

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

Location	West Fargo
Type	Specialized Basic Care
Name	New Perspective
Visit Date	7/12/2023
State Staff	Kathryn Good, Program Administrator & Erica Reiner, Program Administrator
Specialized Services	Memory Loss
License	Basic Care Licensing N.D.A.C 33-03-24.1-03.
Capacity	60
Medicaid Consumers	5
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. 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, 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.
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	Settings Experience Review are completed and reviewed by the State annually. 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 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 Facility
<p>Facility 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.</p>	<p>The facility is open for tours prior to a decision to reside at the facility. There are other options for residential services in the area to choose from.</p> <p>The facility is ADA accessible.</p> <p>A legally enforceable agreement following ND landlord tenant laws.</p> <p>There are no cameras in the commons areas. Individual's may have cameras in their private living unit if they request. New Perspective is working with a pilot program that an individual/POA may opt into and sign an agreement for there to be video monitoring in an individual's private living unit. This camera has limited access and can only be accessed in the event of a fall or injury. At that time, the security administrator/CSD can access ten seconds prior and post injury to see the events leading up to the incident. New Perspective in no way coheres individual's to be part of the pilot program and it is strictly up to the individual and their power of attorney.</p> <p>Supporting Documentation:</p> <ul style="list-style-type: none"> · Reviewed signed video monitoring pilot program agreement • Lease Agreement • Site Visit and Observation by state staff summary
<p>Provides opportunities to seek employment and work in competitive integrated settings, engage in community life, and control personal resources.</p>	<p>Our social and spiritual enrichment programs include: Internal and external entertainment, Volunteer opportunities</p> <p>Resident Control of Personal Resources. Resident has the right to manage their personal funds. Community does not offer or provide any assistance with the management of Resident personal funds.</p> <p>Aging research indicates that older adults who are socially engaged experience lower mortality risk, lower rates of depression, dementia, and other cognitive impairments. Our focus on social activities helps our residents live their lives on purpose. Our social calendar is filled with something for every interest, including museum and concert outings, art classes, bible studies, book clubs, guest speakers, church services, bridge tournaments, musical guests, movie nights, holiday events, and much more.</p> <p>Engaging in community life is addressed below.</p> <p>Supporting Documentation:</p> <ul style="list-style-type: none"> • Resident Handbook
	<p>The Life Engagement department, which is comprised primarily of life engagement managers, develops and implements activities and engagement opportunities for the purpose of meeting the physical, educational, dining, spiritual, and social needs and interests of residents. These opportunities are intended to assist residents in living life on purpose by helping to counter memory loss, maintaining or increasing physical abilities, improving mood, and lifting spirits. Activities promoted by the Life Engagement department include planned and formalized interactions in group settings such as craft making, outings, cultural events, facilitated educational sessions, musical performances, and more. New Perspective strives to nurture engagement both through these planned activities and spontaneous (but consistent) one-on-one interactions between team members and residents.</p> <p>New Perspective owns vans, operated by licensed and trained drivers, that provide regular service to areas outside the Community for the purposes of shopping and other events. Please note that there is limited space available on the community vans, and we operate on a first come, first serve basis. The schedule and sign-up sheet for our van outings is kept at the concierges' desk.</p>

Is integrated in and supports access to the greater community

Our Life Engagement team plans daily activities to help residents participate in the Four Pillars of Physical Fitness, Brain Fitness, Social/Spiritual Enrichment, and Dining Experience. Our monthly calendars are posted on the first floor, near the entrance to the community.

Doors to the neighborhood are secured and require a code or fob key to enter and exit. In addition, outside areas may also be secured to allow residents to enjoy the outdoors. There is delayed egress of all doors and for staff notification if a resident goes out to the courtyard.

Our community has bulletin boards posted in the entrance to the community that highlight featured activities for the week and share special events.

During the night, the front entrance concierges desk to the facility is not staffed, but family members have the contact number to call the MC and ask for assistance with entry to the unit.

Our website, <https://npseniorliving.com/communities/west-fargo/>, and our Facebook page, <https://www.facebook.com/NewPerspectiveWestFargo/>, are additional ways to access information about all the events and goings-on at the Community. Our Community publishes up-to-date dining menus, monthly event calendars, and biographies about Community leadership on the website for residents and their families to view. Also present on our website are stories about highlighted Community residents and team members.

