

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

<b>Location</b>	Jamestown
<b>Type</b>	Agency Foster Home for Adults
<b>Name</b>	Blessed Homes, 924 4th Ave. NE Jamestown
<b>Visit Date</b>	1/29/2025
<b>State Staff</b>	Erica Reiner, Nurse Administrator & Barb Hopewell, HCBS Case Manager Supervisor
<b>Specialized Services</b>	Residential Habilitation and Community Supports
<b>License</b>	Agency Foster Home for Adults Licensing Policy 670-05-20
<b>Capacity</b>	3
<b>Medicaid Consumers</b>	
<b>Education Provided</b>	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. 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 50-11, N.D.A.C. 75-03-21.1, and 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 as resources to provide education.
<b>Technical Assistance</b>	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 agency policy and procedures were reviewed, and technical assistance was provided to the agency regarding the HCBS Settings Rule requirements.
<b>Settings Experience Interviews</b>	Medicaid consumer admission a Settings Experience Review will be completed by the State at the first quarterly visit following moving in to the AFHA, then annually thereafter. 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 individuals rights of privacy, dignity, and respect, freedom from coercion and restraint, ensuring the individual has initiative, autonomy, and independence in making choices to include but not limited to activities, cares, and services along with who provides them.

HCBS Settings Requirements	Review of Agency Home
<p><b>Setting is selected by the individual from among settings options including non-disability specific settings and an option for a private unit in a residential setting.</b></p>	<p>The home is open for tours prior to a decision to reside in the home. There are other options for residential services in the area to choose from.</p> <p>The home is accessible and has a ramp that leads to the front door of the agency home.</p> <p>The agency has a legally enforceable agreement following ND landlord tenant laws.</p> <p>There is a camera in the kitchen and the outside of the home. The agency has a sign on the front door of the home noting that there is a camera.</p> <p><b>Supporting Documentation:</b></p> <ul style="list-style-type: none"> <li>• Lease Agreement</li> <li>• Site Visit and Observation by state staff summary</li> </ul>
<p><b>Provides opportunities to seek employment and work in competitive integrated settings, engage in community life, and control personal resources.</b></p>	<p>Individuals can continue employment or volunteering based on their person-centered goals.</p> <p>The consumer, power of attorney, or family control finances and keep their funds in their own possession.</p> <p>Blessed Homes will aid with money management if requested.</p> <p>Engaging in community life is addressed below.</p> <p><b>Supporting Documentation:</b></p> <ul style="list-style-type: none"> <li>• Resident Handbook</li> </ul>
<p><b>Is integrated in and supports access to the greater community</b></p>	<p>Each individual will be assisted with community integration activities as per their person-centered goals. The agency states that they will assist by taking individuals out to eat, shop, to the library, to the fitness center, and other activities as requested.</p> <p>The family/natural supports will also be encouraged to take the individual out into the broader community.</p> <p>Individuals can utilize the internet, phone, or newspaper to determine activities outside the home.</p> <p>Public Transportation is available, and the agency will assist with coordination. The agency may also use their vehicle that meets the requirements of licensure to transport the individual.</p> <p>A resident admission interview is filled out at admission to determine the likes and dislikes of the individual and is used to develop an Individual Program Plan (IPP).</p> <p>The home is located in a residential area of Jamestown.</p> <p><b>Supporting Documentation:</b></p> <ul style="list-style-type: none"> <li>• Resident Handbook and admission interview</li> <li>• Individual Program Plan (IPP)</li> <li>• Site Visit and Observation by state staff</li> </ul>

