Protecting, Maintaining and Improving the Health of All Minnesotans

State Rapid Response Investigative Public Report

Office of Health Facility Complaints

Maltreatment Report #: HL411495162M
Compliance #: HL411491780C

Date Concluded: December 2, 2025

Name, Address, and County of Licensee Investigated:
Leading Choice Home Helpers
657 3rd Avenue Northwest
Sleepy Eye, MN 56085
Brown County

Facility Type: Home Care Provider

Evaluator's Name: Holly German, RN
Special Investigator

Finding: Substantiated, facility and individual responsibility

Nature of Investigation:
The Minnesota Department of Health investigated an allegation of maltreatment, in accordance with the Minnesota Reporting of Maltreatment of Vulnerable Adults Act, Minn. Stat. 626.557, and to evaluate compliance with applicable licensing standards for the provider type.

Initial Investigation Allegation(s):
The alleged perpetrator (AP) financially exploited the client when the AP accepted plane tickets, concert tickets, restaurant dining, and cash gifts from the client. Additionally, it is alleged the AP repeatedly drank alcohol while on shift with the client.

Investigative Findings and Conclusion:
The Minnesota Department of Health determined financial exploitation was substantiated. The home care provider and AP were responsible for the maltreatment. The home care provider received payment for the AP's home care services, including companion care services provided to the client while the AP was also receiving direct payments and paid meal expenses from the client for companion care and transportation. In addition, the AP accepted cash gifts that ranged from $50 to $500 from the client for birthday and holiday gifts. The AP worked as a live-in caregiver for the client at the client's home for over five years, although the AP said she worked seven days on, seven days off and another unlicensed personnel worked the other days. The AP used the client's home as her own, allowing her spouse and other family to stay at the

client's home and occupied the client's space with her own personal belongs. The home care provider allowed the conduct by the AP to continue against the facility's own policies. The home care provider owner was aware of and allowed the AP's family member to live in the client's home with the AP. A background study was not completed on the AP's family member who had access to the client and her belongings. In addition, the AP stored alcoholic beverages in the client's refrigerator and was noted to appear under the influence on more than one occasion during the time she was to be providing care to the client.

The investigator conducted interviews with home care provider staff members, including administrative staff and the AP. The investigator contacted a family member of the client. The investigation included review of the client's records, personnel files, staff schedules, billing statements and related home care provider policy and procedures.

The client received comprehensive home care services in their home. The client's diagnoses included blindness, abnormal walking pattern and anxiety. The client's service plan included assistance with bathing, meal preparation, medication reminders, housekeeping, laundry, and companionship. The client's assessment indicated the client was alert, oriented, and used a cane while walking.

A service contract document indicated the client received live-in care services from the AP for approximately five years through the home care provider company.

The home care provider policy indicated a home care staff member cannot serve as a client's representative, may not borrow money from a client, may not borrow property from a client, and may not convert a client's property to their own.

The home care provider policy indicated no staff will have independent direct contact with clients until acceptable results of a background study have been received.

The home care provider document of conduct indicated staff shall not participate in any unprofessional activities such as drinking, gambling, fighting or swearing while on the job. The document indicated staff shall not receive payment or compensation of any kind, except as authorized by the agency under its business and payroll policies.

Review of billing statements indicated during the five years the client received services from the home care provider, the client paid on average between $5,000 to $6,000 every two weeks to the home care provider.

During an interview, the client stated she would stay at her vacation home in Florida through the winter months, and the AP and the AP's spouse stayed there with her. The client stated the AP's spouse drove her car to Florida and she paid for the AP and the AP's spouse's meals and hotel rooms for the travel. The client stated she paid the AP for the cleaning she did at the Florida residence. The client stated when they stopped for a meal on the way back from her

medical appointments, she would pay for it. The client stated when the AP, the AP's spouse, and she went to concerts or other outings, she would pay for it. The client stated she gave the AP $50 dollars for birthdays and $100 for Christmas, but for the last two Christmases, she gave the AP and the AP's spouse $500 and $400 in cards. The client stated the AP and the AP's spouse took over the bedroom and balcony of her home with their belongings.

