

Division of Aging Heightened Scrutiny Settings List

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Overview of Heightened Scrutiny and Compliance Process for Settings on Heightened Scrutiny List

The Division of Aging is submitting this list of settings subject to heightened scrutiny for public comment. Each setting has a summary explaining why it will overcome the presumption of institutionalism.

In 2016, the Division conducted an initial in-person visit at assisted living and adult day settings to assess compliance with the Settings Rule. In a few settings, these visits were conducted later. Based on the initial visit, a remediation plan was created to address each aspect of the Settings Rule, and the Division has been conducting desk audits to review lease provisions. The process is ongoing and all settings will have their remediation plans validated prior to final approval. Settings on this list have a remediation plan and are also subject to the heightened scrutiny process described in the subsequent paragraph.

The Division is submitting this list of settings it believes will overcome the presumption of institutionalism based on the evidence the Division has received so far. The Division may withdraw a setting from its list, if during the heightened scrutiny process, the setting no longer demonstrates that it can overcome the presumption of institutionalism or the setting is shown not to be a home and community-based setting. The heightened scrutiny process involves several activities. First, the Division developed a questionnaire tool assessing whether a setting is meaningfully distinct from the institution it is co-located with and that the setting is fully integrated in and supports full access to the community. This tool was reviewed by the Division prior to submitting this list. Additionally, the Division will audit person-centered service plans at each setting on this list, and the Division is also reviewing additional documentation relevant to overcoming the presumption of institutionalism, such as photographs of the setting; policies and procedures; financial documentation; and other evidence demonstrating home and community-based qualities. As the final compliance check, prior to March 17, 2023, the Division will visit the settings on the list to validate that the setting is fully compliant with all the requirements of the Settings Rule. The timing of these final compliance visits will be made on a case-by-case basis depending on the setting's schedule and the amount of remediation required, but the Division will complete these final checks by April 1, 2023.

All but one setting on this list are presumed institutional due to being located in the same building as a publicly-or privately-operated facility that provides inpatient institutional treatment. The specific heightened scrutiny process for this setting, A Rosie Place for Children, will be detailed on their heightened scrutiny summary.

Role of Public Comments in the Heightened Scrutiny Process

The Division will consider all public comments received during the comment period. Public comments will be used to adjust remediation strategies as needed, and if the comment(s) provide clear evidence that a setting does not overcome the presumption of institutionalization, then the Division will withdraw the setting from CMS consideration.

Heightened Scrutiny Summaries

Setting 1

Setting Name:	Grace Village Assisted Living Community
Description of Setting:	Located in Winona Lake, Ind. This setting is within a residential community that is 1.3 miles from downtown Winona Lake. The physical location owned by Grace Village includes condominiums, independent living apartments, assisted living, and health care. All sections are separated from one another and distinctly marked. Each section has their own entrances and access points; however, the set up also allows for friends and family members who live in different sections ease of visiting access.
Type of setting:	Co-located with nursing facility

Grace Village Assisted Living Community (hereinafter referred to as “Grace Village”) is included in the list of settings that have been identified as presumed institutional and subject to public comment. Grace Village participates in the Division of Aging’s Home and Community-Based waiver(s).

How This Setting Will Overcome Being Presumed Institutional

The Division believes that ultimately, this setting will overcome the presumption of institutionalism by showing (1) that there is a meaningful distinction between the assisted living setting and the nursing facility and (2) that the setting is integrated in and supports full access to the greater community.

Evidence Overcoming the Presumption of Institutionalism

The following characteristics overcome the presumption of institutionalism at Grace Village:

1. There is meaningful distinction between Grace Village and the nursing facility
 - a. Internal financial accounting and the general ledger accounts separate the nursing facility from the assisted living setting.
 - b. There are distinct entrances and signage between the assisted living setting and nursing facility.
 - c. Assisted living is on an entirely separate level/floor than the nursing facility.
 - d. There are restricted access keypads between assisting living and nursing facility.
 - e. Residents in assisted living can have their own vehicles.
 - f. Residents in Grace Village assisted living, in contrast to the nursing facility, have their own single-occupancy apartments.
 - g. Residents are free to choose their own apartments.
 - h. Assisted living has a dedicated activity leader that only works with assisted living residents.

2. The setting is integrated in and supports full access to the greater community
 - a. Grace Village assisted living is part of the larger Grace Village community, including condominiums, independent living apartments, assisted living, and health care. While each section is distinct in its entrances and access points, friends and family members around the community can easily visit one another. The Grace Village community is located within a residential area or Winona Lake.
 - b. Grace Village is approximately 1 mile from Grace College and Theological Seminary. It is 1.3 miles from downtown Winona Lake, which offers shops, recreational activities, walking trails, lake and beach access, a senior center, and other municipal services. It is also located approximately 3 miles from Warsaw, Indiana.
 - c. Grace Village provides transportation for shopping days along with bus rides for seasonal outings and other outings throughout the year.
 - d. There are public transportation buses available for residents. Some families and friends wish to provide transportation for their family member. Residents who have their own car and license are welcome to provide their own transportation as well.
 - e. Residents of Grace Village engage in shopping, picnics, Dixie boat rides, tea garden outings for lunch and touring gardens, annual zoo trip, annual county fair outing, and other places of resident's interests. Residents are encouraged to get involved with activities at Grace Village and in the community.
 - f. Community members provide special activities, encouragement, and support to the residents in many ways such as providing musical programs, with singing, playing the piano and other instruments, chapel speakers, assistance with trips, provide some Bingo prizes, and fun-day activities.

Conclusion

Home and Community-Based Service (HCBS) waiver participants have chosen from a list of meaningful setting options to live at the Grace Village assisted living setting within the larger Grace Village retirement community ranging from condominiums to a nursing facility. Grace Village will overcome the presumption of institutionalism as it is meaningfully different from the nursing facility and it is integrated in and supports full access to the community.

Setting 2

Setting Name: **Parkview Haven**

Description of Setting: Located in Francesville, Ind., this setting is a 20-acre continuing care retirement community, which includes a walking trail and pond. The setting is close to downtown Francesville and near Town Park. The community includes independent living condominiums, assisted living apartments, and a skilled nursing facility. Each assisted living apartment includes a private patio with space to have flowers.

Type of setting: Co-located with nursing facility

Parkview Haven is included in the list of settings that have been identified as presumed institutional and subject to public comment. Parkview Haven participates in the Division of Aging's HCBS waiver(s).

How This Setting Will Overcome Being Presumed Institutional

The Division believes that ultimately, this setting will overcome the presumption of institutionalism by showing (1) that there is a meaningful distinction between the assisted living setting and the nursing facility and (2) that the setting is integrated in and supports full access to the greater community.

Evidence Overcoming the Presumption of Institutionalism

The following characteristics overcome the presumption of institutionalism at Parkview Haven:

1. There is meaningful distinction between the assisted living and the nursing facility
 - a. There are separate entrances from the main entrance between the nursing facility and assisted living.
 - b. Each apartment has its own door and private patio.
 - c. Residents have a single-occupancy apartment, but able to have two occupants per room if they choose to.
 - d. Residents are free to choose their own apartment.
2. The setting is integrated in and supports full access to the greater community
 - a. Parkview Haven assisted living is part of the larger Parkview Haven community, including condominiums, assisted living, and healthcare. Friends and family members around the community can easily visit one another.
 - b. The community is set on 20-acres with a neighborhood for the independent living, a pond, and a walking trail.
 - c. Parkview Haven provides transportation for shopping days, along with bus rides for seasonal outings and other outings throughout the year.

- d. There is public transportation available through Pulaski County Human Resources by appointment. Some families and friends provide transportation for their family member. Residents with their own car and license can provide their own transportation as well.
- e. Residents of Parkview Haven engage in shopping, festivals, picnics, outings for lunch, country drive trips, walks in the park, fishing, and gardening. Parkview Haven offers the opportunity to participate in activities such as trivia, exercise programs, socials, and community events.
- f. Parkview Haven is involved in intergenerational programming with the local school and 4-H Clubs. Residents are encouraged to get involved with activities at Parkview Haven and in the community.
- g. Community members provide special activities, encouragement, and support to the residents in many ways: such as providing musical programs, singing, playing the piano and other instruments, spiritual services, assistance with trips, providing some Bingo prizes, and fun-day activities.

Conclusion

HCBS waiver participants have chosen from a list of meaningful setting options to live at the Parkview Haven assisted living setting within the larger Parkview Haven retirement community ranging from condominiums to a nursing facility. Parkview Haven will overcome the presumption of institutionalism as it is meaningfully different from the nursing facility and it is integrated in and supports full access to the community.