<p><b>Optimizes individual initiative, autonomy, and independence in making life choices</b></p>	<p>There are no visiting hours and guests can stay overnight.</p> <p>The agency resident's rights form includes all of the rights of an individual to make their own life choices including the right to control schedule/activities.</p> <p>The kitchen is open to all individuals and they have access to food at anytime. The agency submitted a sample meal plan for the home, and individuals will be encouraged to participate in meal planning as well as meal preparation as they are able.</p> <p>The laundry room is available for consumers to do their laundry with space for folding clothing. There are no locked areas in the laundry room.</p> <p><b>Supporting Documentation:</b></p> <ul style="list-style-type: none"> <li>• Resident Handbook</li> <li>• Site Visit and Observation by state staff</li> </ul>
<p><b>Ensures an individual's rights of privacy, respect, and freedom from coercion and restraint</b></p>	<p>Each bedroom within the agency foster home setting has a lock and keys will be offered to each individual.</p> <p>There are no shared bedrooms within the home.</p> <p>Individuals may furnish and decorate their bedroom as desired.</p> <p>There is a phone that residents may use to receive or make private phone calls. Staff can assist residents in making phone calls when they are requested.</p> <p>Mail will be hand delivered to the resident.</p> <p>Agency QSP staff training includes Resident Rights and topics of dignity and respect.</p> <p>Medications will be administered per individual's preference, and this information will be documented in the Individual Program Plan.</p> <p>Staff will be trained to knock before entering an individual's room.</p> <p><b>Supporting Documentation:</b></p> <ul style="list-style-type: none"> <li>• Resident Handbook</li> <li>• Site Visit and Observation by state staff</li> </ul>

<p><b>Facilitates individual choice regarding services and supports and who provides them</b></p>	<p>The individual has a choice in who cares for them.  The agency provides the individual information regarding filing a grievance.  Individuals go out to the community for church and beautician services.  Individuals may choose where they receive medical care and the agency will assist with any medical coordination that is needed.</p> <p><b>Supporting Documentation:</b></p> <ul style="list-style-type: none"> <li>• Resident Handbook</li> <li>• Resident Rights</li> <li>• Grievance policy</li> <li>• Site Visit and Observation by state employees</li> </ul>
<p><b>Ensures the individual receives services in the community to the same degree of access as individuals not receiving Medicaid HCBS</b></p>	<p>Individuals are supported to access the community if desired. The agency will assist in arranging transportation to various community integration activities as requested.  The individuals may access the broader community for services if desired.</p> <p><b>Supporting Documentation:</b></p> <ul style="list-style-type: none"> <li>• Resident Handbook</li> <li>• Resident Rights</li> <li>• Site Visit and Observation by state staff</li> </ul>
<p><b>Person-centered service plan</b></p>	<p>Blessed Homes develops Individual Program Plans along with the HCBS Case Manager who develops the overall person centered service plan. The plan includes behaviors, restrictions, and methods that have been tried before. The individual's values, beliefs, and how the client would like to live are reviewed and goals are established. Community Integration and social supports are reviewed to determine options available for the individual. The level of family support and involvement is reviewed. Care planning includes health care needs, nutrition needs, and mental health needs. Employment, volunteering options, behavior, cognitive, and safety are reviewed at the quarterly meetings.</p> <p><b>Supporting Documentation:</b></p> <ul style="list-style-type: none"> <li>• Individual Program Plan Policy review</li> </ul>

**Additional Requirement for HCBS Residential Settings—Any modifications to these must be supported by a specific assessed need and justified in the person-centered service plan.**

<b>The individual has a lease or other legally enforceable agreement providing similar protections</b>	<p>The individual or legal decision maker signs a lease agreement when the decision has been made to move into the facility. The lease follows ND landlord tenant laws.</p> <p><b>Supporting Documentation:</b></p> <ul style="list-style-type: none"> <li>• Lease Agreement</li> </ul>
<b>The individual has privacy in their unit including lockable doors, choice of roommates and freedom to furnish or decorate unit</b>	<p>At the site visit it was observed the bedrooms are private with lockable doors. All individuals will have private homes.</p> <p>The individual will be encouraged to decorate their bedroom to reflect personal taste, hobbies, and interest. Each individual will have a private bedroom.</p> <p><b>Supporting Documentation:</b></p> <ul style="list-style-type: none"> <li>• Resident Handbook</li> <li>• Lease Agreement</li> <li>• Site Visit and Observation by state staff</li> <li>• Pictures on file</li> </ul>
<b>The individual controls his/her own schedule including access to food at all times</b>	<p>The agency submitted a sample meal plan, and it is noted that the individual's will be encouraged to assist in meal planning. There will be access to food at all times.</p>
<b>The individual can have visitors at any time</b>	<p>Overnight guests are allowed and there are no designated visiting hours.</p> <p><b>Supporting Documentation:</b></p> <ul style="list-style-type: none"> <li>• Resident Handbook</li> <li>• Survey with consumer and legal decision maker</li> </ul>
<b>The setting is physically accessible</b>	<p>The setting is in a residential area of Jamestown.</p> <p>The setting is accessible and has a ramp leading to the front of the home as well as the backyard of the home.</p> <p><b>Supporting Documentation:</b></p> <ul style="list-style-type: none"> <li>• Site Visit and Observation by state employees</li> <li>• Pictures on file</li> </ul>