Additionally, regarding the AP's alcohol consumption, the client stated the AP began to drink canned margaritas. The client stated she witnessed on multiple occasions, when the AP's spouse took the AP's drinking tumbler and fill it with ice and the canned margaritas. The client stated there was an instance when they were in Florida, where the AP and the AP's spouse went out to the bar, and when they returned, the AP went directly to her room and shut her door. The client stated the AP's spouse told her the AP was just tired and needed to lay down. The client stated the AP had done that two or three times before. The client stated the AP came out of the room later that evening, very angry, used the F word, slammed things into boxes, and left. The client stated she did not see the AP for the rest of the night. The client stated that was the typical thing the AP did when she had too much to drink. The client stated her care was affected by the AP's drinking, and the AP's spouse would have to get the client's meals ready. The client stated she never spoke to the AP or the home care provider about her concerns of the AP's drinking, because she was afraid the AP would get angry with her.

During an interview, a family member stated family members and friends were concerned about the AP with the client, but when they asked the client if she felt safe and asked her other things, the client would say everything was fine. The family member stated the client paid for almost everything for the AP and the AP's spouse. The family member stated the AP and the AP's family members would go down to Florida. The family member stated the AP and the AP's spouse took over the client's homes (the Florida home and Minnesota home), and the client was just left with her bedroom. The family member stated the client told him the garage at her Minnesota home was a third full of the AP's belongings, and it was even worse at the Florida home. The family member stated the client told him all the AP's belongings at the Florida home would not even fit in her storage unit. The family member stated the AP went out on weekends with other people and left the client alone. The family member stated there was an instance the AP and the AP's spouse went out to the bar and brought two random people they met at the bar back to the client's home, who then spent the night at the client's home. The family member stated the AP would not get up in the mornings, slept in and would not provide the client's services. The family member stated the client was worried about her properties as she did not know what the AP would do while drinking. The family member stated he felt the AP used the client for a paid vacation in Florida. The family member stated the AP's spouse was more helpful to the client than the AP, that he did laundry and other things for the client.

During an interview, the owner stated all staff were trained on financial exploitation, professional boundaries, and conditions of accepting gifts from clients. The owner stated staff were not to accept large gifts. The owner stated staff were not allowed to drink alcohol while on shift with a client, but a live-in caregiver was different with different wage rights and time off

rights. The owner stated a staff member should never be intoxicated. The owner stated the AP's spouse only spent the night at the client's home when the client invited him to do so. The owner stated she and the client spoke about the AP's spouse many times as he helped the client. The owner stated there were never any complaints about the AP, only praises. The owner stated she did not think it was a good practice for the AP to keep alcoholic beverages in the client's refrigerator, and if it was an issue, the client should have called her about that. The owner stated the AP and the client shared buying groceries, as that is what the AP told her. The owner stated if the client went on vacation with staff, the client was expected to pay for that, as it was the client's choice to do that. The owner stated if the AP had to pay for her own concert tickets to the concerts the client wanted to go to, she would have spent her whole paycheck on that, and the client could not go alone. The owner stated the home care provider does not have a specific policy on live in caregivers' expectations of expenses, and she never really thought to have a policy for that. The owner stated the AP had never received any disciplinary actions, but she had concerns at times of the AP overdoing things, such as doing things for the client above and beyond what she was contracted to do. The owner stated she did not believe the AP crossed any professional boundaries.

