



Protecting, Maintaining and Improving the Health of All Minnesotans

Electronically Delivered

March 1, 2024

Licensee

Anchor Care Services, LLC
8443 81st Street South
Cottage Grove, MN 55016

RE: Project Number(s) SL39662015

Dear Licensee:

On February 14, 2024, the Minnesota Department of Health completed a follow-up survey of your facility to determine if orders from the December 14, 2023, survey were corrected. This follow-up survey verified that the facility is back in compliance.

You are encouraged to retain this document for your records. It is your responsibility to share the information contained in the letter with your organization's Governing Body.

Please feel free to call me with any questions.

Sincerely,

A handwritten signature in black ink that reads 'Renee L. Anderson'.

Renee Anderson, Supervisor
State Evaluation Team
Email: renee.anderson@state.mn.us
Telephone: 651-201-5871 Fax: 1-866-890-9290

PMB



Protecting, Maintaining and Improving the Health of All Minnesotans

Electronically Delivered

December 29, 2023

Licensee

Anchor Care Services, LLC
8443 81st Street South
Cottage Grove, MN 55016

RE: Project Number(s) SL39662015

Dear Licensee:

This is your **official notice** that you have been **granted your assisted living facility license**. Your license effective and expiration dates remain the same as on your provisional license. Your updated status will be listed on the license certificate at renewal and **this letter serves as proof** in the meantime. If you have not received a letter from us with information regarding renewing your license within 60 days prior to your expiration date, please contact us at (651) 201-5273 or by email at Health.assistedliving@state.mn.us.

The Minnesota Department of Health completed an initial survey on December 14, 2023, for the purpose assessing compliance with state licensing statutes. At the time of the survey, the Minnesota Department of Health noted violations of the laws pursuant to Minnesota Statute, Chapter 144G.

STATE CORRECTION ORDERS

The enclosed State Form documents the state correction orders. The Department of Health documents state correction orders using federal software. Tag numbers are assigned to Minnesota state statutes for Home Care Providers. The assigned tag number appears in the far left column entitled "ID Prefix Tag." The state statute number and the corresponding text of the state statute out of compliance are listed in the "Summary Statement of Deficiencies" column. This column also includes the findings that are in violation of the state statute after the statement, "This MN Requirement is not met as evidenced by . . ."

IMPOSITION OF FINES

In accordance with Minn. Stat. § 144G.31, Subd. 4, fines and enforcement actions may be imposed based on the level and scope of the violations and imposed immediately with no opportunity to correct the violation first as follows:

Level 1: no fines or enforcement.

Level 2: a fine of \$500 per violation, in addition to any enforcement mechanism authorized in § 144G.20 for widespread violations;

Level 3: a fine of \$3,000 per violation per incident, in addition to any enforcement mechanism authorized in § 144G.20.

Level 4: a fine of \$5,000 per incident, in addition to any enforcement mechanism authorized in § 144G.20.

In accordance with Minn. Stat. § 144G.20, Subd. 4(a)(5), the Department of Health imposes fine amounts of either \$1,000 or \$5,000 to licensees who are found to be responsible for maltreatment. The Department of Health imposes a fine of \$1,000 for each substantiated maltreatment violation that consists of abuse, neglect, or financial exploitation according to Minn. Stat. § 626.5572, Subds. 2, 9, 17. The Department of Health also may impose a fine of \$5,000 for each substantiated maltreatment violation consisting of sexual assault, death, or abuse resulting in serious injury.

In accordance with Minn. Stat. § 144G.31, Subd. 4(a)(5)(b), when a fine is assessed against a facility for substantiated maltreatment, the commissioner shall not also impose an immediate fine under this chapter for the same circumstance.

Therefore, in accordance with Minn. Stat. §§ 144G.01 to 144G.9999, the following fines are assessed pursuant to this survey:

St - 0 - 0470 - 144g.41 Subdivision 1 - Minimum Requirements = \$3,000.00

The total amount you are assessed is \$3,000.00. You will be invoiced approximately 30 days after receipt of this notice, subject to appeal.