Setting 3

Setting Name:	Oak Grove Christian Retirement Community
Description of Setting:	Located in downtown DeMotte, Ind., this setting is in walking distance of stores and restaurants. Oak Grove is a continuing care living community with assisted living, healthcare, and rehabilitation living options.
Type of setting:	Co-located with nursing facility

Oak Grove Christian Retirement Community (hereinafter referred to as “Oak Grove”) is included in the list of settings that have been identified as presumed institutional and subject to public comment. Oak Grove participates in the Division of Aging’s HCBS waiver(s).

How This Setting Will Overcome Being Presumed Institutional

The Division believes that ultimately, this setting will overcome the presumption of institutionalism by showing (1) that there is a meaningful distinction between the assisted living setting and the nursing facility and (2) that the setting is integrated in and supports full access to the greater community.

Evidence Overcoming the Presumption of Institutionalism

The following characteristics overcome the presumption of institutionalism at Oak Gove:

1. There is meaningful distinction between the assisted living and the nursing facility
 - a. The nursing facility and assisted living setting are located on separate floors; the AL apartments are by themselves on the second floor and have a dedicated aviary, game/puzzle tables, TV sitting room and lounge areas.
 - b. Separate financial statements are kept between the nursing facility and setting.
 - c. There are not shared financial arrangements between the setting and nursing facility.
 - d. Residents are free to choose their own apartments, including apartments of various sizes.
 - e. The Assisted Living setting has dedicated staff 75 percent of the time.
 - f. Residents have their own single-occupancy apartments.
 - g. Pets are allowed consistent with Oak Grove’s pet policy.
2. The setting is integrated in and supports full access to the greater community
 - a. Oak Grove is located in downtown DeMotte and is in walking distances of stores, schools, churches, and restaurants.
 - b. Public transportation is available. Residents can drive themselves or family and friends can provide transportation.
 - c. The residents may have their own vehicles with separate dedicated parking.

- d. Oak Grove is a part of this community; residents participate in public events, such as the Touch of Dutch parade and festival. They go on local shopping and sight-seeing excursions. Entertainment acts come to Oak Grove on at least a monthly basis.
- e. Church groups, Weekly Hymn Sing, entertainment acts, author recitals, and painting classes are some examples of community involvement in the setting.
- f. Residents can be involved in wellness exercise sessions, walking groups, card groups, Bingo, manicures, special activities based on the season-pumpkin painting, spooky spirit week, etc. Residents have to the freedom to as much or as little as they would like.

Conclusion

HCBS waiver participants have chosen from a list of meaningful setting options to live at the Oak Grove within the larger Oak Grove Retirement Community. Oak Grove will overcome the presumption of institutionalism as it is meaningfully different from the nursing facility and it is integrated in and supports full access to the community.

Setting 4

Setting Name:	New Albany Nursing and Rehabilitation
Description of Setting:	Located in New Albany, Ind., this setting is in the business district of New Albany next to a post office, restaurants, and businesses. The setting includes a nursing facility, memory care unit, and rehabilitation services.
Type of setting:	Co-located with nursing facility

New Albany Nursing and Rehabilitation (hereinafter referred to as “New Albany”) is included in the list of settings that have been identified as presumed institutional and subject to public comment. New Albany participates in the Division of Aging’s HCBS waiver(s).

How This Setting Will Overcome Being Presumed Institutional

The Division believes that ultimately, this setting will overcome the presumption of institutionalism by showing (1) that there is a meaningful distinction between the assisted living setting and the nursing facility and (2) that the setting is integrated in and supports full access to the greater community.

Evidence Overcoming the Presumption of Institutionalism

The following characteristics overcome the presumption of institutionalism at New Albany:

1. There is meaningful distinction between the assisted living and the nursing facility
 - a. Residents have their own single-occupancy apartments and come and go as they please.
 - b. Residents are free to choose their own apartments.

2. The setting is integrated in and supports full access to the greater community
 - a. New Albany is located downtown and is in walking distances of restaurants and businesses.
 - b. Residents use public transportation buses, ride share services, cabs, and New Albany provides transportation as needed.
 - c. New Albany is a part of the community; residents participate in public events, such as Harvest Homecoming. They are free to visit businesses for shopping, dining, and other services.
 - d. Outside community members and groups are involved in activities with residents.
 - e. Residents can participate in activities such as karaoke, Bingo, and movies.

Conclusion

HCBS waiver participants have chosen from a list of meaningful setting options to live at New Albany. New Albany will overcome the presumption of institutionalism as it is meaningfully different from the nursing facility and it is integrated in and supports full access to the community.

Setting 5

Setting Name:	Hanover Nursing Center
Description of Setting:	Located in a residential area in Hanover, Ind., the setting is in downtown Hanover and is in walking distance of businesses. The setting includes a nursing facility.
Type of setting:	Co-located with nursing facility

Hanover Nursing Center (hereinafter referred to as “Hanover”) is included in the list of settings that have been identified as presumed institutional and subject to public comment. Hanover participates in the Division of Aging’s HCBS waiver(s).

How This Setting Will Overcome Being Presumed Institutional

The Division believes that ultimately, this setting will overcome the presumption of institutionalism by showing (1) that there is a meaningful distinction between the assisted living setting and the nursing facility and (2) that the setting is integrated in and supports full access to the greater community.

Evidence Overcoming the Presumption of Institutionalism

The following characteristics overcome the presumption of institutionalism at Hanover:

1. There is meaningful distinction between the assisted living and the nursing facility
 - a. The assisted living has a separate entrance from the nursing facility.
 - b. Residents are free to choose their own apartments.
 - c. Residents have their own single-occupancy apartment.
 - d. Both one bedroom and studio apartments are also available to residents.
 - e. Residents have a washer and dryer available with their own distinct laundry room.
 - f. Residents have their own parking area.
 - g. The assisted living is separated by a hall enclosed with double doors.

2. The setting is integrated in and supports full access to the greater community
 - a. Hanover is located in downtown and is in walking distances of businesses.
 - b. Hanover is a part of this community; residents participate in church with their families and friends and do other activities.
 - c. Community members come into the Hanover setting through churches hosting services, music groups, karaoke, pet visits, and volunteers.
 - d. Residents can use taxis, community transportation, and family and friends for transportation or use their own vehicles.
 - e. Residents are free to come and go as they please.

- f. Residents participate in Bingo, movie & popcorn, games, trivia nights, the general store, outings, and shopping at Hanover.
- g. Residents have the use of a covered shelter area for picnics / BBQs with family.

Conclusion

HCBS waiver participants have chosen from a list of meaningful setting options to live at Hanover Nursing. Hanover Nursing will overcome the presumption of institutionalism as it is meaningfully different from the nursing facility and it is integrated in and supports full access to the community.

Setting 6

Setting Name:	Asbury Towers Retirement Community
Description of Setting:	Asbury Towers Retirement Community is a four-story building sitting on an entire block in downtown Greencastle, Ind. The setting owns and operates twenty-three (23) condominiums, which take up two (2) complete blocks and half (1/2), of a third block.
Type of setting:	Co-located with nursing facility

Asbury Towers Retirement Community (hereinafter referred to as “Asbury Towers”) is included in the list of settings that have been identified as presumed institutional and subject to public comment. Asbury Towers participates in the Division of Aging’s HCBS waiver(s).

How This Setting Will Overcome Being Presumed Institutional

The Division believes that ultimately, this setting will overcome the presumption of institutionalism by showing (1) that there is a meaningful distinction between the assisted living setting and the nursing facility and (2) that the setting is integrated in and supports full access to the greater community.

Evidence Overcoming the Presumption of Institutionalism

The following characteristics overcome the presumption of institutionalism at Asbury Towers:

1. There is meaningful distinction between the assisted living and the nursing facility
 - a. There are not shared administrators between the nursing facility and assisted living.
 - b. There is separate signage between the nursing facility and assisted living.
 - c. Assisted living apartments are individualized and participants are free to come and go as needed.
 - d. Residents are free to choose their own apartments.
 - e. Residents have their own single-occupancy apartment.

2. The setting is integrated in and supports full access to the greater community
 - a. Asbury Towers is a continuing-care retirement community located in downtown Greencastle, the County seat, and is in walking distance of the historic town square.
 - b. If a resident wanted to go shopping or see a movie, they have access to the local transportation (Rural Transit) and a local taxi service. Signs are posted throughout the setting with the phone numbers to both alternate forms of transportation. Asbury Towers provides transportation on scheduled days to and from the local markets.
 - c. The movie theater is one block away from the facility, those who want to walk could, and others could be taken by local transportation, or arrange for transportation with the facility. The transportation department will transport to local area restaurants.

