

HCALP Enforcement Actions

MARCH 1, 2019

Note: The information below is a summary and does not represent all the facts about the situations or the violations.

FY 2019 = 16

Alliance Home Health Care Inc. (30405)

Comprehensive license

- Licensed since 2014
- Full survey attempted in March 2018, provider did not cooperate with the survey and an order was written for not cooperating with the survey process.
- June 2018, the provider cooperated with the first follow up and the order for not cooperating was corrected.
- July 19th, 2018, an enforcement letter was sent requesting an informal conference.
- Licensee submitted a closure form.

Valley Home (00450)

Conditional license with stipulated agreement

- Full survey April 4, 2018 – 27 orders
- F/U #1 June 6, 2018 – 9 corrected, 19 reissued, 1 new
- Informal conference held July 18, 2018. Administrator and president of governing board assured they would be in compliance on the next follow up.
- F/U #2 September 18, 2018 – 4 corrected, 16 reissued, 3 new
- Informal conference held October 3, 2018. Stipulated agreement and 90 day conditional license was issued October 10, 2018.
- OHFC level 4 immediate order on December 13, 2018 for lack of CPR. (Incident occurred in August 2018.)
- HCALP follow-up December 19, 2018 – Immediate order, level 4 for falls. OHFC's immediate order reissued due to lack of staff training.
- January 9, 2019 – conditional license was extended 60 days. Purchaser will manage home care until the CHOW is completed.
- Follow up completed on March 12, 2019 – Conditions removed

D & D's Caring Hearts (33406)

Conditional license with stipulated agreement

- Initial survey in May 2018 of temporary comprehensive license
- 28 licensing orders
- One immediate order at a level 3

- Conditional license issued July 2018
- Surveyed September 12th 2018 – Conditions removed

Verd Compassionate Care (32963)

Comprehensive license denied

- Initial survey July 2018 of temporary comprehensive license
- 23 licensing orders
- Notice to deny sent August 2018
- No request for reconsideration

Great Home MN LLC (33124)

Conditional license with stipulated agreement

- Initial survey 8/16/2018 of temporary comprehensive license
- 33 orders, highest level 2 widespread – unaware of statutes
- Denial letter sent 9/6/18
- Request for reconsideration received 9/21/2018. Reconsideration overturned the denial of the license. Letter sent 11/8/18.
- 90 day stipulated agreement fully executed 11/26/18.
- Follow up survey 2/14/19 – conditions removed

Visiting Angels – St Cloud (28912)

Conditional license with stipulated agreement

- 8/20/18 full survey, 20 orders
- 11/5/18 F/U #1, 19 reissued
- Multiple informal conferences with the licensee
- 1/8/2019 Fully executed stipulated agreement
- 3/20/2019 F/U #2, 11 orders corrected, 7 orders reissued, 1 new order
- Conditional license extended 60 days. Condition of no new admissions was lifted.
- Provider must obtain a consultant.

Shiloh Assisted Living (33884)

Comprehensive license denied

- Initial survey of temporary comprehensive license completed 9/27/18.
- Provider was serving 30 clients at the time.
- 22 order were written; highest level 2 widespread; provider had problems with medications, treatments and problems investigating and reporting maltreatment (neglect).
- On 10/9/18, OHFC investigation initiated on 8/28/18 was completed regarding a client not receiving medication, causing the client to have increased shortness of breath, retention of fluids and increased edema to lower extremities. Maltreatment was substantiated at level 3 (client was harmed).
- On 10/24/18, a letter was sent requesting an informal conference to discuss enforcement. An informal conference was scheduled for 11/1/18.
- On 10/31/18, Crow Wing County Adult Protection Services contacted the department and expressed continued concerns of maltreatment, specifically neglect from this licensee. A MAARC report dated 10/30/18 was shared with the department.

- On 11/1/18, the provider was notified the comprehensive license was denied. The licensee stated they intended to request a reconsideration of the enforcement action.
- On 11/5/18, letter to deny the comprehensive license was sent to the provider.
- On 11/16/18, request for reconsideration of the enforcement action to deny the comprehensive license was submitted within the statutory guidelines.
- 1/7/2019, Provider notified denial was upheld
- 1/8/2019, Informal conference with the provider to detail a plan for transition. Provider wants Sunrise View Assisted Living to be the arranged provider.
- 30 day notice to be given to clients on 1/28/2019
- Multiple OHFC maltreatments written during transfer of clients
- Sunrise View became the arranged provider on 3/1/2019

Lifespan Home Care Services Inc. (23141)

Agency submitted closure form

- Full survey was first attempted on 3/8/18. Although the licensee notified the department services were being provided to a client the survey was terminated because the client did not receive home care services.
- On 9/10/18, another full survey was initiated; 28 orders highest level 2W
- The licensee did not cooperate with survey, the survey lasted 9 days; survey ended 9/19/18.
- The licensee had no clients at the time of survey and had trouble producing evidence of past clients. The owner explained DHS was investigating agency for fraud.
- Unaware of statutes, no client records, no employee records, lacked nearly all policies and procedures.
- An informal conference was requested to discuss a 30-day conditional license and was scheduled for 10/31/18.
- In lieu of the conference, the licensee submitted a closure form, with closure effective date of 10/31/18.