DOCUMENTATION OF ACTION TO COMPLY

Per Minn. Stat. § 144G.30, Subd. 5(c), the licensee must document actions taken to comply with the correction orders within the time period outlined on the state form; however, plans of correction are not required to be submitted for approval.

The correction order documentation should include the following:

- Identify how the area(s) of noncompliance was corrected related to the resident(s)/employee(s) identified in the correction order.
- Identify how the area(s) of noncompliance was corrected for all of the provider's residents/employees that may be affected by the noncompliance.
- Identify what changes to your systems and practices were made to ensure compliance with the specific statute(s).

CORRECTION ORDER RECONSIDERATION PROCESS

In accordance with Minn. Stat. § 144G.32, Subd. 2, you may challenge the correction order issued, including the level and scope, and any fine assessed through the correction order reconsideration process. The request for reconsideration must be in writing and received by the Department of Health within 15 calendar days of the correction order receipt date.

A state correction order under Minn. Stat. § 144G.91, Subd. 8, Free from Maltreatment is associated with a maltreatment determination by the Office of Health Facility Complaints. If maltreatment is substantiated, you will receive a separate letter with the reconsideration process under Minn. Stat. § 626.557.

To submit a reconsideration request, please visit:
<https://forms.web.health.state.mn.us/form/HRDAppealsForm>

REQUESTING A HEARING

Alternatively, in accordance with Minn. Stat. § 144G.31, Subd. 5(d), an assisted living provider that has been assessed a fine under this subdivision has a right to a reconsideration or a hearing under this section and chapter 14. Pursuant to Minn. Stat. § 144G.20, Subd. 14 and Subd. 18, a request for a hearing must be in writing and received by the MDH within 15 business days of the correction order receipt date. The request must contain a brief and plain statement describing each matter or issue contested and any new information you believe constitutes a defense or mitigating factor. To submit a hearing request, please visit <https://forms.web.health.state.mn.us/form/HRDAppealsForm>.

To appeal fines via reconsideration, please follow the procedure outlined above. Please note that you may request a reconsideration or a hearing, but not both. If you wish to contest tags without fines in a reconsideration and tags with the fines at a hearing, please submit two separate appeals forms at the website listed above.

You are encouraged to retain this document for your records. It is your responsibility to share the information contained in the letter and/or state form with your organization's Governing Body.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan Hill", is written over a faint, light gray circular background.

Jonathan Hill, Supervisor
State Evaluation Team
Email: jonathan.hill@state.mn.us
Telephone: 651-201-3993 Fax: 1-866-890-9290

PMB

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 39662	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____		(X3) DATE SURVEY COMPLETED 12/14/2023
NAME OF PROVIDER OR SUPPLIER ANCHOR CARE SERVICES LLC		STREET ADDRESS, CITY, STATE, ZIP CODE 8443 81ST STREET SOUTH COTTAGE GROVE, MN 55016			
(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)	ID PREFIX TAG	PROVIDER'S PLAN OF CORRECTION (EACH CORRECTIVE ACTION SHOULD BE CROSS-REFERENCED TO THE APPROPRIATE DEFICIENCY)		(X5) COMPLETE DATE
0 000	Initial Comments ASSISTED LIVING PROVIDER LICENSING CORRECTION ORDER(S) In accordance with Minnesota Statutes, section 144G.08 to 144G.95, these correction orders are issued pursuant to a survey. Determination of whether violations are corrected requires compliance with all requirements provided at the Statute number indicated below. When Minnesota Statute contains several items, failure to comply with any of the items will be considered lack of compliance. INITIAL COMMENTS: SL39662015-0 On December 11, 2023, through December 14th, 2023, the Minnesota Department of Health conducted a survey at the above provider, and the following correction orders are issued. At the time of the survey, there were 5 residents receiving services under the provider's Provisional Assisted Living license. On December 12, 2023, at approximately 4:40 p.m., an immediate correction order issued for tag identifier 0470. On December 13, 2023, at 12:43 p.m., the immediacy of the order was removed, the scope and level of noncompliance remained at G.	0 000			
0 470 SS=G	144G.41 Subdivision 1 Minimum requirements (11) develop and implement a staffing plan for determining its staffing level that: (i) includes an evaluation, to be conducted at least twice a year, of the appropriateness of	0 470			