Supporting Documentation:

- Resident Handbook
- Person Centered Plan
- Site Visit and Observation by state staff

<p>Optimizes individual initiative, autonomy, and independence in making life choices</p>	<p>There are no visiting hours and guests can stay overnight. There is a voluntary check in and out process to ensure safety and accountability in an emergency or fire.</p> <p>The Resident Handbook under Resident Rights states the resident has the right to choose who gives them care, how they are approached, choose all aspects of their care and right to determine schedule for waking, bathing, eating and activity participation. The interview with the consumer's legal decision maker indicated knowledge of these rights.</p> <p>Except for an emergency medical related absence, if you will be absent from the Community for any period of time, we ask that you please inform the Community of your plans prior to leaving and signing out and back in upon exiting and returning to the Community; this will allow the clinical team time to prepare medications for the leave of absence, if required.</p> <p>The Community offers a variety of services, tailored to our residents' needs, strengths, and interests. Additionally, a nursing assessment of each resident is conducted to best ensure the Community is positioned to meet the resident's needs. An individualized service plan is developed subsequent to completing the nursing assessment, which is designed to address the resident's needs. A registered nurse will complete an assessment upon move in and if there is a significant change in the resident's condition. Upon completion of a reassessment, a registered nurse will contact the resident and/or the resident's designated representative to discuss recommended changes to the resident's individual service plan.</p> <p>You may do your own laundry; however, there is no deduction in monthly charges should you choose to do so.</p> <p>Supporting Documentation:</p> <ul style="list-style-type: none"> • Resident Handbook • Site Visit and Observation by state staff
<p>Ensures an individual's rights of privacy, respect, and freedom from coercion and restraint</p>	<p>The consumers have private room with lockable doors. Some rooms have private bathroom and shower. Other rooms have private bathroom and a door into another room that is a shared shower with one other resident.</p> <p>Couples are not required to share an apartment.</p> <p>Consumers can furnish and decorate their unit as desired. Observation reflected consumer's own personal tastes in decorating their private living quarters.</p> <p>Several areas were available to provide private visiting areas.</p> <p>Your personal and medical information is confidential, and our privacy protections are set forth and detailed in our Notice of Privacy Practices which is provided with your Residency Agreement and upon request.</p> <p>The Community must provide a telephone in a private area for your use for communication. The med passer carries a cordless phone for resident use as well as family members to call their loved ones at anytime.</p> <p>Mail is hand delivered to the resident.</p> <p>Staff training includes Resident Rights and topics of dignity and respect that is repeated annually.</p> <p>The resident handbook reflects care and medications are given in private. Medications are stored in an a medication cart in each neighborhood that is locked. Residents are assessed for their ability to self-administer medications.</p>

Staff will be trained to knock before entering consumers rooms.

Supporting Documentation:

- Resident Handbook
- Resident Grievances Policy
- HIPAA Notice of Privacy Practices
- Site Visit and Observation by state staff
- Review of New Perspective Quality Measures

<p>Facilitates individual choice regarding services and supports and who provides them</p>	<p>The consumer has a choice in who cares for them. The facility provides the consumer information regarding filing a grievance. Individuals go out to the community for church and beautician services.</p> <p>Resident has the right to choose third-party providers to include rehabilitation therapy, home health, hospice, and other healthcare services providers and suppliers. Such services may be available onsite at Community. Community representatives will provide assistance as needed in obtaining services from third party providers and/or vendors, and Community is able to provide information on preferred providers upon request.</p> <p>Supporting Documentation:</p> <ul style="list-style-type: none"> • Resident Handbook (Includes list of services outside of facility) • Resident Rights Policy • Resident Grievance policy • Site Visit and Observation by state employees
<p>Ensures the individual receives services in the community to the same degree of access as individuals not receiving Medicaid HCBS</p>	<p>All consumers are treated the same. Consumers can eat in place of their choosing. New Perspective serves as the primary television provider for the Community; we purchase bulk cable television programming through a DirecTV distributor. New Perspective makes broadband internet access available to all apartments for a low monthly charge, which is reflected in your monthly statement and Residency Agreement. The consumer can access the broader community for services if desired.</p> <p>Supporting Documentation:</p> <ul style="list-style-type: none"> • Resident Handbook • Site Visit and Observation by state staff • Survey with consumer and legal representative
<p>Person-centered service plan</p>	<p>Families play a key role in the Community's efforts to promote a sense of wellbeing for our residents. Family conferences with team members will be offered upon move-in and with any significant change of condition. Care conferences provide a forum in which team members both seek information from and provide information to residents and families regarding the resident's care and services toward the goal of maintaining or improving resident health and wellbeing.</p> <p>Supporting Documentation:</p> <ul style="list-style-type: none"> • Person Centered Plan

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.

The individual has a lease or other legally enforceable agreement providing similar protections

The consumer 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.

Supporting Documentation:

- Lease Agreement

The individual has privacy in their unit including lockable doors, choice of roommates and freedom to furnish or decorate unit

At the site visit it was observed the units are private with lockable doors with outside key access. The Medicaid consumers will have a private unit.

You may decorate as you choose so long as your items do not present a safety risk to you or our team members. We can assist you in hanging pictures, curtains, and light shelving. If you require assistance, please contact the environmental services director and they will coordinate the work.