- d. Asbury residents has access to DePauw University and the array of educational, theatrical, and political entertainment that happens throughout the community. DePauw University is two blocks away of the setting.
- e. There are bars, family restaurants, bookstores, donut shops, coffee shops, parks, baseball and football fields, clothing shops, appliance stores all within walking distance of Asbury Towers.
- f. Residents engage in local entertainment on the square, they have access to the local government building, banks, night life, DePauw University, parks, sports, Kiwanis, Rotary, and the Elks.
- g. Groups from DePauw University come to the setting to talk and read with the residents, play music, sing along, they play chess, watch movies.
- h. Vesper services and entertainment are scheduled bi-weekly.
- i. Residents and their families are involved in volunteering in the community and setting.

Conclusion

HCBS waiver participants have chosen from a list of meaningful setting options to live at the continuing care retirement community of Asbury Towers. Asbury Towers will overcome the presumption of institutionalism as it is meaningfully different from the nursing facility and it is integrated in and supports full access to the community.

Setting 7

Setting Name:	Heritage Pointe of Warren
Description of Setting:	Located in Warren, Ind., this continuing care retirement community has independent living town homes and villas; assisted living apartments; and health care. The campus has a chapel, an indoor therapy swimming pool, and a nine-hole golf course.
Type of setting:	Co-located with nursing facility

Heritage Pointe of Warren is included in the list of settings that have been identified as presumed institutional and subject to public comment. Heritage Pointe of Warren participates in the Division of Aging's HCBS waiver(s).

How This Setting Will Overcome Being Presumed Institutional

The Division believes that ultimately, this setting will overcome the presumption of institutionalism by showing (1) that there is a meaningful distinction between the assisted living setting and the nursing facility and (2) that the setting is integrated in and supports full access to the greater community.

Evidence Overcoming the Presumption of Institutionalism

The following characteristics overcome the presumption of institutionalism at Heritage Pointe of Warren:

1. There is meaningful distinction between the assisted living and the nursing facility
 - a. The nursing facility and assisted living do not share an administrator.
 - b. There are some separate entrances between the nursing facility and assisted living.
 - c. Residents are free to choose their own apartments.
 - d. Residents have their own single-occupancy apartment.

2. The setting is integrated in and supports full access to the greater community
 - a. Heritage Pointe of Warren has a pool and health and fitness center that is open to residents and the community; there is also a golf course located on the Heritage Pointe of Warren campus that is open to both residents and the community.
 - b. Residents can arrange large outings via the company bus, they can use their own vehicle, or they can have a family member or friend take them outside the setting. Heritage Pointe of Warren regularly utilizes the transportation service H.A.T. (Huntington Area Transportation) to coordinate outings for residents.
 - c. Assisted Living has its own activities department. The AL Activity Director is a predominate figure in the surrounding community and helps to integrate the residents.
 - d. Typically, residents participate in all community events (festivals, pageants, car shows, tractor pulls, farmers markets).

- e. Heritage Pointe of Warren offers Rock Steady Boxing classes for residents and members of the community.
- f. The community has several seasonal festivals (4th of July parade, scarecrow festival, Avenue of Trees) that residents attend.
- g. Sunday service in the chapel is held for community members and assisted living residents. Heritage Pointe of Warren also have special worship services in their chapel and quarterly seminars for the aging (cellphone tech night, elder law education night, etc.) that community members are welcome to attend.
- h. The main building has been around for over 100 years in some capacity or another. Heritage Pointe of Warren has continued to advance and update the building, including extensive remodels to dining rooms to make them feel more like a home and updating lounges, so they are places for residents to gather.

Conclusion

HCBS waiver participants have chosen from a list of meaningful setting options to live at Heritage Pointe of Warren. Heritage Pointe of Warren will overcome the presumption of institutionalism as it is meaningfully different from the nursing facility and it is integrated in and supports full access to the community.

Setting 8

Setting Name: **Peabody Retirement Community**

Description of Setting: Located in North Manchester, Ind., this continuing care retirement community has 33-acres and includes independent living, assisted living, rehabilitation, and a nursing facility. The campus has walking trails; gardens; a gift shop; a library; chapel; salon and spa; and bistro.

Type of setting: Co-located with nursing facility

Peabody Retirement Community (hereinafter referred to as “Peabody”) is included in the list of settings that have been identified as presumed institutional and subject to public comment. Peabody participates in the Division of Aging’s HCBS waiver(s).

How This Setting Will Overcome Being Presumed Institutional

The Division believes that ultimately, this setting will overcome the presumption of institutionalism by showing (1) that there is a meaningful distinction between the assisted living setting and the nursing facility and (2) that the setting is integrated in and supports full access to the greater community.

Evidence Overcoming the Presumption of Institutionalism

The following characteristics overcome the presumption of institutionalism at Peabody:

1. There is meaningful distinction between the assisted living and the nursing facility
 - a. Peabody is currently working toward having separate administrators between the assisted living and nursing facility.
 - b. Peabody has separate staff for the assisted living and nursing facility but on rare occasions, nursing facility staff will cover for the assisted living and vice versa.
 - c. Peabody’s profit and loss statements illustrate the distinction between the assisted living and nursing facility.
 - d. There is separate signage for the assisted living and nursing facility.
 - e. Residents are free to choose their own apartments.
 - f. Residents have their own single-occupancy apartment.
2. The setting is integrated in and supports full access to the greater community
 - a. Peabody has a wellness center with personal training, classes like Rock Steady Boxing, a pool, and workout equipment which is open to both residents and the community.
 - b. Peabody is in walking distance of a park.
 - c. Peabody encourages residents to enjoy baking, gardening, brain fitness, volunteering and to participate in off-campus excursions to shopping, dining and cultural destinations.

- d. Peabody has transportation services and residents can ride with friends or family.
- e. Peabody has a chapel that is open to residents and the community.

Conclusion

HCBS waiver participants have chosen from a list of meaningful setting options to live at Peabody, a continuing care retirement community. Peabody will overcome the presumption of institutionalism as it is meaningfully different from the nursing facility and it is integrated in and supports full access to the community.

Setting 9

Setting Name: **Milner Community Health Care Center**

Description of Setting: Located just outside the city limits of Rossville, Ind., this continuing care retirement community has assisted living, healthcare, and independent living homes. Milner is on a 30-acre site. The population of Rossville is 1,653, and Milner has close access to local businesses that include, a post office, dental office, schools, veterinarian clinic, funeral home, insurance agency, quilting shop, certified public accountant, banks, boutiques, restaurants, and churches.

Type of setting: Co-located with nursing facility

Milner Community Health Care Center (hereinafter referred to as “Milner”) is included in the list of settings that have been identified as presumed institutional and subject to public comment. Milner participates in the Division of Aging’s HCBS waiver(s).

How This Setting Will Overcome Being Presumed Institutional

The Division believes that ultimately, this setting will overcome the presumption of institutionalism by showing (1) that there is a meaningful distinction between the assisted living setting and the nursing facility and (2) that the setting is integrated in and supports full access to the greater community.

Evidence Overcoming the Presumption of Institutionalism

The following characteristics overcome the presumption of institutionalism at Milner:

1. There is meaningful distinction between the assisted living and the nursing facility
 - a. On rare occasions nursing home staff will have to cover a shift in assisted living. Assisted living staff are solely hired for the assisted living portion of the assisted and do not work in the nursing facility.
 - b. Assisted living has its own entrance and its own enclosed front porch.
 - c. There are four (4) separate entrances to the assisted living, none of which are shared with the nursing facility.
 - d. Assisted living has its own separate parking, and signage. The nursing facility and assisted living are separated by a key-coded door.
 - e. Milner has documentation demonstrating the nursing facility and assisted living setting are separate.
 - f. Residents are free to choose their own apartments.
 - g. Residents have their own single-occupancy apartment.

2. The setting is integrated in and supports full access to the greater community

- a. The town of Rossville is a rural community with limited transportation options. There is not any bus or taxi service in the town. Most transportation needs are taken care of by family members or paid caregivers. Rossville has a senior community transportation van that is available if scheduled in advance. Residents can maintain their own vehicle.
- b. Residents are free to come and go as they wish.
- c. Milner supports full access to individuals wanting to integrate into the Rossville community. Transportation can be provided to local church services and events. Members of Church congregations have provided residents of assisted living transportation to and from church services.
- d. Residents go to school programs and sporting events. They attend special events in the Rossville community such as the Summer's End Festival, community Christmas lights and Veteran's Day programs. They also are active with various programming provided at the local elementary school, such as reading programs, adopt a grandparent, and Easter egg hunt.
- e. Residents are taken monthly to Lafayette or surrounding communities to shop at larger box stores. Weekly van rides are taken to see various places around the area such as; Lake Freeman, Adams Mill, Cutler Ridge, Fort Ouiatenon, Purdue University, Madam Carroll and the Erie Canal.
- f. Community members are always welcome at Milner. The Women's Auxiliary has held meetings at Milner. Quilting clubs and card groups meet at Milner and residents are invited to participate. Local churches provide church services, Bible studies, and communion in the facility
- g. Milner provides activities such as cards, Bingo, quilting club, church services, Bible study, arts and crafts, gardening, exercise group, movies and popcorn, and cooking club. There is a resident group in the assisted living that meets regularly to discuss what time of activities they would like to add or delete from the activity program.
- h. Residents can be together when they choose or retreat to their own space when they want to be alone.