Minnesota Department of Health

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

TITLE

(X6) DATE

Minnesota Department of Health

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0 470	Continued From page 1 staffing levels in the facility; (ii) ensures sufficient staffing at all times to meet the scheduled and reasonably foreseeable unscheduled needs of each resident as required by the residents' assessments and service plans on a 24-hour per day basis; and (iii) ensures that the facility can respond promptly and effectively to individual resident emergencies and to emergency, life safety, and disaster situations affecting staff or residents in the facility; (12) ensure that one or more persons are available 24 hours per day, seven days per week, who are responsible for responding to the requests of residents for assistance with health or safety needs. Such persons must be: (i) awake; (ii) located in the same building, in an attached building, or on a contiguous campus with the facility in order to respond within a reasonable amount of time; (iii) capable of communicating with residents; (iv) capable of providing or summoning the appropriate assistance; and (v) capable of following directions; This MN Requirement is not met as evidenced by: Based on observation, interview and record review, the licensee failed to ensure the facility always had sufficient staffing to meet the scheduled and reasonably foreseeable unscheduled needs, as required by the resident's assessments and service plans on a 24- hour per day basis, for one of one resident (R1) who required a mechanical lift. This resulted in an immediate correction order issued on December 12, 2023, at approximately 4:40 p.m.	0 470			

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0 470	Continued From page 2 This practice resulted in a level three violation (a violation that harmed a resident's health or safety, not including serious injury, impairment, or death, or a violation that has the potential to lead to serious injury, impairment, or death) and was issued at an isolated scope (when one or a limited number of residents are affected or one or a limited number of staff are involved or the situation has occurred only occasionally). The finding include: R1 had diagnoses to include bipolar disorder. Their service plan dated June 29, 2023, indicated R1 required hands on assistance with transfers and mobility. R1's nursing assessment dated June 30, 2023, indicated R1 required assistance of two people to transfer with a mechanical lift. The assessment further indicated R1 was unable to walk; was oriented to person, place and time; had very limited mobility of lower extremities. The emergency response section of the assessment indicated, "Needs help in emergency - is not able to evacuate without help, specify: Resident is the highest priority during emergency evacuation." The Evacuation Acuity Level section identified, "Evacuation Acuity Level Level 4 - Resident who is non-ambulatory and requires continuous nursing care and observation." On December 11, 2023, during an entrance conference at 1:00 p.m., licensed assisted living director/clinical nurse supervisor (LALD/CNS)-A stated the licensee staffed one unlicensed personnel (ULP) at night. -At 3:30 p.m., the surveyor observed a weekly schedule for ULP and a separate schedule for LALD/CNS-A and housing manager/ULP	0 470			

Minnesota Department of Health

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0 470	Continued From page 3 (HM/ULP)-B posted next to the dining room. On December 12, 2023, at 7:00 a.m., the surveyor observed a mechanical lift (a device used to transfer residents, if they cannot bear weight) in R1's room. -At 7:05 a.m. ULP-C stated R1 used a mechanical lift and required two people for transfers. ULP-C stated he had worked overnights alone and R1 "never gets up at night." ULP-C further stated he would need to call LALD/CNS-A if ULP needed to transfer R1 into his wheelchair. -At 8:00 a.m., HM/ULP-B was observed assisting R1 with a bed bath and putting on sweat pants. ULP-B placed a lift sling under R1 and called LALD/CNS-A to assist with a transfer. -At 8:20 a.m., HM/ULP-B and LALD/CNS-A were observed to assist R1 from the bed into a wheelchair using a mechanic lift. HM/ULP-B placed the straps onto the lift hooks and used the machine controls to lift R1 out of bed. LALD/CNS-A guided R1's body, while holding the side of the sling, toward the wheelchair as HM/ULP-B moved the mechanical lift. HM/ULP-B widened the lift legs to be able to move R1 into position above the wheelchair. Once R1 was in position, HM/ULP-B lowered R1 into the wheelchair. ULP-B then finished assisting R1 with dressing. -at 8:30 a.m., R1 stated he does not get up during the night shift. On December 12, 2023, the surveyor reviewed the licensee's staff schedules from December 11th to December 16, 2023. Morning shifts from 7:00 a.m. to 3:30 p.m. -December 11th to December 16th, two staff were scheduled.	0 470			