Keys are provided upon your move in and must be returned upon move out.

Supporting Documentation:

- Resident Handbook
- Lease Agreement
- Site Visit and Observation by state staff
- Survey with consumer and legal decision maker
- Pictures on file

The individual controls his/her own schedule including access to food at all times

Three (3) meals are available to residents daily in the dining room. Every day, during lunch and dinner, the dining room offers a featured entrée and an “Always Available” menu for alternative options. Our menus change throughout the year in order to maintain fresh, seasonal dining options.

Two (2) private dining rooms are available by reservation to residents who wish to host events for up to six (6) guests. Residents can choose to have guests order from the Community’s menu or arrange for catering by an outside restaurant.

Daily menus are posted outside the dining room and/or on the community bulletin board.

<p>The individual can have visitors at any time</p>	<p>Our Community is your home and we invite you to have guests enjoy your home with you. Your loved ones are welcome to visit you anytime. You are welcome to have guests stay overnight, either in your apartment or in a guest suite (if available). Upon approval from the executive director, one (1) overnight guest may be permitted for no more than two (2) consecutive nights. You can invite your guests to dine with you in the dining room, join you for community outings, or participate in any of the activities that are scheduled in the Community.</p> <p>Supporting Documentation:</p> <ul style="list-style-type: none"> • Resident Handbook • Survey with consumer and legal decision maker
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<p>The setting is physically accessible</p>	<p>The setting is in a residential area of West Fargo near a grocery store, apartment buildings and restaurants.</p> <p>The setting is ADA accessible.</p> <p>Supporting Documentation:</p> <ul style="list-style-type: none"> • Site Visit and Observation by state employees • Pictures on file
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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.

New Perspective focuses on maintain the resident's independence and providing a quality experience. There are regular outings into the community that change locations. Resident's are asked if they would like to go with and they are allowed to make the choice. New Perspective offers activities through a Life Enrichment directed program that offers in community and broader community activities on a regular basis. New Perspective has a few resident's who like to volunteer outside of the community and are encouraged and provided assistance with this activity.

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.

Must be timely and occur at times/locations convenient to all involved.	The individual's care plan meetings are held at a convenient time for the POA/guardian as well as the HCBS CM. While New Perspective encourages in person visits, they understand that this is not always feasible with out of state POA/guardians and they do offer video conference calls for care plan meetings.
Reflects cultural considerations/uses plain language	New Perspective has implemented a program called IN2L that helps staff help individual's in a culturally appropriate manner.
Discusses individual preference for community integration within and outside the setting.	Person Centered Plan: Reviewed documentation of the individual's preferences. Facility admission assessment also reviewed the individual's preferences. Vision tool completed regarding the individual's perspective on daily life & employment, community living, social & spirituality, healthy living, safety &
Includes strategies for solving disagreement	New Perspective works to try find the root cause of a disagreement. New Perspective staff use the "Rule of Three" method to reapproach, reapproach again in 15 minutes, then find a new team member to reapproach the resident.
Offers choices to the individual regarding services and supports the individual receives and from whom	All services needed to achieve goals are authorized. Contingency plans in place.
Provides method to request updates	POAs remain in regular contact with staff at New Perspective and request updates as they wish.
Reflects what is important to the individual to ensure delivery of services in a manner reflecting personal preferences and ensuring health and welfare	To be as independent as possible, for as long as possible. To have continued contact with family and friends. To not be a burden to anyone. Facility admission assessment also reviewed the individual's preferences. Having a space of my own is important to me. I like visiting with people and telling stories.
Identifies the individual's strengths, preferences, needs (clinical and support), and desired outcomes	"What people admire about me," "What is important to me," and "How to best support me" are listed and reviewed with each care plan. Vision tool completed regarding the individual's perspective on daily life & employment, community living, social & spirituality, healthy living, safety & security, advocacy & engagement, supports for family and supports & services.
May include whether and what services are self-directed and includes risks and plan to minimize them	The risk assessment will be updated after each meeting and shared among the team. Team members can reach out to the HCBS CM at any time with concerns.

Includes individually identified goals and preferences related to relationships, community participation, employment, income and savings, healthcare and wellness, education, and others	To be as independent as possible, for as long as possible. To have continued contact with family and friends. To not be a burden to anyone. Facility admission assessment also reviewed the individual's preferences. Vision tool completed regarding the individual's perspective on daily life & employment, community living, social & spirituality, healthy living, safety & security, advocacy & engagement, supports for family and supports & services.
Signed by all individuals and providers responsible for implementation and a copy provided to all chosen by the beneficiary	Yes; 5 Person Centered Plans reviewed for signatures of individual or responsible provider and documentaton of copy provided.

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:

N/A

Date of Compliance with above Recommendations:

7/19/2023

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.**