

EVIDENTIARY ASSESSMENT AND SUMMARY
Home and Community-Based Services (HCBS) Settings Rule
Heightened Scrutiny Review

Setting name Ridgeview Trails CBRF		Setting type CBRF	
License/Certification # 0018113	County Sauk	Name of institution this setting is in or on the grounds of Ridgeview Terrace Long Term Care (skilled nursing facility)	
Setting address 2350 N Dewey Avenue	City Reedsburg	State WI	Zip code 53959
Setting Website Address https://ramchealth.com/ramc-family/senior-life-center/			

Reason for Institutional Presumption

- Settings in a publicly or privately operated facility that provides inpatient institutional treatment.
- Settings on the grounds of, or adjacent to, a public institution.
- Settings with the effect of isolating individuals from the broader community of individuals not receiving HCBS waiver services.

The Centers for Medicare and Medicaid Services' (CMS) HCBS settings rule assumes that certain settings are not home and community based. If a Wisconsin assisted living facility (setting) meets one of the criteria for institutional presumption as defined above, the DHS Division of Medicaid Services (DMS) conducts a heightened scrutiny review.

DMS believes that the setting named above has overcome the institutional presumption and meets the criteria of a home and community-based services setting as summarized below.

To reinforce the extent to which Wisconsin's licensing and certification regulations and standards align with and reinforce the HCBS settings rule, refer to the following state standard or regulation, where applicable: [Wis. Stat. §§ 50.034, 50.035, 50.09](#), [Wis. Admin. Code §§ DHS 83, DHS 88](#), and [DHS 89](#)

Setting Summary:

Reedsburg Area Senior Life Center is located in a quiet community, on the outer fringe of the city of Reedsburg. Located within the same building is a skilled nursing facility, adult day care center (ADCC), community-based residential facility (CBRF), and a residential care apartment complex (RCAC). Reminisce, the ADCC, is concurrently going through a heightened scrutiny review. The RCAC does not accept public funding. Ridgeview Trails is the CBRF which maintains 22 beds, 20 units are private rooms with private half bathrooms. The remaining two units are semi-private living spaces with one shared half bathroom. The CBRF has two wings which share common areas, such as the dining room and visitor room.

[42 CFR § 441.301\(c\)\(4\)\(i\)](#) The setting is integrated in and supports access of individuals receiving Medicaid HCBS to the greater community, including opportunities to seek employment and work in competitive integrated settings, engage in community life, control personal resources, and receive services in the community, to the same degree of access as individuals not receiving Medicaid HCBS.

The setting identifies resident's preferences regarding competitive integrated employment and community-based activities and integration and documents them in the setting's person-centered plan.

Met Unmet Not Applicable

Setting submitted resident assessment tool that was reviewed. The assessment was reviewed and found to gather an individual's interest in integrated employment and in-house and community activities.

The setting supports residents interested in pursuing competitive integrated employment by notifying the Medicaid case manager (managed care organization (MCO) care manager or Include, Respect, I Self-Direct (IRIS) consultant).

Met Unmet Not Applicable

The setting's vice president provided the process in which the setting notifies the MCO when an HCBS resident is interested in integrated employment so that the MCO works with the individual to connect them with employment that meets their goals.

The setting provides or facilitates residents with the opportunity to participate in typical community life activities outside of the setting based on the individual's preferences and needs.

Met Unmet Not Applicable

The DHS reviewer verified during onsite visits the setting's posting of community events on the bulletin in common spaces, along with a reminder note of who to contact if they need assistance with signing up for an event, including arranging travel, to access community events.

Activities are individualized or include more than just setting-based group activities.

Met Unmet Not Applicable

Resident meetings occur regularly with CBRF staff to discuss activities they would like to do and to develop the monthly activity calendar. These events may be individual or group activities. The setting has puzzles and magazines available in the shared common room. Staff are available to assist residents to access a community event individually upon request. This was verified by a resident during an onsite interview with the DHS reviewer.

The setting provides or supports resident access to transportation between setting and the broader community including paid employment.

Met Unmet Not Applicable

The setting submitted their transportation policy. Verification that the setting provides transportation to local medical appointments. If a resident needs transportation, they may schedule their own community transportation or request staff at the facility to assist them to make transportation arrangements to community activities or their employment. During the onsite visit, the two residents that were interviewed indicated that they schedule their own transportation however if they need help, they both knew which staff person at the facility to contact for assistance.

Individuals are able to control their personal resources.