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0 470	Continued From page 4 Afternoon shifts from 3:00 p.m. to 11:30 p.m. -December 11th and 12th, two staff were scheduled -December 15th and 16th one staff was scheduled. Afternoon shift from 4:00 p.m. to 10:00 p.m. -December 13th and 14th, one staff was scheduled Night shift from 11:00 p.m. to 7:30 a.m. -December 11th, 12th,15th, and 16th respectfully, one staff was scheduled. Night shift from 10:00 p.m. to 7:30 a.m. -December 13th and 14th, one staff was scheduled On December 12, 2023, at 12:15 p.m., LALD/CNS-A stated she and HM/ULP-B did not live far from the facility and were able to come in and help with transfers when needed. LALD/CNS further stated the mechanical lift transfer was the only resident that required two people. -At 3:35 p.m. LALD/CNS-A stated she did not have a manufacture's guide for the mechanical lift and R1 "came to the facility with it." LALD/CNS-A stated they have an Anchor Care Services Lift Program Policy and Guide packet that was a "generic policy that has to do with lifts." LALD/CNS-A further stated staff should "call 911 if there is an emergency, and if there were only one staff person available during an emergency they would have to use the lift alone." The licensee's undated Transfer & Repositioning Policy indicated all residents care would be provided in a safe, appropriate, and timely manner and indicated, "Lifting, transferring, or	0 470			

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0 470	Continued From page 5 repositioning will be provided in accordance with resident care plans absent emergencies or exceptional circumstances." No further information was provided TIME PERIOD FOR CORRECTION: Immediate On December 13, 2023, at 12:43 p.m., the immediacy of the order was removed, the scope and level of noncompliance remained at the same level.	0 470			
0 480 SS=F	144G.41 Subd 1 (13) (i) (B) Minimum requirements (13) offer to provide or make available at least the following services to residents: (B) food must be prepared and served according to the Minnesota Food Code, Minnesota Rules, chapter 4626; and This MN Requirement is not met as evidenced by: Based on observation, interview, and record review, the licensee failed to ensure food was prepared and served according to the Minnesota Food Code. This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety) and was issued at a widespread scope (when problems are pervasive or represent a systemic failure that has affected or has the potential to affect a large portion or all the residents). The findings include:	0 480			

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0 480	Continued From page 6 Please refer to the document titled, Food and Beverage Establishment Inspection Report (FBEIR) dated December 13, 2023, for the specific Minnesota Food Code violations. The Inspection Report was provided to the licensee within 24 hours of the inspection. TIME PERIOD FOR CORRECTION: Please refer to the FBEIR for any compliance dates.	0 480			
0 550 SS=F	144G.41 Subd. 7 Resident grievances; reporting maltreatment All facilities must post in a conspicuous place information about the facilities' grievance procedure, and the name, telephone number, and email contact information for the individuals who are responsible for handling resident grievances. The notice must also have the contact information for the Office of Ombudsman for Long-Term Care and the Office of Ombudsman for Mental Health and Developmental Disabilities and must have information for reporting suspected maltreatment to the Minnesota Adult Abuse Reporting Center. The notice must also state that if an individual has a complaint about the facility or person providing services, the individual may contact the Office of Health Facility Complaints at the Minnesota Department of Health. This MN Requirement is not met as evidenced by: Based on observation, interview, and record review, the licensee failed to post the required information related to the grievance procedure, including the name, telephone number, and e-mail contact information for the individuals who	0 550			

