

STATE LICENSING COMPLIANCE REPORT

Report #: HL393126028C

Date Concluded: October 12, 2023

Name, Address, and County of Facility

Investigated:

Personal Care Senior Living LLC
14209 Inca St NW
Andover, MN 55304
Anoka County

Facility Type: Unlicensed Facility

Evaluator's Name: Lori Pokela R.N.
Special Investigator

The Minnesota Department of Health conducted a complaint investigation to determine compliance with state laws and rules governing the provision of care under Minnesota Statutes, Chapter 144G (for ALL). The purpose of this complaint investigation was to review if facility policies and practices comply with applicable laws and rules. No maltreatment under Minnesota Statutes, Chapter 626 was alleged.

To view a copy of the correction orders, if any, please visit:

<https://www.health.state.mn.us/facilities/regulation/directory/provcompselect.html>, or call 651-201-4201 to be provided a copy via mail or email. If you are viewing this report on the MDH website, please see the attached state form.

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 39312	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED C 10/12/2023
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NAME OF PROVIDER OR SUPPLIER PERSONAL CARE SENIOR LIVING LLC	STREET ADDRESS, CITY, STATE, ZIP CODE 14209 INCA STREET NW ANDOVER, MN 55304
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(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	<p>Initial Comments</p> <p>*****ATTENTION*****</p> <p>ASSISTED LIVING PROVIDER CORRECTION ORDER</p> <p>In accordance with Minnesota Statutes, section 144G.08 to 144G.95, these correction orders are issued pursuant to a complaint investigation.</p> <p>Determination of whether a violation is corrected requires compliance with all requirements provided at the statute number indicated below. When a Minnesota Statute contains several items, failure to comply with any of the items will be considered lack of compliance.</p> <p>INITIAL COMMENTS:</p> <p>#HL393126028C</p> <p>On October 12, 2023, the Minnesota Department of Health conducted a complaint investigation at the above facility, and the following correction order is issued. At the time of the complaint investigation, there were 18 residents receiving services.</p> <p>The following correction order is issued for #HL393126028C, tag identification 0100.</p> <p>At the time of the investigation, the entity "Personal Care Senior Living" did not hold an Assisted Living Facility with Dementia Care license. As a result, the enclosed violations do not include a time period for correction. In the event that the entity is licensed or permitted to operate in the future, it is required to immediately correct these violations.</p>	0 000	<p>Minnesota Department of Health is documenting the State Correction Orders using federal software. Tag numbers have been assigned to Minnesota State Statutes for Assisted Living License 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 is listed in the "Summary Statement of Deficiencies" column. This column also includes the findings which are in violation of the state requirement after the statement, "This Minnesota requirement is not met as evidenced by." Following the surveyors' findings is the Time Period for Correction.</p> <p>PLEASE DISREGARD THE HEADING OF THE FOURTH COLUMN WHICH STATES, "PROVIDER'S PLAN OF CORRECTION." THIS APPLIES TO FEDERAL DEFICIENCIES ONLY. THIS WILL APPEAR ON EACH PAGE.</p> <p>THERE IS NO REQUIREMENT TO SUBMIT A PLAN OF CORRECTION FOR VIOLATIONS OF MINNESOTA STATE STATUTES.</p> <p>The letter in the left column is used for tracking purposes and reflects the scope and level issued pursuant to 144G.31 subd. 1, 2, and 3.</p>	

Minnesota Department of Health
LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE _____ TITLE _____ (X6) DATE _____

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0 100	Continued From page 1	0 100		
0 100 SS=I	<p>144G.10 Subdivision 1 License required</p> <p>(a)(1)?Beginning August 1, 2021, no assisted living facility may operate in Minnesota unless it is licensed under this chapter.?</p> <p>(2) No facility or building on a campus may provide assisted living services until obtaining the required license under paragraphs (c) to (e).?</p> <p>(b)?The licensee is legally responsible for the management, control, and operation of the facility, regardless of the existence of a management agreement or subcontract. Nothing in this chapter shall in any way affect the rights and remedies available under other law.?</p> <p>(c) Upon approving an application for an assisted living facility license, the commissioner shall issue a single license for each building that is operated by the licensee as an assisted living facility and is located at a separate address, except as provided under paragraph (d) or (e).?</p> <p>(d) Upon approving an application for an assisted living facility license, the commissioner may issue a single license for two or more buildings on a campus that are operated by the same licensee as an assisted living facility. An assisted living facility license for a campus must identify the address and licensed resident capacity of each building located on the campus in which assisted living services are provided.?</p> <p>(e) Upon approving an application for an assisted living facility license, the commissioner may:?</p> <p>(1) issue a single license for two or more buildings on a campus that are operated by the same licensee as an assisted living facility with dementia care, provided the assisted living facility for dementia care license for a campus identifies the buildings operating as assisted living facilities with dementia care; or?</p> <p>(2) issue a separate assisted living facility with</p>	0 100		