Met Unmet Not Applicable

Verification of the CBRF's policy, that was shared with all current and will be shared with all new residents. The policy indicates that residents have the option to deposit money in the setting's trust account. This is not required and if money is deposited, the residents continue to have access to their personal funds and resources. This was verified by a resident during an onsite interview with the DHS reviewer.

441.301(c)(4)(ii) The setting is selected by the individual from among setting options including non-disability specific settings and an option for a private unit in a residential setting. The setting options are identified and documented in the person-centered service plan and are based on the individual's needs, preferences, and, for residential settings, resources available for room and board.

Individuals have a choice of setting.

Met Unmet Not Applicable

The MCO documents the individual's choice of setting in their person-centered plan. Additionally, the setting submitted an HCBS policy that states, "If a CBRF resident expresses desire to consider other living options, the Social Worker or designee will notify the MCO."

441.301(c)(4)(iii) Ensures an individual's rights of privacy, dignity and respect, and freedom from coercion and restraint.

Setting employees have completed training on resident rights.

Met Unmet Not Applicable

The setting submitted documentation demonstrating each staff that completed training of initial and annual resident rights training.

Individuals have the right to privacy, dignity and respect, and freedom from coercion and restraint.

Met Unmet Not Applicable

Setting submitted HCBS policy ensuring an individual's rights that included staff training, assurance that a resident's services are kept private and confidential, requirement that staff treat residents with dignity and respect (including how they address a resident, use their pronouns, nickname, and title), not discussing residents in the presence of others, residents' right to be free from coercion including when they file a complaint or grievance. The setting ensured that they do not utilize chemical or physical restraints. This was verified by a resident during an onsite interview with the DHS reviewer.

441.301(c)(4)(iv) Optimizes, but does not regiment, individual initiative, autonomy, and independence in making life choices, including but not limited to, daily activities, physical environment, and with whom to interact.

Individuals have autonomy and choice.

Met Unmet Not Applicable

The setting submitted a policy indicating residents are not required to participate in any activities or events they choose not to participate in and are able to make choices about their environment and whom they interact with. This was verified by a resident during an onsite interview with the DHS reviewer.

441.301(c)(4)(v) Facilitates individual choice regarding services and supports, and who provides them.

Individuals have choice of services and supports.

Met Unmet Not Applicable

Per the setting's policy (submitted to and verified by the DHS reviewer), residents at the setting that receive HCBS may choose to receive services and support in any location within or outside of the facility. This includes medical services, religious services or activities, cosmetic services, and any other paid or unpaid service.

441.301(c)(4)(vi) In a provider-owned or controlled residential provider, in addition to the qualities at § 441.301(c)(4)(i) through (v), the following additional conditions must be met:

441.301(c)(4)(vi)(F) Any modification of the additional conditions, under § 441.301(c)(4)(vi)(A) through (D), must be supported by a specific assessed need and justified in the person-centered service plan. The following requirements must be documented in the person-centered service plan:

- 1) Identify a specific and individualized assessed need.
- 2) Document the positive interventions and supports used prior to any modifications to the person-centered service plan.
- 3) Document less intrusive methods of meeting the need that have been tried but did not work.
- 4) Include a clear description of the condition that is directly proportionate to the specific assessed need.
- 5) Include regular collection and review of data to measure the ongoing effectiveness of the modification.
- 6) Include established time limits for periodic reviews to determine if the modification is still necessary or can be terminated.

7) **Include the informed consent of the individual.**

8) **Include an assurance that interventions and supports will cause no harm to the individual.**

HCBS settings rule modifications follow required process, if applicable.

Met Unmet Not Applicable

The setting submitted their policy, which was verified by the DHS reviewer, that follows the HCBS settings rule modification process outlined in 441.301(c)(4)(vi). Two person-centered plans for HCBS residents were submitted although neither resident has any modifications in place. The setting manager indicated none of the CBRF residents currently have a modification in place.

441.301(c)(4)(vi)(A) The unit or dwelling is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services, and the individual has, at a minimum, the same responsibilities and protections from eviction that tenants have under the landlord/tenant law of the State, county, city, or other designated entity. For settings in which landlord tenant laws do not apply, the State must ensure that a lease, residency agreement, or other form of written agreement will be in place for each HCBS participant, and that the document provides protections that address eviction processes and appeals comparable to those provided under the jurisdiction's landlord tenant law.

Setting ensures that each individual has a signed service agreement.

Met Unmet Not Applicable

The setting submitted their Residency and Service Agreement, which was reviewed by the DHS reviewer. The residency agreement follows the requirements also outlined in Wisconsin's DHS administrative code and includes reasons and notice requirements for involuntary discharge. The setting attested to reviewing the agreement upon each resident's admission. This was verified by a resident during an onsite interview with the DHS reviewer.