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0 550	Continued From page 7 are responsible for handling resident grievances. This had the potential to affect all residents receiving assisted living services. This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety) and was issued at a widespread scope (when problems are pervasive or represent a systemic failure that has affected or has the potential to affect a large portion or all of the residents). The findings include: On December 11, 2023, at 3:30 p.m., the area containing facility postings, located next to the dining room, was observed to lack a posted grievance procedure to include the name, telephone number, and e-mail contact information for the individuals who were responsible for handling resident grievances. On December 13, 2023, at 12:45 p.m., the surveyor and licensed assisted living director/clinical nurse supervisor (LALD/CNS)-A observed the area containing the facility postings together. LALD/CNS-A acknowledged the required grievance procedure information was not posted and stated she would get it posted. The licensee's undated COMPLAINT AND INVESTIGATION Policy lacked language regarding posting the required grievance information noted above. No further information was provided. TIME PERIOD FOR CORRECTION: Twenty-one (21) days	0 550			

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0 680 SS=F	144G.42 Subd. 10 Disaster planning and emergency preparedness (a) The facility must meet the following requirements: (1) have a written emergency disaster plan that contains a plan for evacuation, addresses elements of sheltering in place, identifies temporary relocation sites, and details staff assignments in the event of a disaster or an emergency; (2) post an emergency disaster plan prominently; (3) provide building emergency exit diagrams to all residents; (4) post emergency exit diagrams on each floor; and (5) have a written policy and procedure regarding missing residents. (b) The facility must provide emergency and disaster training to all staff during the initial staff orientation and annually thereafter and must make emergency and disaster training annually available to all residents. Staff who have not received emergency and disaster training are allowed to work only when trained staff are also working on site. (c) The facility must meet any additional requirements adopted in rule. This MN Requirement is not met as evidenced by: Based on observation, interview, and record review, the licensee failed to post a written emergency preparedness plan (EPP) with all the required content prominently in a conspicuous place for staff, residents, and visitors. This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a	0 680			

Minnesota Department of Health

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0 680	Continued From page 9 resident's health or safety, but was not likely to cause serious injury, impairment, or death), and was issued at a widespread scope (when problems are pervasive or represent a systemic failure that has affected or has potential to affect a large portion or all of the residents). On December 11, 2023, at 3:30 p.m., the area containing facility postings, located next to the dining room, was observed to lack a written EPP with all the required content. On December 13, 2023, at 12:45 p.m., the surveyor and licensed assisted living director/clinical nurse supervisor (LALD/CNS)-A observed the area containing the facility postings together. LALD/CNS-A acknowledged there was not a written EPP posted, and stated she was not aware the plan needed to be posted. The licensee's Emergency Preparedness Program policy, dated March, 28, 2023, indicated the emergency management plan would be made widely available to all staff and would be maintained in accordance to state and federal guidelines. No further information was provided. TIME PERIOD FOR CORRECTION: Twenty-one (21) days	0 680			
0 800 SS=F	144G.45 Subd. 2 (a) (4) Fire protection and physical environment (4) keep the physical environment, including walls, floors, ceiling, all furnishings, grounds, systems, and equipment in a continuous state of good repair and operation with regard to the	0 800			

Minnesota Department of Health

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0 800	Continued From page 10 health, safety, comfort, and well-being of the residents in accordance with a maintenance and repair program. This MN Requirement is not met as evidenced by: Based on observation and interview, the licensee failed to maintain the physical environment in a continuous state of good repair and operation with regard to the health, safety, comfort, and well-being of the residents. This deficient condition had the potential to affect all residents, staff, and visitors. This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety) and was issued at a widespread scope (when problems are pervasive or represent a systemic failure that has affected or has the potential to affect a large portion or all of the residents). The findings include: On December 12, 2023, at 11:00 a.m., survey staff toured the home with director (D)-D. Survey staff observed the following: 1. An exit sign was posted over the door leading into the garage from the home. 2. The emergency evacuation maps posted in the home direct occupants to exit the building through the garage. Exits are required to lead directly to the exterior of the building and not through a higher hazard room. During the facility tour, D-D verified this deficient	0 800			

