

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

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| Location | Fargo |
| Type | Agency Foster Home for Adults |
| Name | Blossom Service Group (Francis St.) |
| Visit Date | 7/22/2024 |
| State Staff | Kathryn Good, Program Administrator & Erica Reiner, Program Administrator |
| Specialized Services | Residential Habilitation and Community Supports |
| License | Agency Foster Home for Adults Licensing Policy 670-05-20 |
| Capacity | 3 |
| Medicaid Consumers | 1 |
| 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 Administrative Code, Chapter 75-03-21.1 Licensing of Agency Foster Home for Adults and Policy Chapter 670-05 Agency Foster Home for Adults Licensing 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 reviewed all documentation to determine compliance with the Settings Rule. |
| Settings Experience Interviews | At first quarterly review, 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 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 Foster Home |
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| <p>Agency home 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 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 ADA accessible.</p> <p>A legally enforceable agreement following ND landlord tenant laws.</p> <p>There are two cameras, one at each entrance outside the home.</p> <p>Supporting Documentation:</p> <ul style="list-style-type: none"> • 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>Consumers 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>Blossom Service Group will aid with money management if requested.</p> <p>Engaging in community life is addressed below.</p> <p>Supporting Documentation:</p> <ul style="list-style-type: none"> • Blossom Service Group LLC Home Care Policies and Procedures |
| <p>Is integrated in and supports access to the greater community</p> | <p>There is a calendar in the dining room to inform consumer and family of activities within the home or community.</p> <p>Per Blossom Service Group LLC Home Care Policies and Procedures, the family/natural supports are encouraged to take the consumer out into the broader community.</p> <p>The consumer can utilize the internet, phone, or newspaper to determine activities outside the home.</p> <p>Public Transportation is available, and staff will assist with coordination. Blossom Services Group LLC ensures transportation is provided for our clients that are enrolled in our Agency Adult Foster Home, Community Support, Residential Habilitation and Non-medical Transportation.</p> <p>A social history form is filled out at admission to determine the likes and dislikes of the consumer and to develop an Individual Program Plan (IPP) for everyone.</p> <p>Everyone accesses the home in the same way. Each consumer is asked to sign out/in for accountability and safety of each consumer.</p> <p>During the night, the front entrance to the home is not staffed, but they may ring the front doorbell at any time, and staff will assist them.</p> <p>The patio door in the dining room opens to an outdoor patio and large backyard. Consumers have 24/7 access.</p> <p>Supporting Documentation:</p> <ul style="list-style-type: none"> • Blossom Service Group LLC Home Care Policies and Procedures • Individual Program Plan (IPP) • Site Visit and Observation by state staff |

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| <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 Blossom Service Group LLC Home Care Policies and Procedures 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>The kitchen is open to anyone. There are no locked areas in the kitchen. The menu is available, and the caregiver ensures consumer involvement with meal planning. Individuals can request another option if they do not like the scheduled meal.</p> <p>Individuals have access to the kitchen at any time for snacks. There are no more than 14 hours between supper and breakfast meals.</p> <p>The laundry area is available for consumers to do their laundry with a counter to fold clothes. There are no locked areas in the laundry area.</p> <p>Supporting Documentation:</p> <ul style="list-style-type: none"> • Blossom Service Group LLC Home Care Policies and Procedures • 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 Medicaid consumers have private room with lockable doors and a private bathroom. There is one full bathroom for consumers and a half bath available for staff.</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. There is a great room available on each floor.</p> <p>There is a cell phone dedicated for consumer use so that residents can receive or make private phone calls. Staff can assist residents in making phone calls when they are requested.</p> <p>Mail is hand delivered to the resident.</p> <p>Staff training includes Resident Rights and topics of dignity and respect.</p> <p>The Blossom Service Group LLC Home Care Policies and Procedures reflect care and medications are given in private. Medications are stored in an unlocked cupboard. Each consumer has their own medication box with a lock that staff and consumer will have the lock code.</p> <p>Staff are trained to knock and wait for permission before entering consumers rooms.</p> <p>Supporting Documentation:</p> <ul style="list-style-type: none"> • Blossom Service Group LLC Home Care Policies and Procedures • Grievance policy is included in the Admission Packet. • HIPAA Notice of Privacy Practices is included in the Admission Packet. • Site Visit and Observation by state staff |