441.301(c)(4)(vi)(B) Each individual has privacy in their sleeping or living unit: (1) Units have entrance doors lockable by the individual, with only appropriate staff having keys to doors. (2) Individuals sharing units have a choice of roommates in that setting. (3) Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement.

Individuals have privacy in their living unit.

Met Unmet Not Applicable

The setting submitted their privacy in sleeping area policy. DHS reviewer found the policy to mirror CFR 441.301(c)(4)(vi)(B). It goes on to outline staff requirements regarding knocking and receiving permission to enter, prior to entering a resident's room, except in the event of an emergency.

Units have lockable doors with only appropriate staff having keys.

Met Unmet Not Applicable

During the onsite visit the DHS reviewer observed that each resident room is unlocked using the resident's electronic badge with their name and picture visible on the badge and typically worn by residents on a lanyard. The setting attested that only the main staff working on the unit had an access card that could unlock resident doors and is only used in the event of an emergency.

Individuals have a choice of roommates.

Met Unmet Not Applicable

All rooms at the CBRF but two are private, with a private bathroom. The two rooms that are considered a suite are private bedrooms with a shared bathroom. The DHS reviewer observed the private and shared living units.

Individuals have freedom to furnish and decorate.

Met Unmet Not Applicable

The DHS reviewer verified in the Residency and Services agreement that the setting encourages residents to bring personal items to make their room feel homelike. The settings' policy document also states that residents are free to decorate their living unit within the bounds of our Residency Agreement. This includes compliance with Life Safety Codes but does not otherwise restrict the residents' right to furnish or decorate their unit. During the onsite visit the DHS reviewer observed each resident room being decorated with their personal belongings in the way of their choosing. This was verified by the two residents that were interviewed.

441.301(c)(4)(vi)(C) Individuals have the freedom and support to control their own schedules and activities and have access to food at any time.

Individuals have control of schedules and activities.

Met Unmet Not Applicable

The setting submitted a policy, which was verified by the DHS reviewer, that indicates residents' rights to control their own schedules and activities. During the onsite interview with the DHS reviewer, two residents indicated they can choose when to wake up, go to bed, and what activities they participate in. They do have scheduled shower times but may (and have) request to change this time to an earlier or later date, which has been accommodated.

Individuals have access to food at any time.

Met Unmet Not Applicable

The setting submitted a policy, which was verified by the DHS reviewer, that indicates residents can choose to eat when and where they choose. During the onsite interview with the DHS reviewer, two residents indicated they normally eat during normal mealtimes. One resident has requested to eat all meals in her room, by their choice. During the interviews, one resident indicated if they missed a mealtime due to an appointment or other activity, they are able to request a meal of their choice from the onsite cafe or they can request staff to order them a meal. The DHS reviewer viewed food available in the dining room area and the settings' café, which are both available to residents.

441.301(c)(4)(vi)(D) Individuals are able to have visitors at any time.

Individuals have access to visitors.

Met Unmet Not Applicable

The setting indicated that visitors may visit residents at any time in common areas or their rooms. During the onsite visit, no visiting hour signs were visible. The DHS reviewer asked two residents when visitors may visit them and where and they confirmed they were allowed to have people visit them at any time and in their rooms or the common areas.

441.301(c)(4)(vi)(E) The setting is physically accessible to the individual.

Setting is physically accessible.

Met Unmet Not Applicable

The DHS reviewer observed and confirmed that the entire setting is zero entry/no stairs.

42 CFR 441.301(c)(5)(v) (5) Settings that are not Home and Community-Based. Home and community-based settings do not include the following: (v) Any other locations that have qualities of an institutional setting, as determined by the Secretary. Any setting that is located in a building that is also a publicly or privately operated facility that provides inpatient institutional treatment, or in a building on the grounds of, or immediately adjacent to, a public institution, or any other setting that has the effect of isolating individuals receiving Medicaid HCBS from the broader

community of individuals not receiving Medicaid HCBS will be presumed to be a setting that has the qualities of an institution unless the Secretary determines through heightened scrutiny, based on information presented by the State or other parties, that the setting does not have the qualities of an institution and that the setting does have the qualities of home and community-based settings.

Physical distinction: The setting demonstrates a meaningful physical distinction between the HCBS setting and the institutional facility, including separate entrances and signage.

Met Unmet Not Applicable

The setting submitted pictures showing the physical distinction between the CBRF and the SNF. Visitors use the same main doors to enter the building but signs guide people to distinctly different locations of the building where the CBRF or SNF are located. The physical distinction was observed during the onsite visit.