Conclusion

HCBS waiver participants have chosen from a list of meaningful setting options to live at Milner, a continuing care retirement community. Milner will overcome the presumption of institutionalism as it is meaningfully different from the nursing facility and it is integrated in and supports full access to the community.

Setting 10

Setting Name: **Manor Care -- Summer Trace of Carmel**

Description of Setting: This assisted living setting is in the heart of Carmel, Ind., the setting has eateries, hospitals, community apartments, and shopping in close walking proximity.

Type of setting: Co-located with nursing facility

Manor Care – Summer Trace of Carmel (hereinafter referred to as “Summer Trace”) is included in the list of settings that have been identified as presumed institutional and subject to public comment. Summer Trace participates in the Division of Aging’s HCBS waiver(s).

How This Setting Will Overcome Being Presumed Institutional

The Division believes that ultimately, this setting will overcome the presumption of institutionalism by showing (1) that there is a meaningful distinction between the assisted living setting and the nursing facility and (2) that the setting is integrated in and supports full access to the greater community.

Evidence Overcoming the Presumption of Institutionalism

The following characteristics overcome the presumption of institutionalism at Summer Trace:

1. There is meaningful distinction between the assisted living and the nursing facility
 - a. The assisted living and nursing facility do not share financial accounts.
 - b. Financial statements show separate records for the nursing facility and assisted living settings.
 - c. There are separate entrances and signage between the nursing facility and assisted living.
 - d. Residents are free to choose their own apartments.
 - e. Residents have their own single-occupancy apartment.
2. The setting is integrated in and supports full access to the greater community
 - a. Summer Trace is in walking distance of eateries, hospitals, community apartments, and shopping
 - b. Summer Trace activities include local card tournaments, live music, new eateries, plays, concerts, museums, day and evening trips, and a shuttle to church on Sundays, among other activities. Activities occurring at Summer Trace include arts and crafts, speakers and educational topics, concerts, church services, exercise classes, and Bingo, games.
 - c. Summer Trace invites the community to various events throughout the year such as: cook-outs, Bridge parties, concerts, and more.

- d. Summer Trace has a bus for scheduled transportation at any time, personal vehicles are used, a company car can be used for medical appointments, the activity department assists with transportation arrangements, and ride-share services are available.

Conclusion

HCBS waiver participants have chosen from a list of meaningful setting options to live at Summer Trace. Summer Trace will overcome the presumption of institutionalism as it is meaningfully different from the nursing facility and it is integrated in and supports full access to the community.

Setting 11

Setting Name:

Waterford Crossing

Description of Setting:

This continuing care community is located in Goshen, Ind., and includes independent living villas, assisted living, and health care services. Waterford is close to restaurants, schools, and churches.

Type of setting:

Co-located with nursing facility

Waterford Crossing (hereinafter referred to as “Waterford”) is included in the list of settings that have been identified as presumed institutional and subject to public comment. Waterford participates in the Division of Aging’s HCBS waiver(s).

How This Setting Will Overcome Being Presumed Institutional

The Division believes that ultimately, this setting will overcome the presumption of institutionalism by showing (1) that there is a meaningful distinction between the assisted living setting and the nursing facility and (2) that the setting is integrated in and supports full access to the greater community.

Evidence Overcoming the Presumption of Institutionalism

The following characteristics overcome the presumption of institutionalism at Waterford:

1. There is meaningful distinction between the assisted living and the nursing facility
 - a. Waterford assisted living does not have any shared entrances with the nursing facility.
 - b. There is separate signage between the nursing facility and assisted living.
 - c. There are no shared financial arrangements between the nursing facility and assisted living.
 - d. There is no shared bank account between the nursing facility and assisted living.
 - e. Residents are free to choose their own apartments.
 - f. Residents have their own single-occupancy apartment.
2. The setting is integrated in and supports full access to the greater community
 - a. Waterford residents engage in fishing, movies, plays, parades, restaurants, and visit parks.
 - b. Waterford has hundreds of outside community members who participate in groups, luncheons and/or seminars on the campus every week, although this has changed due to COVID-19. Waterford has over 45 volunteers that come and participate in activities with residents.
 - c. Waterford’s assisted living serves as the club house for their independent living.
 - d. Activities within the assisted living include trivia, happy hour, Bingo, chef’s circle, Bible studies, birthday parties, exercise classes, dance groups, bell choir, vocal choir, walking club, women’s group, and a men’s group.

Conclusion

HCBS waiver participants have chosen from a list of meaningful setting options to live at Waterford. Waterford will overcome the presumption of institutionalism as it is meaningfully different from the nursing facility and it is integrated in and supports full access to the community.

Setting 12

Setting Name:	The Woodlands at River Terrace Estates -- Bluffton
Description of Setting:	This continuing care community is located in Bluffton, Ind., and has a chapel and walking trails. The community is one mile from a YMCA, golf course, and two miles from several stores. Assisted living, independent living, and a nursing facility are offered on the campus.
Type of setting:	Co-located with nursing facility

The Woodlands at River Terrace Estates (hereinafter referred to as “River Terrace”) is included in the list of settings that have been identified as presumed institutional and subject to public comment. River Terrace participates in the Division of Aging’s HCBS waiver(s).

How This Setting Will Overcome Being Presumed Institutional

The Division believes that ultimately, this setting will overcome the presumption of institutionalism by showing (1) that there is a meaningful distinction between the assisted living setting and the nursing facility and (2) that the setting is integrated in and supports full access to the greater community.

Evidence Overcoming the Presumption of Institutionalism

The following characteristics overcome the presumption of institutionalism at River Terrace:

1. There is meaningful distinction between the assisted living and the nursing facility
 - a. River Terrace has separate signage between the assisted living and nursing facility.
 - b. River Terrace has separate entrances between the assisted living and nursing facility
 - c. River Terrace has financial statements demonstrating that the assisted living and nursing facility are separate.
 - d. The assisted living and nursing facility are separated by long hallway and an entryway. The hallway is not straight, which affords more privacy between the two settings.
 - e. Residents are free to come and go and make day-to-day choices regarding things to do and their quality of life.
 - f. Residents are allowed pets in their apartments; each assisted living apartment is a private room.
 - g. Residents are free to choose their own apartments.
 - h. Residents who drive have a separate parking location close to their separate entrance.
 - i. Residents have their own locked mailboxes only accessible by them and the USPS.

2. The setting is integrated in and supports full access to the greater community
 - a. River Terrace residents engage in shopping, entertainment, and dining outside of the assisted living setting.

- b. River Terrace hosts activities and events for residents and the community, including the Red Hat Society and games.
- c. Activities in River Terrace are determined by the preferences of the residents.
- d. Residents can drive their own vehicles, ride with friends or family, or call the county transport providers when they want to leave the setting.

Conclusion

HCBS waiver participants have chosen from a list of meaningful setting options to live at River Terrace. River Terrace will overcome the presumption of institutionalism as it is meaningfully different from the nursing facility and it is integrated in and supports full access to the community.

Setting 13

Setting Name:	Miller's Merry Manor – Rushville
Description of Setting:	Miller's Merry Manor is located in Rushville, Ind., on the edge of town bordered by neighborhoods, businesses, and farmland. The campus is located less than a mile from a hospital, medical providers, and community services. The area offers nearby scenic attractions and an active and growing local community.
Type of setting:	Co-located with nursing facility

Miller's Merry Manor -- Rushville (hereinafter referred to as "Miller's Merry Manor") is included in the list of settings that have been identified as presumed institutional and subject to public comment. Miller's Merry Manor participates in the Division of Aging's Home and Community-Based waiver(s).

How This Setting Will Overcome Being Presumed Institutional

The Division believes that ultimately, this setting will overcome the presumption of institutionalism by showing (1) that there is a meaningful distinction between the assisted living setting and the nursing facility and (2) that the setting is integrated in and supports full access to the greater community.