Facilitates individual choice regarding services and supports and who provides them

The consumer has a choice in who cares for them.
The agency provides the consumer information regarding filing a grievance.
Individuals go out to the community for church and beautician services.
Consumer medical care is provided per own preference.

Supporting Documentation:

- Blossom Service Group LLC Home Care Policies and Procedures
- Resident Rights
- Grievance policy
- Site Visit and Observation by state employees

Ensures the individual receives services in the community to the same degree of access as individuals not receiving Medicaid HCBS

All consumers are treated the same. Consumers can eat in place of their choosing.

It is the policy of Blossom Services Group LLC to integrate all our clients into the community. We will work with the client and their families to identify a suitable activity within the community and organize transportation for clients to get to those activities as needed. At Blossom Services Group, we understand that our clients need those social connections to be able to stay within the community and we'll do everything to ensure that our clients are fully integrated into the community. •It

is the policy of Blossom Services Group LLC to ensure that each person with a disability can pursue their interests, desires and goals. This includes control over their own day and which activities they pursue.

- It also means that each person can choose to receive services in the most integrated setting appropriate to their needs.
- Every client in our Agency Adult Foster Homes that receives Community Support and Residential Habilitation services must be integrated within the community as they wish.
- We will meet with each client and client's family member to determine what the client wants.
- The Individual Program Plan Manager will put together the programs and schedules for every client.
- Clients will go to those programs with their staff.
- Clients will engage in physical activities of their choice twice per week (Examples include walking, running or swimming).
- Clients who can do gardening in the summer will have access to a designated area at the back of the house to make gardens in some of the Blossom Services Group LLC homes.
- Promote healthy food and healthy portions.
- Encourage clients to stay in touch with friends and families.
- Promote yearly physicals and health maintenance with their provider of choice.
- Encourage membership in gyms and health fitness programs as desired by the client.

Supporting Documentation:

- Blossom Service Group LLC Home Care Policies and Procedures
- Community Integration, Wellness & Activity Policy
- Site Visit and Observation by state staff
- Survey with consumer

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| <p>Person-centered service plan</p> | <p>It is our policy that a care plan manager meets with our clients during admission to the agency and every 6 months to develop individual program plans. The manager will also give the client or client's relative an assessment form to complete and return to Blossom Services Group LLC. Some of the information collected in the assessment form includes the following.</p> <ul style="list-style-type: none"> •Services authorized by Adult and Aging Services case managers •Client's name, address and date of birth •Medical condition and diagnosis including recent hospitalization •List of medication, current treatment, dental care, vision, hearing and Mental health •Client Diet •Allergies •Dental, visual and hearing issues •Activities of Daily Living •Community Integration/Social Appropriateness and Leisure Activities •Friend, family and other social connections •Communication •Transportation •Independent and Decision Making •Power of Attorney given to any other person •Meal preparation •House or apartment maintenance •Money Management <p>•All clients in the community support and residential habilitation programs must be integrated into the community as they wish.</p> <ul style="list-style-type: none"> •Staff must be ready to take client to activities of their choice •All activities must be planned and added to the client calendar and the office google calendar. •The client activity calendar must be displayed where staff and clients can see it clearly. •Staff must follow the client activity plan unless the client refuses to participate in the activity. •The client, team leaders and office staff will work together on the client monthly calendar which will be displayed in the visible location. <p>Supporting Documentation:</p> <ul style="list-style-type: none"> • Blossom Service Group LLC Home Care Policies and Procedures • Individual Program Plan Policy review |
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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.