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 39662	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____		(X3) DATE SURVEY COMPLETED 12/14/2023
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0 800	Continued From page 11 condition and removed the exit sign posted above the door leading into the garage. During an interview on December 12, 2023, at 1:00 p.m., D-D stated the licensee would revise the emergency evacuation map and remove the exit label from the door leading into the garage. TIME PERIOD FOR CORRECTION: Seven (7) days	0 800			
0 810 SS=F	144G.45 Subd. 2 (b)-(f) Fire protection and physical environment (b) Each assisted living facility shall develop and maintain fire safety and evacuation plans. The plans shall include but are not limited to: (1) location and number of resident sleeping rooms; (2) employee actions to be taken in the event of a fire or similar emergency; (3) fire protection procedures necessary for residents; and (4) procedures for resident movement, evacuation, or relocation during a fire or similar emergency including the identification of unique or unusual resident needs for movement or evacuation. (c) Employees of assisted living facilities shall receive training on the fire safety and evacuation plans upon hiring and at least twice per year thereafter. (d) Fire safety and evacuation plans shall be readily available at all times within the facility. (e) Residents who are capable of assisting in their own evacuation shall be trained on the proper actions to take in the event of a fire to include movement, evacuation, or relocation. The training shall be made available to residents at	0 810			

Minnesota Department of Health

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0 810	Continued From page 12 least once per year. (f) Evacuation drills are required for employees twice per year per shift with at least one evacuation drill every other month. Evacuation of the residents is not required. Fire alarm system activation is not required to initiate the evacuation drill. This MN Requirement is not met as evidenced by: Based on record review and interview, the licensee failed to develop fire safety and evacuation plans with the required content, and provide the required evacuation drills. This had the potential to directly affect all residents, staff, and visitors. This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident 's health or safety) and was issued at a widespread scope (when problems are pervasive or represent a systemic failure that has affected or has potential to affect a large portion or all of the residents). The findings include: On December 12, 2023, director (D)-D provided documents on the fire safety and evacuation plans (FSEP), fire safety and evacuation training, and employee evacuation drills for the facility. FIRE SAFETY AND EVACUATION PLANS The FSEP was a template that had not been developed for use at this facility. The procedure references fire or smoke in the corridor and the location of the corridor is not identified. The FSEP failed to include specific employee actions to take in the event of a fire or similar emergency relative to the facility's building layout and environmental risks. The employee actions for fire were limited to the acronyms RACE	0 810			

Minnesota Department of Health

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0 810	Continued From page 13 (Remove, Alarm, Confine and Extinguish or Evacuate) and PASS (Pull, Aim, Squeeze, and Sweep), calling 911, and remaining in an evacuation area until ordered to move by the fire marshal. The FSEP directed employees to evacuate themselves and others but did not identify where to relocate. During an interview on December 12, 2023, at 1:00 p.m., D-D stated the FSEP was lacking detailed procedures and stated the licensee would work on revising the plans. D-D explained residents would relocate to the porch or front of the driveway in the event of an evacuation and stated this would be added to the plans. DRILLS Record review indicated the licensee failed to conduct employee evacuation drills twice per year per shift with at least one evacuation drill every other month as evident by a review of the completed fire drill logs. Seven fire drill records completed in 2023 were provided. 1. Fire drills were not completed in 2023 during August, September, or October. 2. The time or shift of the completed fire drills was not recorded. 3. The drill manager's name was recorded on the logs, but the names of the employees who participated in the fire drills were not listed. During an interview on December 12, 2023, at 1:00 p.m., D-D stated fire drills were not completed in 2023 during August, September, or October. D-D explained the head count on the fire drill logs included the number of employees who had participated but their names had not been recorded. D-D stated the policy for fire drill frequency was every other month and the licensee would start recording the time/shift on the completed fire drills logs.	0 810			

Minnesota Department of Health

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0 810	Continued From page 14	0 810			
	TIME PERIOD FOR CORRECTION: Twenty-one (21) days				
01610 SS=D	144G.70 Subd. 2 (a-b) Initial reviews, assessments, and monitoring (a) Residents who are not receiving any assisted living services shall not be required to undergo an initial nursing assessment. (b) An assisted living facility shall conduct a nursing assessment by a registered nurse of the physical and cognitive needs of the prospective resident and propose a temporary service plan prior to the date on which a prospective resident executes a contract with a facility or the date on which a prospective resident moves in, whichever is earlier. If necessitated by either the geographic distance between the prospective resident and the facility, or urgent or unexpected circumstances, the assessment may be conducted using telecommunication methods based on practice standards that meet the resident's needs and reflect person-centered planning and care delivery. This MN Requirement is not met as evidenced by: Based on observation, interview and record review, the licensee failed to ensure a registered nurse (RN) conducted an initial nursing assessment of the physical and cognitive needs of a prospective resident prior to the date the resident moved in, for two of five resident (R1,R3). This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety) and was issued at an	01610			