During an interview, the AP stated she was trained on client rights, abuse and neglect, employee code of conduct, and acceptance of gifts or donations from clients. The AP stated she would be scheduled as the client's caregiver for seven days on, then seven days off. The AP stated on her seven days off, another caregiver was assigned to care for the client. The AP stated she had the same work schedule when at the client's home in Florida through the winter. The AP stated it was the client's choice to pay for the things she did, like trips, dinners, and shows. The AP stated she paid for half of the groceries. The AP stated she received permission from the client for the AP's family members to come down to Florida for a visit and stay at the client's home. The AP stated the client gave cash gifts but did not recall how many times. The AP stated it was against company rules to accept gifts, and she told her employer when it happened. The AP stated the client told her a room in her home was hers to have and used as she wanted. The AP stated she had fishing equipment, shells, crafts, and her Christmas stuff at the client's home. The AP stated she lived with the client for eight years, so she had tendency to have things at the client's homes.

In conclusion, the Minnesota Department of Health determined financial exploitation was substantiated.

Substantiated: Minnesota Statutes, section 626.5572, Subdivision 19.
"Substantiated" means a preponderance of evidence shows that an act that meets the definition of maltreatment occurred.

Financial exploitation: Minnesota Statutes, section 626.5572, subdivision 9
"Financial exploitation" means:

(a) In breach of a fiduciary obligation recognized elsewhere in law, including pertinent regulations, contractual obligations, documented consent by a competent person, or the obligations of a responsible party under section 144.6501, a person:
(1) engages in unauthorized expenditure of funds entrusted to the actor by the vulnerable adult which results or is likely to result in detriment to the vulnerable adult; or
(2) fails to use the financial resources of the vulnerable adult to provide food, clothing, shelter, health care, therapeutic conduct or supervision for the vulnerable adult, and the failure results or is likely to result in detriment to the vulnerable adult.
(b) In the absence of legal authority a person:
(1) willfully uses, withholds, or disposes of funds or property of a vulnerable adult;
(2) obtains for the actor or another the performance of services by a third person for the wrongful profit or advantage of the actor or another to the detriment of the vulnerable adult;
(3) acquires possession or control of, or an interest in, funds or property of a vulnerable adult through the use of undue influence, harassment, duress, deception, or fraud; or
(4) forces, compels, coerces, or entices a vulnerable adult against the vulnerable adult's will to perform services for the profit or advantage of another.

Mitigating Factors considered, Minnesota Statutes, section 626.557, Subd. 9c(f):

1) The AP did not follow an erroneous order, direction or care plan with awareness and failure to take action.

The home care provider and the AP did not direct an erroneous order, direction, or care plan.

(2) The home care provider was not in compliance with regulatory standards.

The home care provider failed to provide proper supervision of staff.

The home care provider provided adequate staffing levels.

The home care provider and the AP failed to follow the facility directive and/or policies and procedures.

(3) The home care provider and the AP failed to follow professional standards and/or exercise professional judgement.

The home care provider and the AP acted in good faith interest of the vulnerable adult.

The maltreatment was not a sudden or foreseen event.

Vulnerable Adult interviewed: Yes.
Family/Responsible Party interviewed: Yes.
Alleged Perpetrator interviewed: Yes.

Action taken by facility:
The AP was not reassigned to any other clients and went on a leave.

Action taken by the Minnesota Department of Health:
The facility was found to be in noncompliance. To view a copy of the Statement of Deficiencies and/or correction orders, please visit:

https://www.health.state.mn.us/facilities/regulation/directory/provcompselect.html

If you are viewing this report on the MDH website, please see the attached Statement of Deficiencies.

You may also call 651-201-4200 to receive a copy via mail or email

The responsible party will be notified of their right to appeal the maltreatment finding. If the maltreatment is substantiated against an identified employee, this report will be submitted to the nurse aide registry for possible inclusion of the finding on the abuse registry and/or to the Minnesota Department of Human Services for possible disqualification in accordance with the provisions of the background study requirements under Minnesota 245C.

cc:
The Office of Ombudsman for Long Term Care
The Office of Ombudsman for Mental Health and Developmental Disabilities
Brown County Attorney
Sleepy Eye City Attorney
Sleepy Eye Police Department