Oxford Property Management LLC (28279)

Conditional license with stipulated agreement

- Provider has 12 housing with services under one license in multiple counties around the state, with 407 client census.
- Provider had numerous OHFC investigations spanning 2017 and 2018; including level 3 and level 4 orders;
- Numerous ombudsman concerns.
- Full survey completed 9/20/18; 29 orders written. Highest level 2W.
- Informal conference held and provider notified of enforcement.
- Conditional license issued 11/21/18
- F/U #1 2/19/19 – 9 orders reissued; 2 new OHFC complaints substantiated; 1 at a level 3
- 60 day condition for no new admission in only 2 of the housing with services was issued
- 3/26/2019 – Full compliance on follow up, conditions removed.

Sanctuary Brooklyn Center (33548)

Comprehensive license denied

- Initial survey 9/28/18 of temporary comprehensive license
- 4 immediate correction orders written
- Part of an organization which serves clients on waivers
- A letter was sent indicating the comprehensive license was denied.
- 30 orders written in total
- Informal conference held and denial of the license was explained
- The provider requested a reconsideration of the enforcement action.
- Reconsideration upheld the enforcement decision
- Met with provider leadership for informal conference to discuss transfer plan 11/26/18. Provider seeking comprehensive license to transfer services to.
- Request for reconsideration resulted in findings upheld.
- Provider is currently in the process of finding a comprehensive license to provide services; agency approached but backed out.
- Formulating transfer plan, meeting scheduled to review plan 12/17/18.
- Transferred services to Ebenezer effective 3/1/19

Nagomi Inc. (25215)

Conditional license with stipulated agreement

- OHFC complaints: 5/9/18 – three at 2W, follow up on 8/27/18, reissued two orders; 9/4/18 – 4 orders including level 3 isolated for not having RN available and clients were sent to hospital via 911 (chest pain, blood in stool and catheter, client hit their head).
- Full survey 10/3/18, 38 orders written level 2 widespread.
- Licensee lacked systems, policies and procedures, did not know the home care laws, problems with training, assessment, service plans, medications, prescriptions, treatments, client and employee records.
- Informal conference scheduled for 11/8/18, to discuss a conditional license.
- Stipulated agreement fully executed 11/20/18 for 90 day conditional.
- 1/23/19- 3 OHFC investigations pending.
- Conditions extended 60 days 3/13/19, due to a level 3/isolated scope from OHFC investigation ending 3/8/19.
- Second follow up survey completed 4/9/19, of remaining 5 orders (all orders corrected, will be reviewed to remove conditions).

A Daughter's Love (33300)

Conditional license with stipulated agreement

- Initial survey of temporary comprehensive license with integrated HCBS designation completed 10/4/18.
- Resulted in 28 orders (did not know statutes, lacked policies and procedures, systemic problems with medications, treatments and training.
- Stipulated agreement fully executed 11/19/18, 90-day conditional issued.
- Substantial compliance found on first follow up 2/6/19, conditions removed.

The Rivers/Minnesota Senior Living (29079)

Conditional with stipulated agreement

- Full survey of comprehensive license on 10/4/18, 30+ orders
- 2 harm level OHFC investigations
- Stipulated agreement signed 11/14/2018
- 1/31/2019 F/U #1 – 18 corrected; 17 reissued; 0 new orders
- Conditional license extended 60 days
- F/U #2 was conducted this week

Scandia (25867)

Conditional license, stipulated agreement

- 12/11/2018, Full survey of comprehensive license.
- 36 orders, one level 4 immediate correction
- Informal conference on 1/11/2018
- Signed stipulated agreement on 1/16/2019
- F/U #1 4/4/2019 is pending review

Chappy's Golden Shores (21006)

