



STATE LICENSING COMPLIANCE REPORT

Report #: HL409872673C

Date Concluded: August 1, 2024

Name, Address, and County of Facility

Investigated:

Homcare LLC

221 8th Ave SW

Sleepy Eye, MN 56085

Brown County

Facility Type: Home Care Provider

Evaluator's Name:

Lisa Coil, RN, BSN, 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 144 and 144A. 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.htm>

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: H40987	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED C 06/21/2024
NAME OF PROVIDER OR SUPPLIER HOME CARE LLC		STREET ADDRESS, CITY, STATE, ZIP CODE 221 8TH AVE SW 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	<p>Initial Comments</p> <p>*****ATTENTION*****</p> <p>HOME CARE PROVIDER CORRECTION ORDER</p> <p>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.</p> <p>INITIAL COMMENTS:</p> <p>#HL409872673C</p> <p>On June 21, 2024, 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 was 1 client receiving services under the provider's Comprehensive license.</p> <p>The following correction order is issued/orders are issued for #HL409872673C, tag identification 0305 and 0415.</p>	0 000	<p>Home Care Provider 144A.</p> <p>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.</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 144A.474 SUBDIVISION 11 (b)(1)(2).</p>	

Minnesota Department of Health

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

TITLE

(X6) DATE

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0 305 0 305 SS=F	<p>Continued From page 1</p> <p>144A.44, Subd. 1(a)(10) Information Private</p> <p>have personal, financial, and medical information kept private, and to be advised of the provider's policies and procedures regarding disclosure of such information</p> <p>This MN Requirement is not met as evidenced by: Based on interview and document review, the licensee failed to ensure personal information was kept private for multiple vulnerable adults not receiving services from the licensee.</p> <p>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, 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 the potential to affect a large portion or all of the residents).</p> <p>The findings include:</p> <p>On June 5, 2024, an internet search for HOMEcare LLC resulted in a Facebook page for the licensee. The Facebook page displayed a post dated February 28, 2024, which included a video with the licensee's owner and eight unidentified vulnerable adults. A post dated April 15, 2024, the Facebook page included a video with the licensee's owner and one unidentified vulnerable adult. A post dated May 3, 2024, the Facebook page included two pictures with the licensee's owner and one unidentified vulnerable adult.</p> <p>During an interview on June 27, 2024, at 1:50</p>	0 305 0 305		

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0 305	<p>Continued From page 2</p> <p>p.m., multiple staff members from another nursing facility confirmed the identity of the vulnerable adult's posted on the licensee's Facebook page from February 26, April 15, and May 3, 2024. Multiple staff members stated the owner (O)-A of the licensee was a prior employee at the nursing facility. Multiple staff members further stated they were unaware the videos/pictures were being used by the licensee on public media.</p> <p>During an interview on July 1, 2024, at 11:00 a.m., when asked if O-A had a signed release to use vulnerable adult's photographs on his Facebook webpage, O-A stated no, they are deceased. When asked if O-A had discussed using photos of deceased vulnerable adults with their family member or guardian, O-A stated no. O-A further stated, "it is no different than me using them on my private Facebook page."</p> <p>The licensee-provided Minnesota Home Care Bill of Rights for Clients of Licensed Only Home Care Providers dated November 2019, on page one, number 10, indicated clients have the right to have personal, financial, and medical information would be kept private. The same entry indicated clients had the right to be advised of the provider's policies and procedures regarding disclosure of such information.</p> <p>TIME PERIOD FOR CORRECTION: Seven (7) days</p>	0 305		
0 415 SS=F	144A.471, Subd. 1 License Required A home care provider may not open, operate, manage, conduct, maintain, or advertise itself as a home care provider or provide home care	0 415		

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0 415	<p>Continued From page 3</p> <p>services in Minnesota without a temporary or current home care provider license issued by the commissioner of health.</p> <p>This MN Requirement is not met as evidenced by: Based on interview and document review, the licensee failed to obtain temporary or current home care licensure prior to conducting and advertising as a home care provider.</p> <p>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, 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 the potential to affect a large portion or all of the residents).</p> <p>Findings include:</p> <p>The licensee's application for comprehensive home care license was submitted to the Minnesota Department of Health on March 1, 2024. The licensee received a temporary home care license effective April 3, 2024.</p> <p>On June 5, 2024, an internet search for HOMEcare LLC resulted in a Facebook page for the licensee. The licensee started advertising on Facebook on February 26, 2024.</p> <p>During an interview on July 1, 2024, at 11:00 a.m., owner (O)-A stated he was not aware of the rule for advertising prior to licensing. O-A stated he did not recall when he started advertising on social media.</p>	0 415		

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