



STATE LICENSING COMPLIANCE REPORT

Report #: HL999917896C

Date Concluded: March 15, 2023

Name, Address, and County of Facility

Investigated:

Unlicensed Facility

DBA The Country Place Apartments

23110 347th Street SE

Erskine, MN 56353

Facility Type: Unlicensed Facility

Evaluator's Name: Barbara Axness, RN
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. 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: 99991	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____		(X3) DATE SURVEY COMPLETED C 03/14/2023
NAME OF PROVIDER OR SUPPLIER UNLICENSED FACILITY ALF/ The Country Place Assisted Living			STREET ADDRESS, CITY, STATE, ZIP CODE 23110 - 347th Street SE Erskine, MN 56535		
(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 LICENSING 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>#HL999917896C</p> <p>On March 14, 2023, 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 22 residents receiving services at the facility.</p> <p>The following correction orders are issued for #HL999917896C, tag identification 0100.</p> <p>At the time of the investigation, the entity "The Country Place Apartments," located at 23110 347th Street SE, Erskine, Minnesota 56535, did not hold an Assisted Living Facility 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 Licensing 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 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 dementia care license for a building that is on a</p>	0 100			

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0 100	<p>Continued From page 2</p> <p>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 record review, the owner failed to obtain licensure to provide assisted living services to 22 of 22 residents. The facility provided assistance with all activities of daily living, medication management, treatment and therapies, meals, assistance with eating, mobility, transfers, and toileting. The facility's failure to obtain a current assisted living license had the potential to affect 22 of the 22 residents.</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>Findings include:</p> <p>On March 14, 2023, the Minnesota Department of Health (MDH) initiated an investigation to address allegations The Country Place in Erskine, Minnesota, was operating without an assisted living license. MDH records indicated the Country Place had a current Comprehensive Home Care license but did not have an assisted living license. An internet search for The Country Place identified the business' website, which advertised The Country Place as an assisted living apartment community for seniors that offers security, service and socialization. Services</p>	0 100			

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0 100	<p>Continued From page 3</p> <p>provided include medication administration, 24 hour supervision, RN supervision, and personal care services.</p> <p>On March 14, 2023, at 9:05 a.m., the investigator entered the facility and observed a photocopy of a Comprehensive Home Care license that expired on October 4, 2022, posted in the entryway. Unlicensed personnel (ULP)-C greeted the investigator and stated the facility was an assisted living. ULP-C stated the facility provided medication administration, meals, and other services.</p> <p>On March 14, 2023, at 9:20 a.m., executive director (ED)-A confirmed the facility was operating under a Comprehensive Home Care license but he had been trying to obtain an assisted living license since he began working at the facility. ED-A stated since he started in September 2022, he has submitted an assisted living license application two or three times, but it kept getting rejected. ED-A stated he later found out a physical plant review was needed before the application could be approved and he currently has an architect reviewing blueprints so they can be submitted to the state. ED-A stated the facility has 20 apartments with 22 current residents. ED-A stated services provided included medication management, personal care services, activities, housekeeping, and meals. ED-A stated the facility had been operating as an assisted living and they've been trying to get the facility licensed and were doing the best they could. ED-A stated he was not sure why prior management did not get an assisted living license during the conversion in August 2021.</p> <p>On March 14, 2023, at 9:35 a.m., ULP-C was observed preparing medications at the facility</p>	0 100			

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0 100	<p>Continued From page 4</p> <p>medication cart to administer to R1. ULP-C showed the investigator her process of preparing medications and what steps she follows when administering medications. ULP-C showed the investigator the medication cart, which contained several drawers filled with various medications for the facility's residents. On March 14, 2023, at 9:40 a.m., ULP-C was observed administering medications to R1.</p> <p>On March 14, 2023, at 11:35 a.m., registered nurse (RN)-B stated she and a facility board member had applied for an assisted living license in April 2021 but it got rejected. RN-B stated she had sent a few emails trying to figure out what was wrong with the application but was never able to figure it out. RN-B confirmed the facility provided medication management services and other direct care services.</p> <p>RN-B provided copies of email correspondence between her and MDH from May 25, 2021, when the initial application period for Assisted Living Licensure was open. RN-B was filling out the application online and emailed MDH with questions on issues she was having getting the conversion application submitted. On June 12, 2021, MDH emailed RN-B to inform her the June 1, 2021 deadline for a conversion license had passed and the facility would need to apply for a provisional license as the application for The Country Place had not been submitted. Further email correspondence between MDH and RN-B indicated there was confusion on whether or not the two assisted living buildings owned by the facility were considered a campus. Additional email communications between MDH and RN-B provided from June, July, August, and November 2021 as well as January, March, and October 2022, indicated RN-B was still experiencing</p>	0 100		

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0 100	<p>Continued From page 5</p> <p>issues with submitting the Assisted Living License application.</p> <p>ED-A provided copies of email correspondence between him and MDH from November and December 2022, and January and February 2023. The communication was regarding questions on finalizing the application and getting it submitted. During this time, ED-A engaged the services of a lawyer and an architect to assist with getting the application completed and submitted.</p> <p>The facility's UDALSA, dated June 15, 2022, indicated The Country Place had an Assisted Living Facility License. Services provided included medication management including insulin pen dosing, nebulizers, eye drops, and injections. Other services included basic wound care and assistance with activities of daily living like dressing, grooming, bathing.</p> <p>A copy of the facility's Housing with Services Contract & Lease Agreement was provided to the investigator. The agreement indicated "The Country Place Apartments is a Housing with Services establishment registered with the Minnesota Department of Health. The Country Place Apartments is also a Comprehensive home care agency licensed by the Minnesota Department of Health to provide certain home care services to tenants of the Country Place Apartments."</p> <p>The facility's resident roster indicated 16 of the 22 current residents received medication management services, including one resident who received insulin management services.</p> <p>The facility's resident roster indicated seven of</p>	0 100			

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0 100	<p>Continued From page 6</p> <p>the 22 current residents received treatment management services, including five residents who received blood glucose monitoring, two residents who received oxygen management, and one resident who received assistance with a C-Pap or Bi-Pap.</p> <p>The facility's resident roster indicated 12 residents moved in to the facility after the Assisted Living Licensure regulations went in to effect on August 1, 2021.</p> <p>No additional information provided.</p>	0 100			