

Home and Community-Based Services Licensed under Minnesota Statutes, chapter 245D

PHYSICAL ENVIRONMENT FOR COMMUNITY RESIDENTIAL SETTING

Definitions:

"Common entry point: means the entity designated by each county [where services are provided] responsible for receiving reports under section [626.557](#) [section 626.5572, subdivision 5].

"Coordinated service and support plan" [CSSP] has the meaning given in sections [256B.0913, subdivision 8](#); [256B.0915, subdivision 6](#); [256B.092, subdivision 1b](#); and [256B.49, subdivision 15](#), or successor provisions [section 245D.02, subdivision 4b].

"Coordinated service and support plan addendum" [CSSP addendum] means the documentation that this chapter requires of the license holder for each person receiving services [section 245D.02, subdivision 4c].

The person's support team or expanded support team must participate in the development of the CSSP addendum. The CSSP addendum is not a single document. It is multiple documents or documentation the license holder is required to develop that identify how services will be delivered in order to meet a person's identified needs and desired outcomes.

"Community residential setting" means a residential program as identified in section [245A.11, subdivision 8](#), where residential supports and services identified in section [245D.03, subdivision 1](#), paragraph (c), clause (3), items (i) and (ii), are provided and the license holder is the owner, lessor, or tenant of the facility licensed according to this chapter, and the license holder does not reside in the facility [section 245D.02, subdivision 4a].

"Emergency" means any event that affects the ordinary daily operation of the program including, but not limited to, fires, severe weather, natural disasters, power failures, or other events that threaten the immediate health and safety of a person receiving services and that require calling 911, emergency evacuation, moving to an emergency shelter, or temporary closure or relocation of the program to another facility or service site for more than 24 hours [section 245D.02, subdivision 8].

"Facility," for purposes of section 245D.21, means a community residential setting and day service facility [section 245D.21, subdivision 1].

"Service site" means the location where the service is provided to the person, including, but not limited to, a facility licensed according to chapter 245A; a location where the license holder is the owner, lessor, or tenant; a person's own home; or a community-based location [section 245D.02, subdivision 32].

Key

Language that is contained in [brackets] or *italics* is provided for clarification.

**DHS DIVISION OF LICENSING
Self-Monitoring Checklist**

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LAW / RULE CITE	LICENSING STANDARD		NOTES
245D.21	Facility Inspections and Code Compliance The license holder ensured the physical plant complied with applicable state and local codes.		
245D.21, Subd. 2, (a)	Physical plants complied with applicable state and local: ___ Fire codes; ___ Health codes; ___ Building codes, and ___ Zoning codes.		
245D.21, Subd. 2, (b)	<p>(1) The facility was inspected by a fire marshal or their delegate within 12 months before initial licensure to verify that it meets the applicable occupancy requirement as defined in the State Fire Code and that the facility complies with the fire safety standards for that occupancy code contained in the State Fire Code.</p> <p>(2) The fire marshal inspection of a community residential setting verified the residence is a dwelling unit within a residential occupancy as defined in section 9.117 of the State Fire Code</p> <p>A home safety checklist, approved by the Commissioner, was completed for a community residential setting by the license holder and the Commissioner before the satellite license was reissued.</p> <p>(3) The facility was inspected according to the facility capacity specified on the initial application form.</p> <p>(4) If the Commissioner had reasonable cause to believe that a potentially hazardous condition was present or the licensed capacity was increased, the Commission requested a subsequent inspection and written report by a fire marshal to verify the absence of hazard.</p> <p>(5) Any condition cited by a fire marshal, building official, or health authority as hazardous or creating an immediate danger of fire or threat to health and safety was corrected before a license was issued by DHS, and for community residential settings, before a license was reissued.</p>		
245D.21, Subd. 2, (c)	The facility maintained in a permanent file the reports of health, fire, and other safety inspections.		