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| <p>The individual has a lease or other legally enforceable agreement providing similar protections</p> | <p>The consumer or legal decision maker signs a lease agreement when the decision has been made to move into the home. The lease follows ND landlord tenant laws.</p> <p>Supporting Documentation:</p> <ul style="list-style-type: none"> • Lease Agreement |
| <p>The individual has privacy in their unit including lockable doors, choice of roommates and freedom to furnish or decorate unit</p> | <p>At the site visit it was observed the units are private with lockable doors. The consumers have a private unit.</p> <p>The consumer had pictures on the wall and unit was furnished according to the desire of the consumer or family. The consumer is encouraged to decorate their apartment to reflect personal taste, hobbies, and interest.</p> <p>Supporting Documentation:</p> <ul style="list-style-type: none"> • Blossom Service Group LLC Home Care Policies and Procedures • Lease Agreement • Site Visit and Observation by state staff • Survey with consumer • Pictures on file |
| <p>The individual controls his/her own schedule including access to food at all times</p> | <p>Work together to plan meals with the consumer’s living in the home.</p> <p>Food available at any time</p> <p>Alternative meal choices available</p> |
| <p>The individual can have visitors at any time</p> | <p>Overnight guests allowed and there are no designated visiting hours.</p> <p>Supporting Documentation:</p> <ul style="list-style-type: none"> • Blossom Service Group LLC Home Care Policies and Procedures • Survey with consumer |
| <p>The setting is physically accessible</p> | <p>The setting is in a residential area of West Fargo.</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 |

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.

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.

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| Must be timely and occur at times/locations convenient to all involved. | Consumer stated that the care planning process is held at a convenient time and location, or by phone. Consumer and family can invite anyone they choose. |
| Reflects cultural considerations/uses plain language | Yes |
| Discusses individual preference for community integration within and outside the setting. | Individual Program Plan (IPP): Indicates previous careers and memberships. The IPP indicates the activities the consumer does or does not enjoy. For example, if the consumer dislikes loud noises and large crowds. Going for a drive is calming. The IPP lists preferences in activities and a participation log is utilized to indicate participation in activities. |
| Includes strategies for solving disagreement | The IPP discusses strategies to assist the consumer in addressing any disagreements by implementing activities that the consumer enjoys. The agency has set a goal to encourage the consumer to participate in activities. There is a box for submitting anonymous complaints. |
| Offers choices to the individual regarding services and supports the individual receives and from whom | The IPP indicates the type of services that are being provided are based on the consumers preference. |
| Provides method to request updates | Blossom Service Group LLC Home Care Policies and Procedures states care meetings and updates can be requested at any time. |

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| <p>Reflects what is important to the individual to ensure delivery of services in a manner reflecting personal preferences and ensuring health and welfare</p> | <p>Goals are determined by the consumer and/or legal decision maker during the Person-Centered care plan meeting with the HCBS Case Manager and setting staff.</p> |
| <p>Identifies the individual's strengths, preferences, needs (clinical and support), and desired outcomes</p> | <p>Care planning includes Strengths, needs, goals and task.</p> |
| <p>May include whether and what services are self-directed and includes risks and plan to minimize them</p> | <p>Care planning includes risks.</p> |
| <p>Includes individually identified goals and preferences related to relationships, community participation, employment, income and savings, healthcare and wellness, education, and others</p> | <p>HCBS Care planning includes identified goals and preferences related to values. Individual Program Plan is created relating to the individuals hopes, dreams and values.</p> |
| <p>Signed by all individuals and providers responsible for implementation and a copy provided to all chosen by the beneficiary</p> | <p>HCBS care plan is signed by the HCBS Case Manager and responsible party.</p> |

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:

Clarify policy regarding transportation in excess to twice a week to OT/PT appointments.

Date of Compliance with above Recommendations:

7/26/2024

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.