



Protecting, maintaining and improving the health of all Minnesotans

January 15, 2010

Joan Edwards, Administrator
Augustana Apartments of Minneapolis #20027
1510 11th Avenue South
Minneapolis, MN 55404

RE: Letter of Warning/Response/Attestation Statement dated November 19, 2009

Dear Ms. Edwards:

This letter acknowledges receipt of the response/attestations statement dated November 26, 2009, from Augustana Apartments of Minneapolis in Minneapolis, MN.

Based upon the information received from Augustana Apartments of Minneapolis in Minneapolis, MN; Minnesota Department of Health staff has determined that all the actions described in the response/attestation statement dated November 26, 2009, are satisfactory.

Please note that the Letter of Warning and the response from Augustana Apartments of Minneapolis in Minneapolis, MN will remain on record at the Minnesota Department of Health. This closure letter does not preclude the Minnesota Department of Health from taking further action with respect to the failure to meet the minimum requirements of MN Statute 144G. The Minnesota Department of Health reserves the right to pursue any and all actions specified under Minnesota Statute §144G.02 Subdivision 2.

If you have any questions, feel free to call our office at (651) 201-4301.

Sincerely,

A handwritten signature in black ink that reads "Jean M. Johnston". The signature is written in a cursive style with a large, looped initial "J".

Jean Johnston, Program Manager
Case Mix Review Program

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Certified Mail #7008 0150 0001 1713 7175

November 19, 2009

Joan Edwards, Administrator
Augustana Apartments of Minneapolis #20027
1510 11th Avenue South
Minneapolis, MN 55404

Re: Letter of Warning

Dear Ms. Edwards:

The Minnesota Department of Health has determined that Augustana Apartments of Minneapolis located in Minneapolis, MN, is not meeting the following provisions of MN Statute 144G:

1. MN Statute §144G.03 Subdivision 1. **Verification in annual registration.** A registered housing with services establishment using the phrase "assisted living," pursuant to section [144G.02, subdivision 1](#), shall verify to the commissioner in its annual registration pursuant to chapter 144D that the establishment is complying with sections [144G.01](#) to [144G.05](#), as applicable.

Augustana Apartments of Minneapolis website at <http://www.augustanancare.com/index.php?s=assisted-living> , viewed on November 5, 2009, contained the following sentence: "Augustana facilities that feature assisted living services are: Apple Valley Villa; Augustana Apartments of Minneapolis, Augustana Chapel View Apartments of Hopkins, Heritage Commons at Pond's Edge, Lakeside Apartments of Dassel; Park Ridge of Hastings and Augustana Regent at Burnsville" The housing with services registration form filed by Augustana Apartments of Minneapolis on June 16, 2009, indicated that Augustana Apartments of Minneapolis does not intend to use the phrase "assisted living" orally or in writing to advertise, market or otherwise describe, offer or promote itself.

Beside the instance(s) cited in this letter, if this housing with services is using the phrase "assisted living" in other means that violate the provisions of MS 144G.03 Subdivision 1, that should also be covered in your response to this letter.

To respond to this Letter of Warning please complete the enclosed form which includes a brief statement of actions taken to address the failure(s) to meet requirements noted above, and an

attestation statement concerning compliance with MN Statute 144G. The form should be signed by an individual authorized to sign on behalf of the establishment.

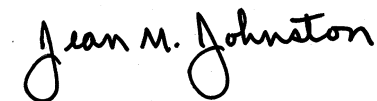
This information must be submitted to the Minnesota Department of Health within 30 days of receipt of this letter. If you do not respond to this Letter of Warning, the Minnesota Department of Health may take further action which could include a referral to another governmental agency, and/or action for injunctive relief in district court.

This Letter of Warning and your response do not preclude the Minnesota Department of Health from taking further action with respect to the failure to meet the minimum requirements described in this letter. The Minnesota Department of Health reserves the right to pursue any and all actions specified under Minnesota Statute §144G.02 Subdivision 2.

The requirements of MN Statute 144G can be viewed by accessing the Minnesota Department of Health website at: <http://www.health.state.mn.us/divs/fpc/profinfo/cms/casemix.html> and clicking on the Assisted Living link.

If you have questions, feel free to call our office at (651) 201-4301.

Sincerely,

A handwritten signature in black ink that reads "Jean M. Johnston". The signature is written in a cursive style with a large initial "J" and "M".

Jean Johnston, Program Manager
Case Mix Review Program

Attachments

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