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) MULTIPLE CONSTRUCTION	(X3) DATE SURVEY COMPLETED
	H41149	A. BUILDING: _____ B. WING _____	C 10/30/2025

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
LEADING CHOICE HOME HELPERS LLC	657 3RD AVE NW SLEEPY EYE, MN 56085

(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 ******ATTENTION****** HOME CARE PROVIDER CORRECTION ORDER In accordance with Minnesota Statutes, section 144A.43 to 144A.482, these correction orders are issued pursuant to a complaint investigation. 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. INITIAL COMMENTS: HL411491780C/HL411495162M On Ocotber 30, 2025, the Minnesota Department of Health conducted a complaint investigation at the above provider, and the following correction orders are issued. At the time of the complaint investigation, there were 64 clients receiving services under the provider's Comprehensive Home Care Provider license. The following correction order is issued for HL411491780C/HL411495162M, tag identification 0325, 0715, 0800.	0 000	Minnesota Department of Health is documenting the State Correction Orders using federal software. Tag numbers have been 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 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 evaluators' findings is the Time Period for Correction. 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. THERE IS NO REQUIREMENT TO SUBMIT A PLAN OF CORRECTION FOR VIOLATIONS OF MINNESOTA STATE STATUTES. THE LETTER IN THE LEFT COLUMN IS USED FOR TRACKING PURPOSES AND REFLECTS THE SCOPE AND LEVEL ISSUED PURSUANT TO 144A.474 SUBDIVISION 11 (b)(1)(2).	
0 325	144A.44, Subd. 1(a)(14) Free From Maltreatment	0 325		

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0 325	Continued From page 1 be free from physical and verbal abuse, neglect, financial exploitation, and all forms of maltreatment covered under the Vulnerable Adults Act and the Maltreatment of Minors Act This MN Requirement is not met as evidenced by: The facility failed to ensure one of one client reviewed (C1) was free from maltreatment. Findings include: The Minnesota Department of Health (MDH) issued a determination maltreatment occurred, and the facility and an individual person was responsible for the maltreatment, in connection with incidents which occurred at the facility. Please refer to the public maltreatment report for details.	0 325		
0 715 SS=D	144A.476, Subd. 2 Employees, Contractors, and Volunteers (a) Employees, contractors, and volunteers of a home care provider are subject to the background study required by section 144.057, and may be disqualified under chapter 245C. Nothing in this section shall be construed to prohibit a home care provider from requiring self-disclosure of criminal conviction information. (b) Termination of an employee in good faith reliance on information or records obtained under paragraph (a) or subdivision 1, regarding a confirmed conviction does not subject the home care provider to civil liability or liability for unemployment benefits. This MN Requirement is not met as evidenced by:	0 715		

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0 715	Continued From page 2 Based on interview and document review, the licensee failed to ensure a background study was completed on person providing home care services to a client, as required for 1 of 1 clients (C1) reviewed. This practice resulted in a level two violation (a violation that did not harm a client's health or safety but had the potential to have harmed a client's health or safety, but was not likely to cause serious injury, impairment, or death), and was issued at an isolated scope (when one or a limited number of clients are affected or one or a limited number of staff are involved or the situation has occurred only occasionally). The findings include: C1's diagnosis includes blindness, anxiety, abnormal gait and morbid obesity. C1's service agreement dated November 6, 2020, indicated C1 received assistance with medication reminders, bathing, dressing, laundry, housekeeping, companionship, and food preparation. C1's individualized abuse prevention plan (IAPP) dated July 14, 2024, inaccurately indicated C1 was not susceptible to abuse from another individual. During an interview on November 4, 2025, at 11:00 a.m., C1 stated she invited unlicensed personnel (ULP)-D spouse (a non-employee) down to Florida for the winter with her and ULP-D. C1 stated the spouse stayed at her home in a bedroom with ULP-D. C1 stated the spouse completed tasks for her such as obtaining moving boxes, driving her to appointments and	0 715		