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245D.21, Subd. 2, (d)	The facility's plumbing, ventilation, heating, cooling, lighting, and other fixtures and equipment, including elevators or food service, if provided, conformed to applicable health, sanitation, and safety codes and regulations.		
245D.22	Facility Sanitation and Health The license holder of a facility maintained a safe and hazard free environment.		
245D.22, Subd. 1	<p><u>General Maintenance</u> The license holder maintained the interior and exterior of buildings, structures, or enclosures used by the facility, including walls, floors, ceilings, registers, fixtures, equipment, and furnishings in good repair and in a sanitary and safe condition.</p> <p>The facility was clean and free from accumulations of dirt, grease, garbage, peeling paint, mold, vermin, and insects.</p> <p>The license holder corrected building and equipment deterioration, safety hazards, and unsanitary conditions.</p>		
245D.22, Subd. 2	<p><u>Hazards</u> The license holder ensured that service sites owned or leased by the license holder were free from hazards that would threaten the health or safety of a person receiving services by ensuring the following requirements are met:</p>		
245D.22, Subd. 2, (a)	Chemicals, detergents, and other hazardous or toxic substances were not stored with food products or in any way that poses a hazard to persons receiving services.		
245D.22, Subd. 2, (b)	The license holder installed handrails and nonslip surfaces on interior and exterior runways, stairways, and ramps according to the applicable building code.		
245D.22, Subd. 2, (c)	<p>If there were elevators in the facility, the license holder had elevators inspected each year.</p> <p>The date of the inspection, any repairs needed, and the date the necessary repairs were made was documented.</p>		
245D.22, Subd. 2, (d)	The license holder kept stairways, ramps, and corridors free of obstructions.		
245D.22, Subd. 2, (e)	Outside property was free from debris and safety hazards. Exterior stairs and walkways must be kept free of ice and snow.		

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245D.22, Subd. 2, (f)	Heating, ventilation, air conditioning units, and other hot surfaces and moving parts of machinery were shielded or enclosed.		
245D.22, Subd. 2, (g)	Use of dangerous items or equipment by persons served by the program was allowed in accordance with the person's CSSP addendum or the program abuse prevention plan, if not addressed in the CSSP addendum.		
245D.22, Subd. 3	<u>Storage and Disposal of Medication</u> Schedule II controlled substances in the facility that are named in section 152.02, subdivision 3 , were stored in a locked storage area permitting access only by persons and staff authorized to administer the medication.		
	The storage and access to Schedule II controlled substances was incorporated into the license holder's medication administration policy and procedures required under Minnesota Statutes, section 245D.11, subdivision 2 , clause (3).		
	Medications were disposed of according to the Environmental Protection Agency recommendations.		
245D.22, Subd. 4, (a)	<u>First Aid & CPR</u> A staff person trained in first aid was available on site and, when required in a person's CSSP or CSSP addendum, was able to provide cardiopulmonary resuscitation, whenever persons are present and staff are required to be at the site to provide direct service.		
	The CPR training must include in-person instruction, hands-on practice, and an observed skills assessment under the direct supervision of a CPR instructor.		
245D.22, Subd. 4, (b)	A facility had first aid kits readily available for use by, and that meet the needs of, persons receiving services and staff.		
	At a minimum, the first aid kit were equipped with accessible first aid supplies including: <ul style="list-style-type: none"> ___ bandages; ___ sterile compresses; ___ scissors; ___ ice bag or cold pack; ___ oral or surface thermometer; ___ mild liquid soap; ___ adhesive tape; and ___ first aid manual. 		

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245D.22, Subd. 5, (a)	<p><u>Emergency Plan and Drills</u> The license holder had a written plan for responding to emergencies as defined in section 245D.02, subdivision 8, to ensure the safety of persons served in the facility.</p>		
	<p>The plan included:</p> <p>(1) Procedures for emergency evacuation and emergency sheltering, including:</p> <ul style="list-style-type: none"> (i) how to report a fire or other emergency; (ii) procedures to notify, relocate, and evacuate occupants, including use of adaptive procedures or equipment to assist with the safe evacuation of persons with physical or sensory disabilities; and (iii) instructions on closing off the fire area, using fire extinguishers, and activating and responding to alarm systems; 		
	<p>(2) A floor plan that identified:</p> <ul style="list-style-type: none"> (i) the location of fire extinguishers; (ii) the location of audible or visual alarm systems, including but not limited to manual fire alarm boxes, smoke detectors, fire alarm enunciators and controls, and sprinkler systems; (iii) the location of exits, primary and secondary evacuation routes, and accessible egress routes, if any; and (iv) the location of emergency shelter within the facility; 		
	<p>(3) A site plan that identified:</p> <ul style="list-style-type: none"> (i) designated assembly points outside the facility; (ii) the locations of fire hydrants; and (iii) the routes of fire department access; 		
	<p>(4) The responsibilities each staff person must assume in case of emergency;</p>		
	<p>(5) Procedures for conducting quarterly drills each year and recording the date of each drill in the file of emergency plans;</p>		
	<p>(6) Procedures for relocation or service suspension when services are interrupted for more than 24 hours;</p>		
	<p>(7) For a community residential setting with three or more dwelling units, a floor plan that identified the location of enclosed exit stairs; and</p>		
<p>(8) An emergency escape plan for each resident.</p>			