Staff training: All staff working in the setting has received initial and annual training on the HCBS Settings Rule's requirements and on person-centered planning:

- Initial training must occur prior to assuming responsibilities with residents.
- Annual training must occur each calendar year beginning with the first full calendar year of employment.

Met Unmet Not Applicable

The setting submitted attestations for each staff showing the individual's completion of HCBS settings rule training and the date.

Please note that these findings are preliminary only. Settings must receive final approval from CMS.

EVIDENTIARY ASSESSMENT AND SUMMARY
Home and Community-Based Services (HCBS) Settings Rule
Heightened Scrutiny Review for Adult Day Care Centers (ADCC)

Setting name Reminisce Adult Day Services		Setting type Adult Day Care Center	
License/Certification # 0018006	County Sauk	Name of institution this setting is in or on the grounds of Ridgeview Terrace Long Term Care (skilled nursing facility)	
Setting address 2350 N. Dewey Ave		City Reedsburg	State WI
Setting Website Address https://ramchealth.com/ramc-family/reminisce-adult-day-services/		Zip code 53959	

Reason for Institutional Presumption

- Settings in a publicly or privately operated facility that provides inpatient institutional treatment.
- Settings on the grounds of, or adjacent to, a public institution.
- Settings with the effect of isolating individuals from the broader community of individuals not receiving HCBS waiver services.

The Centers for Medicare and Medicaid Services' (CMS) HCBS settings rule assumes that certain settings are not home and community based. If a Wisconsin setting meets one of the criteria for institutional presumption as defined above, the DHS Division of Medicaid Services (DMS) conducts a heightened scrutiny review.

DMS believes that the setting named above has overcome the institutional presumption and meets the criteria of a home and community-based services setting as summarized below.

To reinforce the extent to which Wisconsin's licensing and certification regulations and standards align with and reinforce the HCBS settings rule, refer to the following state standard or regulation, where applicable: [Wis. Admin. Code § DHS 105.14](#).

Setting Summary:

Reminisce Adult Day Services (ADS) at Reedsburg Area Senior Life Center is the only adult day care center (ADCC) in Sauk County. Reminisce is located in a wing that is attached to a skilled nursing home. The setting provides social, nutritional, and daily living services to people age 60 years and older. It is open Monday–Friday from 9 a.m.–3:30 p.m. allowing caregivers to work or have respite. Reminisce ADS has the capacity for 8 individuals although prefers to limit the capacity to 6 individuals at any one time.

42 CFR § 441.301(c)(4)(i) The setting is integrated in and supports access of individuals receiving Medicaid HCBS to the greater community, including opportunities to seek employment and work in competitive integrated settings, engage in community life, control personal resources, and receive services in the community, to the same degree of access as individuals not receiving Medicaid HCBS.

The provider identifies resident's preferences regarding competitive integrated employment and community-based activities and integration and documents them in the setting's person-centered plan.

Met Unmet Not Applicable

The setting submitted a care plan for an individual enrolled in a HCBS program. Reviewer verified the care plan assesses the individual's interest in employment and community-based activities.

The setting provides or facilitates residents with the opportunity to participate in typical community life activities outside of the setting based on the individual's preferences and needs.

Met Unmet Not Applicable

The setting attested to planning monthly calendar with clients who attend the setting. Activity calendars were submitted electronically, as well as viewed during the onsite visit. Activities include attending community-based activities, such as music venues, movie theaters, farms/orchards, etc.

Activities are individualized or include more than just setting-based group activities.

Met Unmet Not Applicable

Reviewer received and reviewed day care center's policies which included an individual's rights to participate in any activity at any time. Individuals have access to individualized and setting-based activities. There were a variety of magazines and other individual games such as crossword puzzles, word search, etc. seen during onsite visit. Reviewer observed one individual sitting with others while choosing not to participate in group chair exercises.

The setting provides or supports resident access to transportation between setting and the broader community including paid employment.

Met Unmet Not Applicable

The setting only provides transportation during planned community outings. If transportation is needed at other times, the setting administrator will assist an individual to schedule a ride to an activity, appointment, or another location, if needed. Information about transportation was reviewed in the submitted transportation policy.

441.301(c)(4)(ii) The setting is selected by the individual from among setting options including non-disability specific settings and an option for a private unit in a residential setting. The setting options are identified and documented in the person-centered service plan and are based on the individual's needs, preferences, and, for residential settings, resources available for room and board.

Individuals have a choice of setting.