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0 715	Continued From page 3 outings, checked in on her, ensured she had snacks, prepared meals for her, cleaned, and completed repairs at C1's home. During an interview on November 5, 2025, at 11:00 a.m., owner (OW)-B stated staff can bring friends and family to a client's home if the client approved it and no privacy or confidential information was broken. OW-B stated ULP-D spouse only spent the night at C1's home when C1 invited him to do so. OW-B stated C1 stated she wanted ULP-D spouse around due to him helping her, and C1 spoke to her many times about the spouse. During an interview on November 6, 2025, at 10:00 a.m., family member (FM)-C stated ULP-D and her spouse went down to Florida in the winter with C1. FM-C stated ULP-D and her spouse's family members also went down to Florida and stayed at C1's home. FM-C stated ULP-D and her spouse stayed at C1's home in Minnesota as well. FM-C stated C1 told him ULP-D's spouse did laundry and other things for her. During an interview on November 5, 2025, at 10:00 a.m., ULP-D stated she agreed to comply with the policy and procedures of the licensee upon hire. ULP-D stated she had family members who went down to Florida and stayed at C1's home. The licensee-provided policy titled "Background Checks," undated, indicated a background study will be conducted on all employees who will have independent, unsupervised contact with clients. The policy failed to identify background studies are completed on contractors, volunteers, or	0 715		

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0 715	Continued From page 4 other individuals who provide direct contact services or have access to the client's personal property, as required. TIME PERIOD FOR CORRECTION: Seven (7) days	0 715		
0 800 SS=G	144A.479, Subd. 5 Handling of Client's Finances/Property (a) A home care provider may assist clients with household budgeting, including paying bills and purchasing household goods, but may not otherwise manage a client's property. A home care provider must provide a client with receipts for all transactions and purchases paid with the client's funds. When receipts are not available, the transaction or purchase must be documented. A home care provider must maintain records of all such transactions. (b) A home care provider or staff may not borrow a client's funds or personal or real property, nor in any way convert a client's property to the home care provider's or staff's possession. (c) Nothing in this section precludes a home care provider or staff from accepting gifts of minimal value, or precludes the acceptance of donations or bequests made to a home care provider that are exempt from income tax under section 501(c) of the Internal Revenue Code of 1986. This MN Requirement is not met as evidenced by: Based on interview document review the licensee failed to ensure the proper handling of a client's finances and property, when an employee received gifts and payments above her hourly pay for services by the licensee and the licensee failed to intervene for 1 of 1 clients (C1)	0 800		

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0 800	Continued From page 5 reviewed. This practice resulted in a level three violation (a violation that harmed a client's health or safety, or a violation that had the potential to cause more than minimal harm to the client), and was issued at an isolated scope (when one or a limited number of clients are affected or one or a limited number of staff are involved or the situation has occurred only occasionally). The findings include: C1's diagnosis includes blindness, anxiety, abnormal gait and morbid obesity. C1's service agreement dated November 6, 2020, indicated C1 received assistance with medication reminders, bathing, dressing, laundry, housekeeping, companionship, and food preparation. C1's individualized abuse prevention plan (IAPP) dated July 14, 2024, inaccurately indicated C1 was not susceptible to abuse from another individual. During an interview on November 4, 2025, at 11:00 a.m., C1 stated she went to Florida for the winters and unlicensed personnel (ULP)-D and ULP-D's spouse would travel with her. C1 paid for ULP-D and her spouse's meals. C1 stated ULP-D, and ULP-D's spouse drove down C1's car to Florida, and she paid for the meals and hotel rooms on the way down there. C1 stated some years ULP-D and her spouse would go down to Florida days before she did to clean and get it ready, and she paid for their transportation down there. C1 stated she paid ULP-D and her spouse for the three days of cleaning. C1 stated	0 800		