Evidence Overcoming the Presumption of Institutionalism

The following characteristics overcome the presumption of institutionalism at Miller's Merry Manor:

1. There is meaningful distinction between Miller's Merry Manor and the nursing facility
 - a. The assisted living has a designated workforce; occasionally they may fill-in at the nursing facility.
 - b. Funds are deposited in the same account but with separate tracking numbers; accounts payable and other payable are not made from the shared account.
 - c. Financial statements are available showing that the assisted living and nursing facility are separate.
 - d. There are distinct entrances and signage between the assisted living setting and nursing facility.
 - e. Residents are free to choose their own apartments.
 - f. Residents have their own single-occupancy apartment.
2. The setting is integrated in and supports full access to the greater community
 - a. Miller's Merry Manor encourages assisted living residents to maintain outside ties including, participation in clubs, church services, etc.
 - b. Residents can use their own cars, get rides with friends and family, use the facility minivan for planned activities, and use local transportation or ride services.

- c. Community groups and members visit Miller's Merry Manor as church groups, schools, clubs, and other social groups. Residents also have their own visitors, including overnight guest, especially around the holidays and peak summer vacation times.
- d. Residents, depending on their interests and consent, attend church; family activities; clubs; movies; sporting events; shopping; school events; and concerts.

Conclusion

Home and Community-Based Service (HCBS) waiver participants have chosen from a list of meaningful setting options to live at the Miller's Merry Manor assisted living setting. Miller's Merry Manor will overcome the presumption of institutionalism as it is meaningfully different from the nursing facility and it is integrated in and supports full access to the community.

Setting 14

Setting Name:	Hamilton Grove
Description of Setting:	Hamilton Grove is a continuing care retirement community located in New Carlisle, Ind., with independent living apartments, private villas, assisted living, and healthcare. The community has over 250 acres of nature, including trails. Hamilton Grove is four miles from downtown New Carlisle. Hamilton Grove is close to the city of South Bend, hospitals, a train station, and the airport.
Type of setting:	Co-located with nursing facility

Hamilton Grove is included in the list of settings that have been identified as presumed institutional and subject to public comment. Hamilton Grove participates in the Division of Aging's Home and Community-Based waiver(s).

How This Setting Will Overcome Being Presumed Institutional

The Division believes that ultimately, this setting will overcome the presumption of institutionalism by showing (1) that there is a meaningful distinction between the assisted living setting and the nursing facility and (2) that the setting is integrated in and supports full access to the greater community.

Evidence Overcoming the Presumption of Institutionalism

The following characteristics overcome the presumption of institutionalism at Hamilton Grove:

1. There is meaningful distinction between Hamilton Grove and the nursing facility
 - a. The assisted living has its own assigned staff.
 - b. Accounting processes and systems allow Hamilton Grove to have clear lines of income and expenses for the assisted living.
 - c. There is separate signage between the assisted living and nursing facility.
 - d. There are some separate entrances between the assisted living and nursing facility.
 - e. Pets are allowed in Hamilton Grove's private apartments.
 - f. Residents are free to choose their own apartments.
 - g. Residents have their own single-occupancy apartment.
2. The setting is integrated in and supports full access to the greater community
 - a. Hamilton Grove has special on-campus activities like a holiday bazaar, and trick-or-treat where over 500 children and their families attend.
 - b. Hamilton Grove has a van and a driver for scheduled transportation to shopping, errands, field trips, and medical appointments. Residents can have their own cars, and friends and family can also provide transportation.

- c. Weekly trips to local restaurants, weekly shopping trips, picnics, museum trips, library visits, and concerts are activities residents at Hamilton Grove engage in around Northwest Indiana.
- d. Hamilton Grove has religious services, creative workshops, yoga, music concerts, exercise classes, cooking activities, table games, Bingo, service projects, and lectures in the assisted living.
- e. The Hamilton Grove activity office works with community groups to connect residents with the broader New Carlisle community. During the pandemic, this has included things like Christmas wreaths for all residents brought by community volunteers, Christmas gifts collected by volunteers in New Carlisle, and local school children preparing Christmas cards for the residents.
- h. Local women's groups and church youth groups spend one-on-time with residents or lead workshops or events. Other groups like 4-H and local schools sometimes are involved at Hamilton Grove.

Conclusion

Home and Community-Based Service (HCBS) waiver participants have chosen from a list of meaningful setting options to live at the Hamilton Grove assisted living setting. Hamilton Grove will overcome the presumption of institutionalism as it is meaningfully different from the nursing facility and it is integrated in and supports full access to the community.

Setting 15

Setting Name:	Southfield Village
Description of Setting:	Southfield Village is located in South Bend, Ind., in a planned intergenerational subdivision, including single family homes and a continuing care community with independent living, assisted living, and healthcare. Southfield Village is in a rural setting but is less than a mile from a major retail setting.
Type of setting:	Co-located with nursing facility

Southfield Village is included in the list of settings that have been identified as presumed institutional and subject to public comment. Southfield Village participates in the Division of Aging's Home and Community-Based waiver(s).

How This Setting Will Overcome Being Presumed Institutional

The Division believes that ultimately, this setting will overcome the presumption of institutionalism by showing (1) that there is a meaningful distinction between the assisted living setting and the nursing facility and (2) that the setting is integrated in and supports full access to the greater community.

Evidence Overcoming the Presumption of Institutionalism

The following characteristics overcome the presumption of institutionalism at Southfield Village:

1. There is meaningful distinction between Southfield Village and the nursing facility
 - a. Southfield Village has dedicated staff for the assisted living.
 - b. Nursing facility staff exceed the qualifications of the assisted living staff.
 - c. Consolidated revenues and expenses are tracked separately between the assisted living and nursing facility.
 - d. The assisted living and nursing facility have separate entrances.
 - e. The assisted living apartments are in a separate building from the health care center that are connected by interior hallways--each building has a different construction type.
 - f. More than 150 feet separate any assisted living apartment from a skilled nursing room.
 - g. Residents are free to choose their own apartments.
 - h. Residents have their own single-occupancy apartment.
2. The setting is integrated in and supports full access to the greater community
 - a. Southfield Village residents are as active in the community as they desire to be, including volunteering in the South Bend/Mishawaka community.
 - b. Through its relationship with the Forever Learning Institute, Southfield Village offers educational programs for both our residents and the public. The setting offers meeting rooms used by the residents and the larger community.

- c. The retirement community is used in a variety of ways by the greater South Bend community. Yoga, Tai Chi, and painting classes are provided by community-based providers to the general public, as well as the residents.
- d. Southfield Village is a voting precinct at election time.
- e. Southfield Village sponsors bus trips for residents and the larger community to regional destinations throughout the Midwest.
- f. Located within 20 minutes from Indiana University South Bend, the University of Notre Dame, and Bethel College, the opportunities for activities for Southfield Village residents are endless. Plays, musicals, art galleries, shopping, and even protesting are all activities that residents engage in, sometimes through planned outings.
- i. Within the building, Southfield Village offers educational (art, foreign languages, literature, history, etc.) classes; music programs; exercise groups; a sewing group; leather working; gardening and card groups to name a few.
- j. Residents can use their own vehicles, use facility transportation services, use taxi or ride share services, or use the bus line, which is approximately one-half mile from Southfield Village.

Conclusion

Home and Community-Based Service (HCBS) waiver participants have chosen from a list of meaningful setting options to live at the Southfield Village assisted living setting. Southfield Village will overcome the presumption of institutionalism as it is meaningfully different from the nursing facility and it is integrated in and supports full access to the community.

Setting 16

Setting Name:	Christian Care Retirement Community
Description of Setting:	Christian Care Retirement Community is located in Bluffton, Ind., in a residential area with single-family homes and condominiums. The community is 32-acres and has multiple walking paths and a wooded trail path access. Dining, shopping, and churches are within less than half a mile from the community.
Type of setting:	Co-located with nursing facility

Christian Care Retirement Community (hereinafter referred to as “Christian Care”) is included in the list of settings that have been identified as presumed institutional and subject to public comment. Christian Care participates in the Division of Aging’s Home and Community-Based waiver(s).

How This Setting Will Overcome Being Presumed Institutional

The Division believes that ultimately, this setting will overcome the presumption of institutionalism by showing (1) that there is a meaningful distinction between the assisted living setting and the nursing facility and (2) that the setting is integrated in and supports full access to the greater community.

Evidence Overcoming the Presumption of Institutionalism

The following characteristics overcome the presumption of institutionalism at Christian Care:

3. There is meaningful distinction between Christian Care and the nursing facility
 - a. Staff at Christian Care assisted living are not trained to meet the same qualifications as the nursing facility.
 - b. There are some separate entrances between the assisted living and nursing facility and the assisted living is primarily on a separate floor from the nursing facility.
 - c. A code alert system separates the nursing facility and assisted living.
 - d. Residents are free to choose their own apartments.
 - e. Residents have their own single-occupancy apartment.
 - f. There is a separate parking lots for assisted living residents.