Met Unmet Not Applicable

The setting is non-residential and was provided as an option to provide respite support for the individual's caregiver. The setting communicates any concerns the individual shares regarding alternative options. Although another adult day care center does not exist in the county where the individual lives, other options for respite are available. The setting submitted two MCO person-centered care plans which include the individual's choice in services and supports, indicating the individuals have selected this setting among other non-disability options.

441.301(c)(4)(iii) Ensures an individual's rights of privacy, dignity and respect, and freedom from coercion and restraint.

Setting employees have completed training on resident rights.

Met Unmet Not Applicable

Setting submitted annual orientation and training curriculum along with staff verification of completion for the two staff who work at the adult daycare. Client rights training was completed by both staff that work at the setting.

Individuals have the right to privacy, dignity and respect, and freedom from coercion and restraint.

Met Unmet Not Applicable

The setting submitted "Reminisce at RASLC for Participant/Client Rights" policy which distinctly indicates the right to be treated with respect and dignity, the right to privacy and confidentiality, the right to be free from physical restraints, the right to be free from all chemical restraints, and the right to be free from coercion. During the onsite visit, reviewer observed individuals being treated with respect and no one was being physically restrained.

441.301(c)(4)(iv) Optimizes, but does not regiment, individual initiative, autonomy, and independence in making life choices, including but not limited to, daily activities, physical environment, and with whom to interact.

Individuals have autonomy and choice.

Met Unmet Not Applicable

The setting submitted a policy that includes statements indicating individuals are able to decline participation of any activity at any time. During the onsite visit, individuals had the ability to participate in individual or group activities.

441.301(c)(4)(v) Facilitates individual choice regarding services and supports, and who provides them.

Individuals have choice of services and supports.

Met Unmet Not Applicable

Individuals may receive personal care services by the provider of their choice while attending adult day care services. Bathing areas are made available, as needed. Information about this policy was submitted and reviewed by the DHS reviewer.

441.301(c)(4)(vi)(C) Individuals have the freedom and support to control their own schedules and activities and have access to food at any time.

Individuals have control of schedules and activities.

Met Unmet Not Applicable

The day care policies indicate that individuals may choose to participate in any or none of the activities offered. They are able to choose to participate in individual activities at any time. Reviewer observed quiet areas for individuals to rest alone, watch television, listen to music, etc. if they are not interested in participating in an activity.

Individuals have access to food at any time.

Met Unmet Not Applicable

Reviewer observed a basket of snacks and a refrigerator with an assortment of drinks. Per the settings Meals and Sanitation policy, snacks and beverages are available for individuals at all times throughout the day.

441.301(c)(4)(vi)(D) Individuals are able to have visitors at any time.

Individuals have access to visitors.

Met Unmet Not Applicable

As observed by the reviewer, the setting is open to visitors at any time during operating hours. There is no policy restricting visitors at any time.

441.301(c)(4)(vi)(E) The setting is physically accessible to the individual.

Setting is physically accessible.

Met Unmet Not Applicable

As observed, the setting is zero-entry throughout the building, including the exterior entrances. The setting has sidewalks, signage, and curb cuts.

[42 CFR 441.301\(c\)\(5\)\(v\)](#) (5) Settings that are not Home and Community-Based. Home and community-based settings do not include the following: (v) Any other locations that have qualities of an institutional setting, as determined by the Secretary. Any setting that is located in a building that is also a publicly or privately operated facility that provides inpatient institutional treatment, or in a building on the grounds of, or immediately adjacent to, a public institution, or any other setting that has the effect of isolating individuals receiving Medicaid HCBS from the broader community of individuals not receiving Medicaid HCBS will be presumed to be a setting that has the qualities of an institution unless the Secretary determines through heightened scrutiny, based on information presented by the State or other parties, that the setting does not have the qualities of an institution and that the setting does have the qualities of home and community-based settings.

Physical distinction: The setting demonstrates a meaningful physical distinction between the HCBS setting and the institutional facility, including separate entrances and signage.

Met Unmet Not Applicable

The adult day care center has a separate, exterior entrance for the settings attendees and families. The setting is distinctly separate from the SNF, which includes a separate entrance and signage.

Staff training: All staff working in the setting has received initial and annual training on the HCBS Settings Rule's requirements and on person-centered planning:

- Initial training must occur prior to assuming responsibilities with residents.
- Annual training must occur each calendar year beginning with the first full calendar year of employment.

Met Unmet Not Applicable

The setting submitted initial HCBS settings rule training verifications to DHS in 2026 for the two staff that work at the day care center.

Please note that these findings are preliminary only. Settings must receive final approval from CMS.