026

**Aging Services Decision:** Fully Compliant