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245D.22, Subd. 5, (b)	<p>The license holder:</p> <p>(1) Maintained a log of quarterly fire drills on file in the facility;</p> <p>(2) Provided an emergency response plan that was readily available to staff and persons receiving services;</p> <p>(3) Informed each person of a designated area within the facility where the person should go for emergency shelter during severe weather and the designated assembly points outside the facility; and</p> <p>(4) Maintained emergency contact information for persons served at the facility that could be readily accessed in an emergency.</p>		
245D.22, Subd. 6	<p><u>Emergency Equipment</u> The facility had a flashlight and a portable radio or television set that did not require electricity and could be used if a power failure occurred.</p>		
245D.22, Subd. 7	<p><u>Telephone and Posted Numbers</u> The facility had a non-coin-operated telephone that was readily accessible.</p> <p>A list of emergency numbers was posted in a prominent location.</p> <p>If the area had a 911 number or a mental health crisis intervention team number, both numbers were posted and the emergency number listed was 911.</p> <p>If the area of the state was without a 911 number, the numbers listed were the local fire department, police department, emergency transportation, and poison control center.</p> <p>The names and telephone numbers of each person's representative, physician, and dentist were readily available.</p>		
<u>245D.06,</u> Subd. 2	<u>Service Site Sanitation and Health</u> The license holder of a facility maintained a safe and hazard free environment.		
	<p><u>Environment and Safety</u> (1) The license holder ensured the following when the license holder was the owner, lessor, or tenant of the service site:</p>		
	<p><u>Safe and Hazard-Free Environment</u> (i) The service site was a safe and hazard-free environment;</p>		

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	<p><u>Toxic Substances & Dangerous Items</u> (ii) Toxic substances or dangerous items were inaccessible to persons served by the program only to protect the safety of a person receiving services when a known safety threat exists and not as a substitute for staff supervision or interactions with a person who is receiving services.</p>		
	<p>If toxic substances or dangerous items were made inaccessible, the license holder documented an assessment of the physical plant, its environment, and its population identifying the risk factors which require toxic substances or dangerous items to be inaccessible and a statement of specific measures to be taken to minimize the safety risk to persons receiving services and to restore accessibility to all persons receiving services at the service site;</p>		
	<p><u>Locked Doors</u> (iii) Doors were locked from the inside to prevent a person from exiting only when necessary to protect the safety of a person receiving services and not as a substitute for staff supervision or interactions with the person.</p>		
	<p>If doors were locked from the inside, the license holder documented an assessment of the physical plant, the environment and the population served, identifying the risk factors which require the use of locked doors, and a statement of specific measures to be taken to minimize the safety risk to persons receiving services at the service site; and</p>		
	<p><u>First Aid & CPR</u> (iv) A staff person was available at the service site who was trained in basic first aid and, when required in a person's CSSP or CSSP addendum, cardiopulmonary resuscitation (CPR) whenever persons are present and staff are required to be at the site to provide direct support service.</p>		
	<p>The CPR training included in-person instruction, hands-on practice, and an observed skills assessment under the direct supervision of a CPR instructor;</p>		
	<p><u>Equipment, Vehicles, Supplies, & Materials</u> (2) Maintained equipment, vehicles, supplies, and materials owned or leased by the license holder in good condition when used to provide services;</p>		

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	<p><u>Safe Transportation</u> (3) Followed procedures to ensure safe transportation, handling, and transfers of the person and any equipment used by the person, when the license holder was responsible for transportation of a person or a person's equipment;</p> <hr/> <p><u>Emergency Preparation & Response</u> (4) Was prepared for emergencies and followed emergency response procedures to ensure the person's safety in an emergency; and</p> <hr/> <p><u>Universal Precautions</u> (5) Followed universal precautions and sanitary practices, including hand washing, for infection prevention and control, and to prevent communicable diseases.</p>		
<p>245A.65, Subd. 1, (d)</p>	<p>Posting VA Maltreatment Policy The license holder posted a copy of the VA maltreatment reporting policies and procedures.</p>		
	<p>The license holder posted a copy of the internal and external reporting policies and procedures,</p> <hr/> <p>including the telephone number of the common entry point as defined in section 626.5572, subdivision 5,</p> <hr/> <p>in a prominent location in the program and</p> <p><i>[The location must be one that mandated reporters, persons receiving services, and the person's legal representatives can easily and freely access the policy without having to ask for staff assistance or to request access to the location where it is posted. This does not mean it has to be in a conspicuous location. It could be on the back of closet or cupboard door in a room that can be accessed by any of these people after they have been shown its location as part of their required VA orientation.]</i></p> <hr/> <p>had it available upon request to mandated reporters, persons receiving services, and the person's legal representatives.</p>		