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0 800	Continued From page 6 she paid for herself, ULP-D and ULP-D's spouse at attend music concerts. C1 stated when ULP-D and ULP-D's spouse took her to medical appointments, they would stop for a meal on the way back, and she would pay for that. C1 stated she gave ULP-D $50 in a card on ULP-D's birthday, and the last two years, she gave ULP-D and her spouse $400 and $500 in cards for Christmas. C1 stated ULP-D and her spouse took over the bedroom and balcony at her Florida home with their belongings. During an interview on November 5, 2025, at 10:00 a.m., ULP-D stated she was trained on client rights, abuse and neglect, employee code of conduct, and acceptance of gifts or donations from clients. ULP-D stated she would be scheduled as C1's caregiver for seven days on, then seven days off. ULP-D stated on her seven days off, another caregiver was assigned to care for C1. ULP-D stated she had the same work schedule when at C1's home in Florida through the winter. ULP-D stated it was C1's choice to pay for the things she did, like trips, dinners, and shows. ULP-D stated she paid for half of the groceries. ULP-D stated she received permission from C1 for ULP-D's family members to come down to Florida for a visit and stay at C1's home. ULP-D stated C1 give cash gifts but did not recall how many times. ULP-D stated it was against company rules to accept gifts, and she told her employer when it happened. ULP-D stated C1 told her a room in her home was hers to have and used as she wanted. ULP-D stated she had fishing equipment, shells, crafts, and her Christmas stuff at C1's home. ULP-D stated she lived with C1 for eight years, so she had tendency to have things at C1's homes.	0 800		

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0 800	Continued From page 7 During an interview on November 5, 2025, at 11:00 a.m., owner (OW)-B stated ULP-D was trained on financial exploitation, professional boundaries, and the acceptance of gifts or donations from clients. OW-B stated ULP-D told her that she and C1 took turns buying groceries. OW-B stated that if clients wanted to take vacation with staff, the client was expected to pay for it. The licensee billing statements to C1 for services were reviewed from November 30, 2020 through July 7, 2025. C1 paid the licensee the following amounts for services provided by ULP-D, excluding the additional costs C1 paid directly to or for ULP-D and ULP-D's spouse for food, expenses and gifts. -December 15, 2020 through March 23, 2022, C1 paid the licensee $5,320 every two weeks, except two invoices in that time that were $4,940 and $4,515. -April 4, 2022 through January 1, 2024, C1 paid the licensee $5,740 every two weeks, except two invoices in that time that were $5,280 and $5,379. -January 10, 2024 through May 14, 2025, C1 paid the licensee $6,160 every two weeks. -May 29, 2025, C1 paid $6,380. -June 19, 2025, C1 paid $2,340. C1 ended services with the licensee. During an interview on November 6, 2025, at 10:00 a.m., family member (FM)-C stated C1 took ULP-D and her spouse to Florida with her, and C1 took care of everything. FM-C stated ULP-D and her spouse had other additional family members who joined them in Florida, and they stayed at C1's home during their visit. FM-C	0 800		

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) MULTIPLE CONSTRUCTION	(X3) DATE SURVEY COMPLETED
	H41149	A. BUILDING: _____ B. WING _____	C 10/30/2025

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
LEADING CHOICE HOME HELPERS LLC	657 3RD AVE NW SLEEPY EYE, MN 56085

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0 800	Continued From page 8 stated he found out from C1, ULP-D had taken over C1's Florida home, when C1 told him she only had her own bedroom while ULP-D and her spouse had the rest of the house. FM-C stated ULP-D and her spouse went out one evening and brought home strangers from the bar who spent the night at C1's home. FM-C stated C1 told him ULP-D and her spouse moved furniture and other belongings from their home in to C1's home. The licensee-provided policy titled "Handling of Client Finances and Property," undated, indicated a home care employee may not borrow personal or real property from a client, and my not convert a client's property to their possession. The licensee-provided policy titled "Gifts and Donations," undated, indicated gifts, gratuities and or donations of any kind from clients may not be accepted by employees. TIME PERIOD FOR CORRECTION: Seven (7) days	0 800		