4. The setting is integrated in and supports full access to the greater community
 - a. Christian Care offers frequent trips to local dining, shopping, and attractions such as Christmas lights, Wells County historical sites, state parks, ice cream shops, and residents’ former homesteads.
 - b. Daily, weekly, and monthly activities range from Bingo, exercise activities, sing-alongs, decorating contests, craft creations, men’s chat, games, outdoor fishing, carnivals, ice cream socials, and golf cart rides.

- c. Residents are provided the opportunity to attend the annual county fair and parade, play games with local middle school students at the school, and take part in an annual interview project with one of our local private, Christian schools focused on better understanding the elder population's life stories.
- d. Residents can have their own vehicles and assigned parking spaces.
- e. Groups from the community visit Christian Care including entertainers, singing groups, local zoo animals, preschoolers who interact with residents, and weekly church services.
- f. Christian Care offers a wellness room and activity center.

Conclusion

Home and Community-Based Service (HCBS) waiver participants have chosen from a list of meaningful setting options to live at the Christian Care assisted living setting. Christian Care will overcome the presumption of institutionalism as it is meaningfully different from the nursing facility and it is integrated in and supports full access to the community.

Setting 17

Setting Name:	Sprenger Health Care of Mishawaka
Description of Setting:	Sprenger Health Care of Mishawaka is located in Mishawaka, Ind., and is a few miles from shopping and restaurants.
Type of setting:	Co-located with nursing facility

Sprenger Health Care of Mishawaka (hereinafter referred to as “Sprenger”) is included in the list of settings that have been identified as presumed institutional and subject to public comment. Sprenger participates in the Division of Aging’s Home and Community-Based waiver(s).

How This Setting Will Overcome Being Presumed Institutional

The Division believes that ultimately, this setting will overcome the presumption of institutionalism by showing (1) that there is a meaningful distinction between the assisted living setting and the nursing facility and (2) that the setting is integrated in and supports full access to the greater community.

Evidence Overcoming the Presumption of Institutionalism

The following characteristics overcome the presumption of institutionalism at Sprenger:

5. There is meaningful distinction between Sprenger and the nursing facility
 - a. The assisted living and nursing facility do not share a bank account.
 - b. The assisted living and nursing facility do not share financial arrangements.
 - c. There are financial statements demonstrating separation from the nursing facility.
 - d. The assisted living has its own dedicated nursing, dietary, activities and housekeeping staff that is separate then the skilled nursing facility.
 - e. There is a long hallway that separates the nursing facility and assisted living. The nursing facility and the assisted living are on separate side of the building and cannot be accessed without walking down a long hall with entrance that separates the two entities. There are also two separate designated dining rooms and activities rooms and lounge areas.
 - f. There is separate signage for the nursing facility and assisted living.
 - g. Sprenger allows pets in the assisted living apartment.
 - h. Residents are free to choose their own apartments.
 - i. Residents have their own single-occupancy apartment.

6. The setting is integrated in and supports full access to the greater community
 - a. Residents participate in local churches, fairs, and senior centers.
 - b. Residents can participate in Bingo, crafts, trivia, cooking, musical entertainment, resident council, and happy hour at Sprenger.

- c. Sprenger provides transportation to residents and family members can transport residents as well.
- d. Sprenger has its own dedicated parking lot for assisted living residents who have the desire to continue to operate a vehicle.
- e. Sprenger has a happy hour lounge, in-house café, courtyard, putting green, and theater room.
- f. Volunteers and local businesses are involved at Sprenger.

Conclusion

Home and Community-Based Service (HCBS) waiver participants have chosen from a list of meaningful setting options to live at the Sprenger assisted living setting. Sprenger will overcome the presumption of institutionalism as it is meaningfully different from the nursing facility and it is integrated in and supports full access to the community.

Setting 18

Setting Name:	Wesley Manor Retirement Community
Description of Setting:	Wesley Manor Retirement Community is a continuing care community located in Frankfort, Ind., including a duplex, single family homes (cottages homes for fully independent seniors), and a large senior activity center. The campus is 83-acres with a bowling alley, indoor swimming pool, fitness center, greenhouse, and golf course. The community is located in a small town that has the typical chain restaurants and small businesses.
Type of setting:	Co-located with nursing facility

Wesley Manor Retirement Community (hereinafter referred to as “Wesley Manor”) is included in the list of settings that have been identified as presumed institutional and subject to public comment. Wesley Manor participates in the Division of Aging’s Home and Community-Based waiver(s).

How This Setting Will Overcome Being Presumed Institutional

The Division believes that ultimately, this setting will overcome the presumption of institutionalism by showing (1) that there is a meaningful distinction between the assisted living setting and the nursing facility and (2) that the setting is integrated in and supports full access to the greater community.

Evidence Overcoming the Presumption of Institutionalism

The following characteristics overcome the presumption of institutionalism at Wesley Manor:

1. There is meaningful distinction between the assisted living and the nursing facility
 - a. Wesley Manor has some separate entrances between the nursing facility and assisted living setting.
 - b. Wesley Manor tracks revenues by area and department.
 - c. The assisted living and nursing facility are distinct areas of the campus and the main building.
 - d. The assisted living area and the Health Center have separate activity areas and dedicated staff to each area.
 - e. Residents are free to choose their own apartments.
 - f. Residents have their own single-occupancy apartment.
2. The setting is integrated in and supports full access to the greater community
 - a. Residents participate in daily, weekly, and monthly activities.

- b. If a resident wants to go shopping, Wesley Manor provide a shuttle to different shopping locations twice weekly.
- c. For transportation options, Wesley Manor provides fee-for-service transportation, residents can make appointments with the Paul Phillipe Resource Center, can use taxi services, and are able to have a car on-site with ample parking available.
- d. Activities that are offered to the community members and groups are: monthly entertainment (i.e. happy hour), local funeral homes do monthly events, the local humane society come in monthly with pets for visits, different clubs/organizations volunteer when asked. Wesley Manor offers bus outings weekly, car and tractor shows in the summer months, and has different sales (i.e. greenhouse plant sale).
- e. Activities that are available in the assisted living are 4-lane bowling alley, swimming (therapy pool), dart ball, card clubs, gardening clubs, and a billiards room recreation area with pool table and tabletop tennis.

Conclusion

Home and Community-Based Service (HCBS) waiver participants have chosen from a list of meaningful setting options to live at the Wesley Manor assisted living setting. Wesley Manor will overcome the presumption of institutionalism as it is meaningfully different from the nursing facility and it is integrated in and supports full access to the community.

Setting 19

Setting Name: **The Milton Home**

Description of Setting: The Milton Home is located in South Bend, Ind., with a river on one side and a neighborhood on the other side. Restaurants and a hospital are within a block of the building. Additionally, The Milton Home is located a few blocks from shops, a performing arts theater, a park, a Riverwalk, and the city services of downtown South Bend.

Type of setting: Co-located with nursing facility

The Milton Home is included in the list of settings that have been identified as presumed institutional and subject to public comment. The Milton Home participates in the Division of Aging's Home and Community-Based waiver(s).

How This Setting Will Overcome Being Presumed Institutional

The Division believes that ultimately, this setting will overcome the presumption of institutionalism by showing (1) that there is a meaningful distinction between the assisted living setting and the nursing facility and (2) that the setting is integrated in and supports full access to the greater community.

Evidence Overcoming the Presumption of Institutionalism

The following characteristics overcome the presumption of institutionalism at The Milton Home:

1. There is meaningful distinction between the assisted living and the nursing facility
 - a. Revenues come into two separate accounts.
 - b. Revenues for the assisted living are deposited into an assisted living account.
 - c. There are separate entrances inside the building between the nursing facility and assisted living.
 - d. Residents are free to choose their own apartments.
 - e. Residents have their own single-occupancy apartment.

2. The setting is integrated in and supports full access to the greater community
 - a. The Milton Home has access to downtown South Bend allowing residents to visit local shops, downtown resources, and events of the resident's choosing.
 - b. Residents attend shows, concerts, and museums; they enjoy festivals downtown.
 - c. The view of the river from The Milton home allows residents to watch the River Races and practices during summer months. Outdoor patios were recently added for additional outdoor activities.
 - d. Residents can use The Milton Home bus for appointments and outings. Public bus transportation and ride share services are also available. Friends and family can also transport the resident.