Immediate temporary suspension of the license for 90 days

- Between November 6 and December 3, 2018 OHFC had multiple observations, interviews and record reviews of potential maltreatment of the licensee's clients.
- December 6: a 90-day immediate temporary suspension order was issued.
- MDH determined violations occurred that posed an imminent risk of harm to Chappy's clients.
- Adult protective services, law enforcement and country case workers mobilized and moved clients out of the HWS, due to imminent risk of harm.
- OHFC investigations continued during the immediate temporary suspension.
- The agency submitted an appeal.
- MDH and outside agencies have concerns as several vulnerable adults moved back into the housing with services
- Appeal hearing 1/6-7/2019
- OHFC issued 13 maltreatment violations
- On 1/31/2019, MDH decision was upheld and the immediate suspension remains in place
- On 2/20/2019, MDH sent a letter to Chappy's with an order to revoke the license

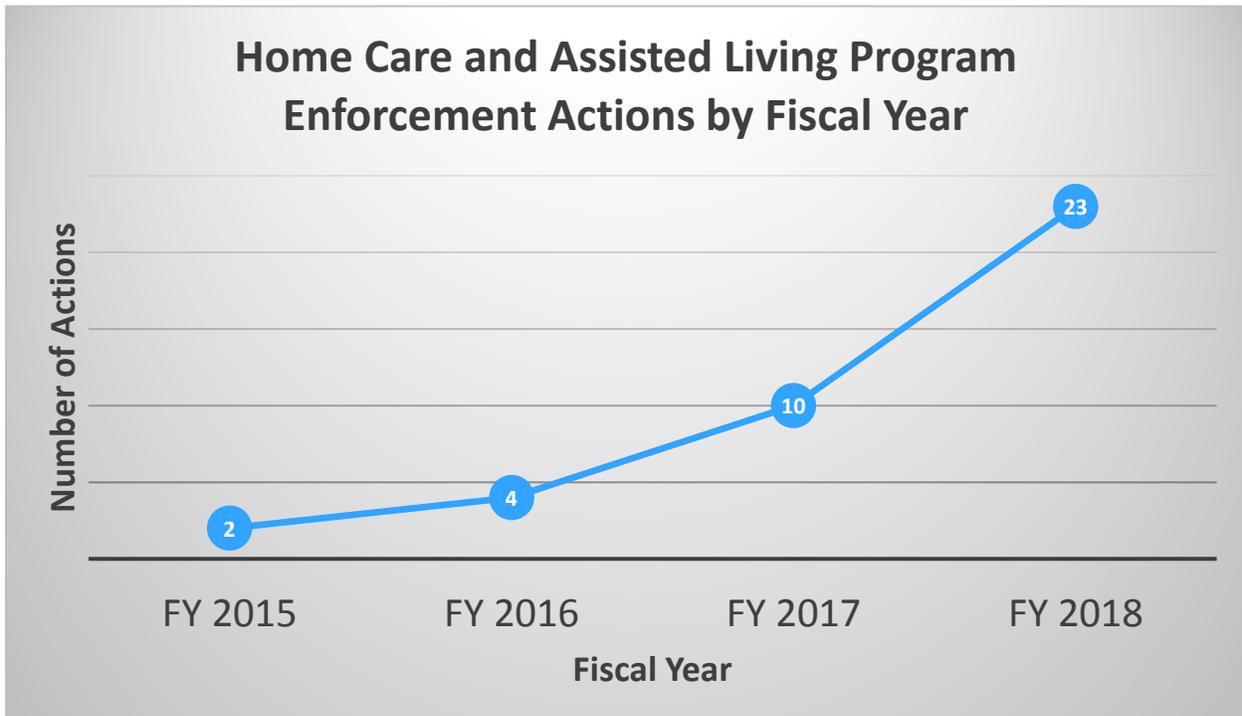
Sanctuary WSP (32476)

Stipulated agreement to transfer services to Ebenezer

- Immediate orders written by OHFC, not corrected; survey completed with further noncompliance (not in substantial compliance) identified.
- Provider has history of conditional license with stipulated agreement; "graduated" and was found to have problems with services again.
- Series of informal conferences and discussion regarding immediate suspension and revocation of the license.

HCALP ENFORCEMENT ACTIONS – FY19

- Fully executed stipulated agreement 2/28/19; transfer services to another arranged home care provider and close the license after.
- Goal date for Ebenezer transfer of services: 4/1/19
- License will be allowed to lapse and not renew 4/30/19; license will be closed.
- Transfer to new arranged home care provider (Ebenezer) complete on 4/1/19; license allowed to expire.



Minnesota Department of Health
Home Care and Assisted Living Program
PO Box 3879, St. Paul, MN 55101
651-201-5273
health.homecare@state.mn.us

04/18/2019

To obtain this information in a different format, call: 651-201-5273.

HCALP ENFORCEMENT ACTIONS – FY19