**HCBS Setting Requirements establish an outcome-oriented definition that focuses on the nature and quality of individuals experiences. The requirements maximize opportunities for individuals to have access to the benefits of community living and to receive services in the most integrated setting.**

N/A

**HCBS Settings requirement: The Person-Centered Service Plan must be developed through an individualized planning process. It must be driven by the individual. Should include people chosen by the beneficiary and/or beneficiary's representative, which may include a variety of individuals that play a specific role in the beneficiary's life. Must be able to direct the process to the maximum extent possible.**

<b>Must be timely and occur at times/locations convenient to all involved.</b>	The agency QSP will work with the HCBS consumer to assure that person-centered planning meetings occur at convenient times and at the agency foster home.
<b>Reflects cultural considerations/uses plain language</b>	The plan will reflect cultural considerations and use plain language.
<b>Discusses individual preference for community integration within and outside the setting.</b>	<p><b>Individual Program Plan (IPP):</b></p> <p>The agency is familiar with developing an IPP due to providing residential habilitation and community supports in another agency foster home setting. The IPP will include the activities the individual enjoys.</p> <p>The IPP lists preferences in activities and a participation log is utilized to indicate participation in activities.</p>
<b>Includes strategies for solving disagreement</b>	The agency has a grievance policy on file and individual's will be educated to contact the leadership/owner if there are concerns with staff.
<b>Offers choices to the individual regarding services and supports the individual receives and from whom</b>	The IPP will include the type of services that are being provided are based on the individual's preference. This will match the service authorization and person-centered plan developed by the HCBS case manager.
<b>Provides method to request updates</b>	The individual is able to request an update to the plan at anytime through the agency coordinator or the HCBS case manager.

<b>Reflects what is important to the individual to ensure delivery of services in a manner reflecting personal preferences and ensuring health and welfare</b>	Goals are determined by the consumer and/or legal decision maker during the Person-Centered care plan meeting with the HCBS Case Manager and QSP agency staff.
<b>Identifies the individual's strengths, preferences, needs (clinical and support), and desired outcomes</b>	Care planning will include Strengths, needs, goals and tasks.
<b>May include whether and what services are self-directed and includes risks and plan to minimize them</b>	Care planning includes risk assessment. These risks will be reviewed with the individual, POA/guardian, the QSP agency, and the HCBS case manager.
<b>Includes individually identified goals and preferences related to relationships, community participation, employment, income and savings, healthcare and wellness, education, and others</b>	Agency QSP and the HCBS person centered plan includes identified goals and preferences related to relationships, community integration, employment or volunteering, money management, and healthcare.
<b>Signed by all individuals and providers responsible for implementation and a copy provided to all chosen by the beneficiary</b>	HCBS care plan is signed by the HCBS Case Manager and the individual receiving services and/or guardian. Individual Program Plan is signed by the Agency QSP coordinator.

## **Date of Review of Evidence Package by Aging Services Section:**

### **Reviewed by the following staff:**

Erica Reiner, HCBS Program Administrator

Kathryn Good, HCBS Program Administrator

### **Recommendations to Meet Compliance:**

### **Date of Compliance with above Recommendations:**

### **Aging Services Decision:**

- ☒ **Setting Fully Complies**
- ☐ **Setting with additional changes will fully comply**  
**Setting issued temporary compliance with need to submit a Corrective**  
**Action Plan to include the intent to become compliant with the**  
☐ **community integration regulations of the HCBS Settings Final Rule**  
**Medicaid Waiver 1915(c) Adult Residential Care Services.**
- ☐ **Does not/cannot meet HCB Settings Requirements**  
**Evidence package must be submitted to CMS for heightened scrutiny**  
☐ **because the facility is presumed to have institutional qualities based on**  
**one or more of the following:**
  - ☐ **Setting is in a publicly or privately-operated facility that**  
**provides inpatient institutional treatment;**
  - ☐ **Setting is in a building on the grounds of, or adjacent to, a**  
**public institution;**
  - ☐ **Setting has the effect of isolating individuals receiving**  
**Medicaid HCBS from the broader community of individuals not**  
**receiving Medicaid HCBS.**