- e. The Milton Home hosts art shows featuring resident paintings, and hosts family education meetings related to dementia educational discussions and group support.
- f. Residents can participate in Mod Squad, a resident council, and outdoor excursions.

Conclusion

Home and Community-Based Service (HCBS) waiver participants have chosen from a list of meaningful setting options to live at The Milton Home assisted living setting. The Milton Home will overcome the presumption of institutionalism as it is meaningfully different from the nursing facility and it is integrated in and supports full access to the community.

Setting 20

Setting Name:	Otterbein Franklin SeniorLife
Description of Setting:	Otterbein Franklin SeniorLife is located in Franklin, Ind., and includes independent cottage homes, independent and assisted living apartments, and healthcare. The campus is located half a mile west of downtown Franklin with a hospital across the street, housing, and the Johnson County Fairgrounds on one side of the property and local businesses across the street. The campus has 120-acres with walking paths, a fishing pond, tennis court, indoor pool, playground, and clubhouse.
Type of setting:	Co-located with nursing facility

Otterbein Franklin SeniorLife (hereinafter referred to as “Otterbein”) is included in the list of settings that have been identified as presumed institutional and subject to public comment. Otterbein participates in the Division of Aging’s Home and Community-Based waiver(s).

How This Setting Will Overcome Being Presumed Institutional

The Division believes that ultimately, this setting will overcome the presumption of institutionalism by showing (1) that there is a meaningful distinction between the assisted living setting and the nursing facility and (2) that the setting is integrated in and supports full access to the greater community.

Evidence Overcoming the Presumption of Institutionalism

The following characteristics overcome the presumption of institutionalism at Otterbein:

3. There is meaningful distinction between the assisted living and the nursing facility
 - a. Otterbein has account numbers that separate aspects of the nursing and assisted living operations.
 - b. Each setting is separated by a hallway.
 - c. Residents are free to choose their own apartments.
 - d. Residents have their own single-occupancy apartment.

4. The setting is integrated in and supports full access to the greater community
 - a. Otterbein hosts many events on campus, such as a country fair, and provides opportunities for community involvement through Coats for Kids, Christmas Angels, Fast Track, United Way, Relay for Life, Strawberries on the Square, downtown holiday lighting, and more.

- b. External groups visit Otterbein to perform, visit, do educational series, community service or leading exercise in the wellness center.
- c. The local community is involved through outdoor concerts, parades, drive-thrus, and contests with local community member judges.
- d. For transportation needs, residents can use in-house transportation or use Access Johnson County and Johnson County Senior Services.
- e. Residents have the flexibility to bring services, like grocery delivery to the campus and can sign up for frequent bus ride to local areas for shopping, entertainment, and other activities.

Conclusion

Home and Community-Based Service (HCBS) waiver participants have chosen from a list of meaningful setting options to live at the Otterbein assisted living setting. Otterbein will overcome the presumption of institutionalism as it is meaningfully different from the nursing facility and it is integrated in and supports full access to the community.

Setting 21

Setting Name:	Parker Health and Rehabilitation
Description of Setting:	Parker Health and Rehabilitation is located in downtown Parker City, Ind., and has three distinct lifestyle communities of assisted living, rehabilitation, and skilled nursing.
Type of setting:	Co-located with nursing facility

Parker Health and Rehabilitation (hereinafter referred to as “Parker”) is included in the list of settings that have been identified as presumed institutional and subject to public comment. Parker participates in the Division of Aging’s Home and Community-Based waiver(s).

How This Setting Will Overcome Being Presumed Institutional

The Division believes that ultimately, this setting will overcome the presumption of institutionalism by showing (1) that there is a meaningful distinction between the assisted living setting and the nursing facility and (2) that the setting is integrated in and supports full access to the greater community.

Evidence Overcoming the Presumption of Institutionalism

The following characteristics overcome the presumption of institutionalism at Parker

1. There is meaningful distinction between the assisted living and the nursing facility
 - a. Parker does not have a shared bank account between the nursing facility and assisted living.
 - b. There are no shared financial arrangements between the nursing facility and assisted living.
 - c. There is separate signage between the nursing facility and assisted living
 - d. There are some separate entrances between the nursing home and assisted living.
 - e. Residents are free to choose their own apartments.
 - f. Residents have their own single-occupancy apartment.
2. The setting is integrated in and supports full access to the greater community
 - a. Parker residents engage in activities such as watching movies, family outings, and any activity of their choice.
 - b. Residents can have as much or as little community involvement as they choose.
 - c. Residents can use their own vehicles, be transported by friends and family, or use transportation from Parker.
 - d. Church groups and a sorority are involved at Parker; other groups are invited to be involved with the participants.
 - e. Parker has daily activities and residents can participate at their choosing.

Conclusion

Home and Community-Based Service (HCBS) waiver participants have chosen from a list of meaningful setting options to live at the Parker assisted living setting. Parker will overcome the presumption of institutionalism as it is meaningfully different from the nursing facility and it is integrated in and supports full access to the community.

Setting 22

Setting Name:	Heritage Pointe of Huntington
Description of Setting:	Heritage Pointe of Huntington is located in Huntington, Ind. The setting is a semi-rural area in a professional park that includes a hospital and YMCA. The setting is also located near churches and schools.
Type of setting:	Co-located with nursing facility

Heritage Pointe of Huntington (hereinafter referred to as Heritage Pointe) is included in the list of settings that have been identified as presumed institutional and subject to public comment. Heritage Pointe of Huntington participates in the Division of Aging's Home and Community-Based waiver(s).

How This Setting Will Overcome Being Presumed Institutional

The Division believes that ultimately, this setting will overcome the presumption of institutionalism by showing (1) that there is a meaningful distinction between the assisted living setting and the nursing facility and (2) that the setting is integrated in and supports full access to the greater community.

Evidence Overcoming the Presumption of Institutionalism

The following characteristics overcome the presumption of institutionalism at Heritage Pointe of Huntington:

1. There is meaningful distinction between the assisted living and the nursing facility
 - a. Heritage Pointe of Huntington has a separate entrance between the assisted living and nursing facility.
 - b. There is separate signage for the assisted living inside the building.
 - c. The nursing facility is a separate and distinct part of Heritage Pointe of Huntington.
 - d. Financial statements can be separated to show the distinction between the nursing facility and assisted living.
 - e. Residents are free to choose their own apartments.
 - f. Residents have their own single-occupancy apartment.
2. The setting is integrated in and supports full access to the greater community
 - a. Heritage Pointe of Huntington has diner clubs, bi-weekly shopping trips, bus rides, sporting and cultural trips outside of the setting.
 - b. Community members are encouraged to organize clubs and activities at the setting.
 - c. Activities inside the setting include Bingo, wellness exercise programs, corn hole, craft clubs, musical programs, devotional programs, chapel service, themed parties, shopping trips, dining clubs and community outings. Activities are also based on the current needs and desires of the residents.

- d. Transportation can be provided using the resident's own car, family or friends, and county-based transportation services are available.
- e. Residents have access to exercise equipment and a pool table.

Conclusion

Home and Community-Based Service (HCBS) waiver participants have chosen from a list of meaningful setting options to live at the Heritage Pointe of Huntington assisted living setting. Heritage Pointe of Huntington will overcome the presumption of institutionalism as it is meaningfully different from the nursing facility and it is integrated in and supports full access to the community.

Setting 23

Setting Name:

A Rosie Place for Children

Description of Setting:

A Rosie Place for Children serves all 92 counties in the state of Indiana by providing **respite care** to medically fragile children (age 0-21). A Rosie Place for Children is situated on five acres in **South Bend, Indiana**. Accommodations include six unique kid-friendly bedrooms the children like to call their own, which are warm, spacious, and colorful featuring nature-inspired themes. The saltwater aquarium, colorful murals, outdoor pond, and waterfall are just some of the fun features the children love. Children can stay in Desert Dreams, Sunny Meadow, Jungle Playground, Moonscape Mountain, The Harbor, or Barefoot Beach. Guests can use one of three bathrooms (the Pond, the Waterfall, and the River) which are especially equipped for a variety of abilities/needs. Children and staff gather in the common rooms: Grand Park (our living room) and Nibbling Nook (the kitchen, of course!). Staff and children eat together and play together. Virtual tour included to include layout of the facility at <https://www.youtube.com/watch?v=ieXhugrCsxs>

Type of setting:

Licensed Specialty Hospital

A Rosie Place for Children is the first (and only) specialty hospital in the **state of Indiana** exclusively for children who are medically fragile in order to provide respite for parent(s) or caregiver(s) of these children. A child who is medically fragile requires daily care by specially trained caregivers (above and beyond typical parenting). Children who are medically fragile require the use of therapies and/or specialized high tech medical equipment (such as G-Tubes, ventilators, apnea monitors, suction machines) to sustain or enhance their lives. Conditions that may constitute medically fragile include (but are not limited to): premature birth, brain injury, uncontrolled seizure disorder, cancer, spina bifida, complications from surgeries, chronic lung or heart disease, swallowing disorders or specialized feeding issues, neuromuscular disease, or other chronic health conditions such as diabetes and asthma that require specialized care that cannot be provided by an untrained care giver. Although the setting is a highly equipped hospital, capable of caring for the most complex pediatric conditions, it is most of all a “home-away-from-home” environment.

