



Protecting, maintaining and improving the health of all Minnesotans

March 16, 2010

Mark Schwope, Administrator
Elderwood of Hinckley #23986
710 Spring Lane
Hinckley, MN 55037

RE: Letter of Warning/Response/Attestation Statement dated February 17, 2010

Dear Mr. Schwope:

This letter acknowledges receipt of the response/attestations statement dated March 4, 2010, from Elderwood of Hinckley in Hinckley, MN.

Based upon the information received from Elderwood of Hinckley in Hinckley, MN; Minnesota Department of Health staff has determined that all the actions described in the response/attestation statement dated March 4, 2010, are satisfactory.

Please note that the Letter of Warning and the response from Elderwood of Hinckley in Hinckley, 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

01/07 AL Letter D CMR



Protecting, maintaining and improving the health of all Minnesotans

Certified Mail #7008 0150 0001 1713 7243

February 17, 2010

Mark Schwope, Administrator
Elderwood of Hinckley #23986
710 Spring Lane
Hinckley, MN 55037

Re: Letter of Warning

Dear Mr. Schwope:

The Minnesota Department of Health has determined that Elderwood of Hinckley located in Hinckley, 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.

Elderwood of Hinckley has a sign in the front of the building that reads "Elderwood of Hinckley Assisted Living." The housing with services registration form filed by Elderwood of Hinckley on June 27, 2009, indicated that Elderwood of Hinckley 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

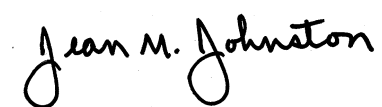
of Health may take further action which could include a referral to another governmental agency, and/or action for injunctive relief in district court.

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

08/07 AL Letter G CMR



Protecting, maintaining and improving the health of all Minnesotans

December 10, 2009

Mark Schwope, Administrator
Elderwood of Hinckley #23986
710 Spring Lane
Hinckley, MN 55037

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

Dear Mr. Schwope:

This letter acknowledges receipt of the response/attestations statement dated November 24, 2009 from Elderwood of Hinckley, MN. Based upon the information received from Elderwood of Hinckley, MN; Minnesota Department of Health staff has determined that all the actions described in the response/attestation statement dated November 19, 2009, are satisfactory.

Please note that the Letter of Warning and the response from Elderwood of Hinckley, 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

01/07 AL Letter D CMR



Protecting, maintaining and improving the health of all Minnesotans

Certified Mail #7004 1350 0003 0567 1060

November 19, 2009

Mark Schwope, Administrator
Elderwood of Hinckley #23986
710 Spring Lane
Hinckley, MN 55037

Re: Letter of Warning

Dear Mr. Schwope:

The Minnesota Department of Health has determined that Elderwood of Hinckley located in Hinckley, 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.

Elderwood of Hinckley website at <http://www.modernseniorliving.com>, viewed on November 13, 2009, contained the following phrase: "24 Unit Assisted Living Facility" The housing with services registration form filed by Elderwood of Hinckley on June 26, 2009, indicated that Elderwood of Hinckley 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

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85 East 7th Place Suite, 220 • PO Box 64938 • St. Paul, MN 55164-0938 • 651-201-4301
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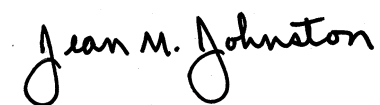
of Health may take further action which could include a referral to another governmental agency, and/or action for injunctive relief in district court.

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,

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Jean Johnston, Program Manager
Case Mix Review Program

Attachments

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