Minnesota Department of Health

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01610	Continued From page 15 isolated scope (when one or a limited number of residents are affected or one or a limited number of staff are involved, or the situation has occurred only occasionally). The findings include: R1 R1 was admitted to the facility March 28, 2023, with diagnosis to include bipolar disorder (a mental health condition that causes extreme mood swings). R1's record contained a uniform assessment tool (a tool used to evaluate a resident's or prospective resident's physical, mental, and cognitive needs), dated March 29, 2023, (one day after admission). R1's service plan dated June 29, 2023, indicated the resident received assistance to include bathing, dressing, toileting, medication management, transfers, and mobility. R3 R3 was admitted to the facility May 4, 2023, with diagnosis to include schizophrenia (mental disorder in which people interpret reality abnormally). R3's service plan dated May 4, 2023, indicated the resident received assistance to include bathing, dressing, toileting, medication management, transfers, and mobility. An assessment dated July 27, 2023, indicated R3's initial physical, mental, and cognitive needs were assessed May 5, 2023 (one day after admission).	01610			

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01610	Continued From page 16 On December 11, 2023, at 5:30 p.m., R3 was observed in the living room visiting with other residents of the facility. On December 12, 2023, at 8:00 a.m. the surveyor observed housing manager/unlicensed personal (HM/ULP)-B assisting R1 with bathing, dressing, and transferring. On December 13, 2023, 10:15 a.m., licensed assisted living director/clinical nurse supervisor (LALD/CNS)-A stated she used "a template with questions" to complete the assessment of the physical and cognitive needs, and then she added this information to the initial assessment. LALD/CNS-A stated she did not save the templates with the original information. LALD/CNS-A further stated if the resident was "too tired" on the day they moved in, she completed the assessment the following day. The licensee's undated NURSING ASSESSMENT and REASSESSMENT OF RESIDENTS policy indicated the registered nurse would assess the physical and cognitive needs of the prospective resident prior to the date on which the resident executes a contract or the day the resident moves in, whichever is earlier. No further information was provided. TIME PERIOD FOR CORRECTION: Twenty-One (21) days	01610			
03090 SS=C	144.6502, Subd. 8 Notice to Visitors (a) A facility must post a sign at each facility entrance accessible to visitors that states: "Electronic monitoring devices, including security	03090			

Minnesota Department of Health

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03090	Continued From page 17 cameras and audio devices, may be present to record persons and activities." (b) The facility is responsible for installing and maintaining the signage required in this subdivision. This MN Requirement is not met as evidenced by: Based on observation and interview, the licensee failed to ensure the required posting at the main entry way of the facility, included statutory language to disclose electronic monitoring activity, potentially affecting all current residents in the assisted living facility, staff, and any visitors to the facility. This practice resulted in a level one violation (a violation that has not potential to cause more than a minimal impact on the resident and does not affect health or safety), and was issued at a widespread scope (when problems are pervasive or represent a systemic failure that has affected or has potential to affect a large portion or all of the residents). The findings include: On December 11, 2023, at 1:00 p.m., upon entrance to the facility, the surveyor observed the licensee's electric monitoring notice lacked the required statutory language. On December 13, 2023, at 12:45 p.m., the surveyor and licensed assisted living director/clinical nurse supervisor (LALD/CNS)-A observed the entryway together. LALD/CNS-A acknowledged the licensee's electric monitoring notice lacked the required statutory language and stated she was not aware of the specific language requirement. LALD/CNS-A further	03090			