A Rosie Place for Children is included in the list of settings that have been identified as presumed institutional and subject to public comment. A Rosie Place for Children is seeking application approval to become a Respite Provider through the Indiana Division of Aging’s

Home and Community-Based waiver(s), which serves approximately 1,400 medically fragile children.

How This Setting Will Overcome Being Presumed Institutional

A Rosie Place for Children allows families to keep children living at home, as opposed to relocating medically fragile children to a nursing facility, because staff provide heightened quality, necessary and temporary respite to families of medically fragile children. Families choose respite care service to reduce day-to-day stresses, time to rest and attend to other responsibilities, such as work and parenting other children. Parent(s) and/or caregiver is often the only consistent person managing a fragile child's complex medical condition.¹ Indiana, like many States, struggles to fill skilled provider capacity within home and community based services. In the event skilled care is located for a family with a medically fragile child, parents/caregivers do not feel comfortable leaving the home to receive respite while the provider is in the home. Parents often have a difficult time finding people whom they trust and who are willing to provide safe, high-quality care in their absence. When parents utilize services at A Rosie Place, it is often the first respite they receive, because it is the first time parents feel safe leaving their child with a provider. During the course of the respite service, A Rosie Place staff remain in continuous communication with parent(s)/caregiver(s) by sending them pictures and videos of their child(ren) and the activities they are doing based on interests of each child.

A Rosie Place staff understands the importance of continuity in each child's care, and respect the role of the caregiver at home. Children who are medically fragile come to A Rosie Place for up to 10 nights at a time for respite stays. During this time, parents are given the gift of time to go on a date night, experience fun activities with their healthy children or enjoy much needed rest. There is a one child to one staff, or sometimes two staff ration of care to ensure each child receives an immersive, person centered experience during respite care. Additionally, A Rosie Place staff provide education and training to parent(s)/caregiver(s) as support in caring for their medically fragile child. This transfer of knowledge and skills to caregivers helps them provide quality care to their medically fragile child, so that relocation to a nursing facility is preventable. Please visit the following link to learn about a parent's experience at A Rosie Place.

A Rosie Place is unique and special; staff simply think outside the box when it comes to caring Indiana's medically fragile children and their families. If A Rosie Place was not able to provide respite care, many families with medically fragile children may not be able to continue caring for their children in a home based setting.

For more information about the experience of medically fragile children and their parents as well as the work A Rosie Place does to support these families, please visit <https://www.youtube.com/watch?v=ArHvdgTsSCE>

Evidence Overcoming the Presumption of Institutionalism

The following characteristics overcome the presumption of institutionalism at A Rosie Place for Children

1. There is meaningful distinction between a Rosie Place and an institutional setting

¹ Carolyn Allshouse, Meg Comeau, Rylin Rodgers and Nora Wells. Pediatrics March 2018, 141 (Supplement 3) S195-S201; DOI: <https://doi.org/10.1542/peds.2017-1284D>

- a. Ratio of 1 or 2 staff: 1 client to provide continuous care.
 - b. Six theme-based rooms for 1 or 2 occupancy depending on desire for roommate.
 - c. Selection of activities to meet interest of children/clients based on assessment.
 - d. A play space where all children/clients and staff spend time.
 - e. Dining area where meals are eaten together for children and staff, if desired and safe for each specific child.
 - f. Fills a need for respite services for parent(s)/caregiver(s) of medically fragile children, who receive home and community -based services, by allowing these children to remain in a community based setting as opposed to a nursing facility.
 - g. Staff provide individualized training and education to each parent(s)/caregiver(s) in order to fully care for their child at home.
 - k. Provides social connectedness among children, who may not otherwise have access to peers, due to risk safely attending community activities.
 - l. Provides community activities, such as dog therapy, to provide calming atmosphere within the community as well as allow medically fragile children to experience animals in a way that they may not have safely been able to access. Other favorite activities of the kids at A Rosie Place are bowling, spa days and making/eating cupcakes.
 - m. Provides assisted devices, such as, pacers, that allow medically fragile children to be mobile, especially within the outdoor space provided at A Rosie Place.
7. The setting is integrated in and supports full access to the greater community
- a. Many medically fragile children are not able to safely access the greater community due to risk of contracting an illness, but A Rosie Place creates a community where these children may connect with other children and adults in a way that they may not experience if not for this special space.
 - b. Thoughtfully designed, person centered activities, such as connecting children with nature, who may not be able to access outdoor space, helps children connect to the world. Specifically, one little boy at A Rosie Place is not safely able to access outdoor space for a continuous amount of time. Staff at A Rosie Place, collected leaves and grass and sticks from outside to bring to the little boy, and helped him create an art project from the items found outside.
 - c. A Rosie Place integrates community visitors, such as the local fire department where children are able to see and sit inside the firetruck.
 - d. A Rosie Place hosts H.A.V.E.N (Here and Visible- Educational Networking). This event is designed to engage and empower the community of families who care for children who are medically fragile. H.A.V.E.N. is a quarterly event created and hosted by A Rosie Place exclusively for families caring for medically fragile children. This gathering is a relaxed time for families to connect and enjoy one another in an accommodating environment and in community with other families sharing similar experiences and understanding. Connecting with other families experiencing similar situations has been vitally important for our families at A Rosie Place. Although the focus of H.A.V.E.N. is for families to come together and enjoy a time of camaraderie, there is an educational

component provided at each event. Special activities are planned for both the child who is medically fragile and their siblings to enjoy. Even if families do not use other services at A Rosie Place, such as respite, all families who have a child who is medically fragile are welcome to attend. During one of the H.A.V.E.N. events a little girl, Katie Joy, who attends A Rosie Place was able to visit a craft table for the first time in her life, because at A Rosie Place there was space for her to work whereas in regular public events there has not been room for her to do this kind of project. At A Rosie Place for Children, Katie Joy is able to do all the activities other kids get to do.

- e. A Rosie Place hosts “It’s a Wonderful Life Event. Each December, A Rosie Place opens its doors to the community of families with special needs (not just medically fragile) children. Santa and Mrs. Claus are in the house for visiting, hearing wishes, and posing for family pictures.
- f. A Rosie Place hosts an annual birthday party in order for medically fragile children to experience a big birthday party with friends.
- g. A Rosie Place produces and hosts a regular podcast, “Fragile, Not Broken.” This is the first podcast in the world dedicated exclusively to discussing children who are medically fragile. It is a voice for children who are medically fragile and their families.
- h. A Rosie Place also offers a YouTube channel where families can learn and connect with each other as well as staff and community supports. Children are also able to hear staff read stories on this channel.

<https://www.youtube.com/channel/UCzXmz8ltFBqJOW0InkwSw9Q/featured>

Conclusion

Parent(s)/Caregiver(s) of medically fragile children spend much of their lives sleeping in hospital chairs, skipping meals, in fear, in joy, becoming an expert in their child’s medical condition, and being an advocate for their child. They need to take a break, to rest, to connect in order to continue caring for their child at home. Many parent(s)/caregiver(s) cannot find skilled care, a regular childcare provider, or trust a provider to care for their complex needs’ child. In Indiana, parent(s)/caregiver(s) of medically fragile children are left with extremely limited options for home-based care. A Rosie Place for Children serves a respite need for parents in Indiana communities to help care for medically fragile children that may otherwise not be able to remain in a home-based setting.

Medically fragile children also have needs and preferences that must be met in order to enhance quality of life. At A Rosie Place for Children, medically fragile children experience the world and all its pleasures through some combination of sensory activities that incorporate sight, sound, touch, smell or taste. Staff are creative in the ways they bring joy and stimulation to children's daily lives. Since each child's cognition and sensory intake differs, to do this effectively requires a personal connection between staff and child, astute attention in interactions and a focus on abilities rather than disabilities. Whether the children are in group or one-on-one therapy or in more casual interactions, A Rosie Place staff use a highly individualized approach to understand and respond to the needs and preferences of each child. Through caring, trained staff and community connectedness, A Rosie Place provides a memorable day amid the challenges medically fragile children and families face each day. This is a community that celebrates the fun, friendship, and spirit of childhood.

