

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

Location Information

Location: 1324 N 20th St Bismarck ND 58501

Type: Agency Foster Home for Adults

Name: Prudent Homecare 20th Oasis

Visit Date: 6/2/2026

State Staff: Heather Lindsley, Britany Berry

Specialized Services: Residential Habilitation and Community Supports

License: Agency Foster Home for Adults Licensing Policy 670-05-20

Capacity: 4

Medicaid Consumers: 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, and the State then held a Settings Review Committee meeting to provide a written summary of suggestions and areas that needed change to come into compliance.

Settings Experience Interviews

- Ninety days after the first Medicaid consumer admission a Settings Experience Review will be completed by the State.
- Survey questions focused 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 Facility

Facility Selection

Facility 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 accessible with ramp access to the front door. The facility serves individuals with physical disabilities at this time.

Community Integration

The setting provides opportunities to seek employment, volunteer, engage in community life, and control personal resources. The Agency Foster Home provides transportation and escort into the community. Individuals do a variety of activities within the community that are selected based upon individual choice. The home does have a list of activities they review with individuals; individuals also are able to search for activities on their own. Individuals attend church services and are assisted with any appointments and shopping trips. Staff document and log all community outings. Individuals would be assisted to set up any public transportation if they choose to do so. Individuals have access to laundry within the home and are able to participate if they choose. Individuals are allowed to come and go to the home as they please, they are allowed to leave at any hour and are able to have guests. The only restricted areas in the home are the mechanical room and a cupboard that contains medications. If individuals have been assessed to be able to self-direct their medication administration, they would be allowed to have access to their medication. The home has grab bars, a front ramp, and lowered bathroom sink. It was noted that the side patio had two steps for entry and no handrail, recommended handrail be added. The Agency Foster Home acknowledged they will add a handrail timely. The Agency Foster Home is able to make modifications if necessary. All individuals have a key to the front door and also keys to their private bedrooms. It was noted that the downstairs bedroom door lock was not workable. Recommendation to replace the doorhandle was made, Agency Foster home acknowledged they will replace timely. Individuals would be assisted in work or volunteer opportunities if applicable.

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. Individualized care 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 tv, phone, and Wi-Fi. 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 and personal interactions, and staff are trained in dignity, respect, and resident rights. Written and oral communication is provided in the individual's preferred language. Staff are trained to complete all personal cares in private areas and to have doors closed to ensure privacy. Staff are trained to always knock on the door prior to entry into a private space. All bathroom and bedroom doors lock.

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 have access to the kitchen at all times to include snacks and water. Individuals also have fridges in their private bedrooms and are allowed to keep snacks. Individuals are offered an alternative choice of 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. 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; there is a drop box in the home where individuals can submit a complaint anonymously. Individuals are informed on how to submit 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; there are private areas to visit.

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: 6/2/2026

Reviewed by the following staff: Heather Lindsley

Recommendations to Meet Compliance: Recommend door handle to downstairs bedroom be replaced with a workable lock. Recommend handrail installation for the side patio.

Date of Compliance with Above Recommendations: 6/2/2026

Aging Services Decision: Agency Foster Home for Adults meets Settings compliance