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0 100	<p>Continued From page 2</p> <p>dementia care license for a building that is on a campus and that is operating as an assisted living facility with dementia care.</p> <p>This MN Requirement is not met as evidenced by: Based on observation, interview, and document review, the entity known as Personal Care Senior Living LLC, failed to obtain assisted living facility with dementia care (ALDFC) licensure and operated without a license providing assisted living with dementia care services to residents between June 12, 2023, and October 12, 2023. During the time without licensure, twenty-three residents received services. On October 12, 2023, there were eighteen (18) residents receiving services from the entity known as Personal Care Senior Living LLC.</p> <p>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 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).</p> <p>The findings include:</p> <p>Minnesota statute 144G.10 Subdivision 1 identifies beginning August 1, 2021, no assisted living facility may operate in Minnesota unless it is licensed under this chapter and no facility or building on a campus may provide assisted living services until obtaining the required license.</p> <p>On October 12, 2023, a review of Personal Care Senior Living LLC's website</p>	0 100		

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0 100	<p>Continued From page 3</p> <p>(https://personalcareseniorliving.com/andover/) was completed which included "Personal Care Senior Living of Andover is now officially open and accepting new resident applications!" The website identified Personal Care Senior Living LLC offered memory care and assisted living services. There was no date included on when the facility opened.</p> <p>On October 12, 2023, at 11:37 a.m., The Minnesota Department of Health (MDH) initiated a complaint investigation to address allegations Personal Care Senior Living LLC, located in Andover, MN, operated an assisted living facility with dementia care (ALFDC) without a license. Upon entrance, the MDH investigator was unable to locate evidence of appropriate licensure displayed in a prominent location within the facility as required by statute.</p> <p>During an interview, on October 12, 2023, at 11:49 a.m., the housing manager, (ADM)-I, confirmed the facility housed current residents and provided assisted living services. ADM-I stated the facility did not have a license and but they were waiting for it to arrive.</p> <p>On October 12, 2023, at 11:55 a.m., a current resident roster was provided to the investigator which identified 18 residents were currently receiving services. The roster also included "Intake Date" (admission date) with two resident intake dates of June 12, 2023.</p> <p>During an interview on October 12, 2023, at 12:39 p.m., corporate nurse consultant/licensed practical nurse (LPN)-F stated the facility opened on June 12, 2023, and she assumed the facility's license was on its way after the MDH engineer and environmental health surveyor completed</p>	0 100		

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0 100	<p>Continued From page 4</p> <p>their surveys prior to the facility's opening date in June of 2023.</p> <p>During an interview on October 12, 2023, at 1:00 p.m., registered nurse (RN)-H stated when resident documents directed for the facility to include their license number, she provided the health facility identification (HFID) number since she did not have a license number to provide, as the facility was still waiting on their license.</p> <p>Resident Agreement documents were provided for all eighteen residents receiving services on October 12, 2023. The Resident Agreement documents included the facility's health facility identification (HFID) number (a unique number assigned to each health care facility) in the section identified for the facility's assisted living licensure number to be provided.</p> <p>On October 12, 2023, at 1:45 p.m. LPN-F provided the investigator with email correspondence the facility administration had with the MDH licensing department, which included the following:</p> <p>-On July 11, 2023, MDH licensing staff indicated in an email to the identified facility agents who completed the original application for licensure, that the license application was received but not completed. An HFID number was assigned and the email indicated additional actions were required to be taken before the application would be considered complete and listed the actions to be performed. The email included "When MDH has all the information requested above the application is considered complete. MDH is required to take action within 60 days of a completed application. Within 60 days, you will receive an email from MDH informing you if the</p>	0 100		

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0 100	<p>Continued From page 5</p> <p>license is granted or not granted."</p> <p>-On August 3, 2023, MDH licensing staff sent an email to the identified facility agents who completed the original application for licensure, which included a request to set up a conference call on the pending assisted living licensure application.</p> <p>-On August 7, 2023, MDH licensing staff sent a follow up email to LPN-F regarding the conference call held that morning (August 7) with direction on action items needed in order to complete the application process and a request to initiate background studies for the Licensed Assisted Living Director.</p> <p>-On September 25, 2023, MDH licensing staff sent an email to LPN-F indicating background studies were not yet completed or affiliated to the HFID number associated with the licensure application.</p> <p>-On September 27, 2023, LPN-F wrote in an email to MDH licensing staff "Any idea how long it will take? Owners are anxious Me too. Thank you again for all of your assistance".</p> <p>-On September 28, 2023, MDH licensing staff responded saying MDH had no jurisdiction over the DHS background study process.</p> <p>During a facility tour on October 12, 2023, at 1:49 p.m., with LPN-F, the MDH investigator observed nine resident's residing in the assisted living unit of the facility and nine resident's residing in the memory care unit of the facility.</p>	0 100		

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0 100	Continued From page 6 No further information provided.	0 100		