

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

Location Information

Location: 7586 24th St. S., Fargo, ND 58104

Type: Agency Foster Home for Adults

Name: Hakanu Comfort Solutions

Visit Date: 5/11/2026

State Staff: Erica Reiner, Nicolette Vrchot-Schaefer, Amanda Hayenga

Specialized Services: Residential Habilitation and Community Support Services

License: Agency Foster Home for Adults Licensing Policy 670-05-20 and N.D.

Admin. Code § 75-03-21.1.

Capacity: 3

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 AFHA owner or Adult Residential Care designee.
- 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 Century Code Chapter 50-10.2 Rights of Health Care Facility Residents, 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 with the licensing visit.

Settings Experience Interviews

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

HCBS Settings Requirements Review of Agency Foster home

Agency Selection

The agency is selected by the individual from among setting options including non-disability specific settings and an option for a private unit in a residential setting. The Agency Foster Home is located within the community and among other private residences. The home is a one level home. The agency supports individuals with physical disabilities.

Community Integration

The setting provides opportunities to seek employment, volunteer, engage in community life, and control personal resources. The Agency Foster Home will provide transportation and escort into the community. Individuals will be assisted in finding work or volunteer opportunities if applicable. The agency indicates that they will involve each individual when planning their schedule for community integration activities.

Access to the Greater Community

The setting supports access to activities within the facility and broader community, including transportation and communication access. The Agency Foster Home ensure individuals access community events and assist them in navigating any essential services.

Autonomy and Independence

Residents have the right to make choices regarding schedules, meals, activities, and participation in care. Individuals direct their schedules for all care and meals. Individual program plans are completed upon move in and update routinely and as needed. Individuals are provided with a copy of their rights upon admission and reviewed routinely thereafter. Individuals have access to a TV and Wi-Fi in their own room. A phone will be available and accessible to all residents living in the home. Individuals are allowed to bring in personal devices and have access to these devices in their private bedrooms. The individual is able to move in personal furniture and decorate their private rooms how they choose. There are no shared rooms within the home.

Privacy and Respect

Residents have privacy in their rooms. Agency staff will be trained regarding dignity, respect, and resident rights. Written and oral communication is provided in the individual's preferred language. Staff will be trained to complete all personal cares in private areas and to have doors closed to ensure privacy. Staff will be trained to always knock on the door prior to entry into a private space. All bathroom and bedroom doors have a lock. Residents will be offered a key to the home and their bedroom upon move in.

Choice of Services and Supports

Residents have choices regarding who provides care and services, including medical and community supports. Individuals direct their care plans and schedules. Individuals always have access to the kitchen along with snacks and water. Individuals also may

have fridges in their private bedrooms and are allowed to keep their own snacks. Individuals will be offered alternative choices for meals and are allowed to eat in their private bedrooms. There is no assigned seating in the dining area.

Equal Access

Residents receive services in the community to the same degree of access as individuals not receiving Medicaid HCBS. Individuals choose their provider and may request a change in provider at any time. The agency will assist the individuals in finding a provider if they request.

Any conflicts with staff and individuals are resolved by agency management. If the individual wishes to have a different caregiver arrangement would be made to accommodate that request. Individuals can file a complaint or grievance with the agency at any time, and it was suggested to have a drop box for an individual to file an anonymous complaint. The individual will receive a “welcome package” upon move in and this contains information on how to file a complaint. Staff are trained on individuals’ rights and treating individuals with respect to include using preferred names. The home does not have set visiting hours and individuals are allowed to have guests at any time.

Person-Centered Service Plan

The Individual Program Plan and Person-Centered Service Plan address goals, preferences, health needs, social supports, and community integration. Individuals are included in the care planning process and care planning meetings are scheduled to accommodate families and guardians. The Agency Foster home receives a copy of the HCBS care plan and keeps it on file.

Additional HCBS Residential Setting Requirements

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

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.

- Residents 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 individuals and providers.

Review and Recommendations

Date of Review of Evidence Packaging by the Aging Services Section: 5/15/26

Reviewed by the following staff: Erica Reiner

Recommendations to Meet Compliance: Agency policies were reviewed, and changes were made as recommended by the Department.

Date of Compliance with Above Recommendations: 5/15/26

Aging Services Decision: Agency Foster Home meets Settings Rule compliance