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03090	Continued From page 18 stated she would update the notice. On December 13, 2023, at 1:30 p.m., LALD/CNS-A provide the surveyor with the license's updated Electronic Monitoring policy, undated, which indicated the Electronic Monitoring posting would be located at each entrance and contain the correct statutory language. No further information was provided. TIME PERIOD FOR CORRECTION: Twenty-One (21) days	03090			



Minnesota Department of Health

625 Robert St N
St. Paul
55155

Type: Full
Date: 12/13/23
Time: 12:30:00
Report: 1043231138

Food and Beverage Establishment Inspection Report

Page 1

Location:

Probity Home Healthcare LLC
8443 81st Street S
Cottage Grove, MN55016
Washington County, 82

Establishment Info:

ID #: 0042199
Risk:
Announced Inspection: No

License Categories:

Expires on: 12/31/23

Operator:

Phone #:
ID #:

The violations listed in this report include any previously issued orders and deficiencies identified during this inspection. Compliance dates are shown for each item.

The following orders were issued during this inspection.

3-500C Microbial Control: date marking

3-501.17B

**** Priority 2 ****

MN Rule 4626.0400B Mark the refrigerated, ready-to-eat, TCS food prepared and packaged in a processing plant and opened and held for more than 24 hours in the food establishment using an effective method to indicate the date by which the food must be consumed on the premises, sold, or discarded. The date must not exceed the manufacturer's use-by-date.

NO DATE MARKING OBSERVED ON OPENED PACKAGES OF CHEESES AND SAUSAGES
LOCATED IN THE COOLER. DISCUSSED WITH STAFF TO PROVIDE. COMPLY WITH ABOVE RULE.

Comply By: 12/13/23

5-500 Refuse and Recyclables

5-501.10

MN Rule 4626.1225 Provide smooth, easily cleanable, and durable surfaces for the floors, walls, and ceilings in the interior refuse, recyclables and returnables storage area.

CEILING DOWNSTAIRS ABOVE DRY STORAGE ROOM WAS OBSERVED TO BE UNFINISHED.
DISCUSSED WITH STAFF TO PROVIDE PROTECTIVE COVERAGE ABOVE SHELVING UNIT.
COMPLY WITH ABOVE RULE.

Comply By: 12/13/23

Surface and Equipment Sanitizers

Hot Water: = at 162 Degrees Fahrenheit

Location: DISH MACHINE

Violation Issued: No

Food and Equipment Temperatures

Type: Full
Date: 12/13/23
Time: 12:30:00
Report: 1043231138
Probity Home Healthcare LLC

Food and Beverage Establishment Inspection Report

Page 2

Process/Item: CHEESE
Temperature: 40 Degrees Fahrenheit - Location: COOLER
Violation Issued: No

Process/Item: MILK
Temperature: 40 Degrees Fahrenheit - Location: COOLER
Violation Issued: No

Process/Item: SAUSAGE
Temperature: 40 Degrees Fahrenheit - Location: COOLER
Violation Issued: No

Total Orders	In This Report	Priority 1	Priority 2	Priority 3
		0	1	1

Discussed date marking, illness policy, sanitizer use, ware washing, temperature control, hand washing, cleaning, pest control, vomit/fecal procedures, test kits, food storage, and food handling procedures.

Inspection was completed with S. Sylvanus. T. Carlson was the lead Health Regulation Division Nurse Evaluator on site completing the site survey.

****Foods cooked by the facility staff for clients should be fully cooked and prepared for same day service only with leftovers discarded.**

****This facility has a residential kitchen with residential equipment and wooden cabinetry. The kitchen finishes and surfaces are well maintained. Contact Health Regulation Division for plan review when facility undergoes remodeling.**

NOTE: Plans and specifications must be submitted for review and approval prior to new construction, remodeling or alterations.

I acknowledge receipt of the Minnesota Department of Health inspection report number 1043231138 of 12/13/23.

Certified Food Protection Manager: Tonye Sylvanus

Certification Number: FM115686 Expires: 03/25/26

Inspection report reviewed with person in charge and emailed.

Signed: _____

Sam Sylvanus
Manager

Signed: 

Blia Lor
Public Health Sanitarian I
OLF
651-231-7981
blia.lor@state.mn.us