

August 9, 2023

Awo Mohamed, Authorized Agent  
Always On Time Health Services Inc.  
1821 University Avenue West Suite 218  
Saint Paul, Minnesota 55104

License Number: 1104527 (245D – HCBS)

### **CORRECTION ORDER**

Dear Awo Mohamed:

On May 12, 2023, a licensing review of Always On Time Health Services Inc., located at 1821 University Avenue West, Saint Paul, was conducted to determine compliance with state and federal laws and rules governing the provision of home and community-based services to persons with disabilities and age 65 and older under Minnesota Statutes, Chapter 245D. As a result of this licensing review a Correction Order is being issued.

#### **A. Reason for Correction Order**

Pursuant to Minnesota Statutes, section 245A.06, if the Commissioner of the Department of Human Services (DHS) finds that the license holder has failed to comply with an applicable law or rule and this failure does not imminently endanger the health, safety, or rights of the persons served by the program, the Commissioner may issue a Correction Order to the license holder.

The following violation(s) of state or federal laws and rules were determined as a result of the licensing review. Corrective action for each violation is required by Minnesota Statutes, section 245A.06 and is hereby ordered by the Commissioner of Human Services.

1. Citation: Minnesota Statutes, section 245A.65, subdivision 2, paragraph (b).

Violation: For two of five persons whose records were reviewed (P3 and P5), the license holder did not develop an individual abuse prevention plan (IAPP) as required.

245A.02, subdivision 2b defines “annual” or “annually” to mean prior to or within the same month of the subsequent calendar year.

- a. The license holder failed to document the review of P3’s and P5’s IAPPs with the interdisciplinary team at least annually.

- b. The license holder failed to develop an IAPP for P3 with statements of the specific measures to be taken to minimize the risk of abuse to P3 and other vulnerable adults.

Corrective Action Ordered: Within 30 days of receiving this order, you must review P3's and P5's IAPP with the interdisciplinary teams and develop statements of specific measures to be taken to minimize the risk of abuse to P3 and other vulnerable adults. On an ongoing basis, you must maintain compliance as required in this subdivision.

2. Citation: Minnesota Statutes, section 245D.04, subdivision 1.

Violation: For one person whose record was reviewed (P2), the license holder did not provide the service recipient rights as required.

The license holder failed to provide P2 with a written notice that identified the service recipient's rights in subdivision 2 and 3 and explanation of those rights annually. The license holder provided P2 with service recipient rights on May 1, 2021, and on October 1, 2022.

Corrective Action Ordered: On an ongoing basis, you must maintain compliance as required in this subdivision.

3. Citation: Minnesota Statutes, section 245D.05, subdivision 1a.

Violation: For one person whose record was reviewed (P4), the license holder did not provide medication setup as required.

According to P4's support plan addendum dated March 31, 2023, the license holder was responsible for medication setup for P4. The license holder failed to document the following in P4's medication administration record:

- the dates of setup;
- name of medication;
- quantity of dose;
- times to be administered; and
- route of administration at time of setup.

Corrective Action Ordered: Immediately, you must document the information detailed above in P4's medication administration record. On an ongoing basis, you must maintain compliance as required in this subdivision.

4. Citation: Minnesota Statutes, section 245D.07, subdivision 1.

Violation: For two persons whose records were reviewed (P3 and P5), the license holder did not provide basic support services as required.

- a. P3 initiated services on June 24, 2020. The license holder completed a preliminary support plan addendum on June 30, 2020; however, the license holder failed to review and revise P3's service plan addendum within 60 days of service initiation.
- b. The license holder failed to include P3's and P5's support team members, including the person's case manager, in service planning and support team meetings.
- c. The license holder failed to provide written reports regarding P3's and P5's progress or status as requested by each person's case manager.

Corrective Action Ordered: Within 30 days of receiving this order, you must:

- include P3's and P5's support team members, including the person's case manager, in service planning and support team meetings; and
- provide written reports regarding P3's and P5's progress or status to each person's case manager.

On an ongoing basis, you must maintain compliance as required in this subdivision.

5. Citation: Minnesota Statutes, section 245D.71, subdivision 3, paragraphs (c) and (d).

Violation: For one person whose record was reviewed (P2), the license holder did not meet the service planning and delivery requirements for intensive support services.

The license holder failed to meet with P2, P2's case manager, and other members of the support team before providing 45 days of service to determine the following requirements:

- the scope of services to be provided to support P2's daily needs and activities;
- P2's desired outcomes and the supports necessary to accomplish the desired outcomes;
- P2's preferences for how services and supports are provided, including how the provider will support P2 to have control of P2's schedule;
- whether the current service setting is the most integrated setting available and appropriate for P2;
- opportunities to develop and strengthen personal relationships with other persons of P2's choice in the community;
- opportunities for community access, participation, and inclusion in preferred community activities;
- opportunities to seek competitive employment and work at competitively paying jobs in the community;

- how services must be coordinated across other providers licensed under this chapter serving P2 and members of the support team or expanded support team to ensure continuity of care and coordination of services for P2; and
- a discussion of how technology might be used to meet P2's desired outcomes.

Corrective Action Ordered: Within 30 days of receiving this order, you must:

- meet with P2 and P2's case manager, and other members of the support team to meet the service planning and delivery requirements for intensive services as detailed above; and
- maintain a summary of discussion of how technology might be used to meet P2's desired outcomes in P2's support plan addendum that included a statement in the summary regarding any decision that is made regarding the use of technology and a description of any further research that needs to be completed before a decision regarding the use of technology can be made.

On an ongoing basis, you must maintain compliance as required in this subdivision.

6. Citation: Minnesota Statutes, section 245D.71, subdivision 4.

-

Violation: For one person whose record was reviewed (P2), the license holder did not develop intensive support services regarding outcome and support as required.

The license holder failed to develop a service plan for P2 that documented supports and methods to be implemented to support the person and accomplish outcomes related to acquiring, retaining, or improving skills and physical, mental, and emotional health and wellbeing, including:

- the methods or actions that will be used to support the person and to accomplish the service outcomes, including information about:
  - any changes or modifications to the physical and social environments necessary when the service supports are provided;
  - any equipment and materials required; and
  - techniques that are consistent with the P2's communication mode and learning style;
- the measurable and observable criteria for identifying when the desired outcome has been achieved and how data will be collected;
- the projected starting date for implementing the supports and methods and the date by which progress towards accomplishing the outcomes will be reviewed and evaluated; and
- the names of the staff or position responsible for implementing the supports and methods.

Corrective Action Ordered: Within 30 days of receiving this order, you must:

- develop and maintain a service plan that documents the service outcomes, supports and methods listed above for P2; and

- submit evidence to your licensor that the service outcomes for P2 were developed, and the supports and methods were documented.

On an ongoing basis, you must maintain compliance as required in this subdivision.

7. Citation: Minnesota Statutes, section 245D.095, subdivision 3.

Violation: For five persons whose records were reviewed (P1-P5), the license holder did not maintain copies of written reports regarding the person's status as required.

The license holder failed to record progress or daily log notes by the program for P1-P5.

Corrective Action Ordered: On an ongoing basis, you must maintain compliance as required in this subdivision.

8. Citation: Minnesota Rules, part 9544.0030, subpart 1.

Violation: For four persons whose records were reviewed (P1, P3, P4, and P5), the license holder did not evaluate positive support strategies as required.

- a. The license holder failed to evaluate with P1 the identified positive support strategies at least every six months and based on the results of the evaluation, the license holder did not determine whether changes were needed in the positive supports strategies used.
- b. The license holder failed to incorporate positive support strategies in writing to existing treatment, service, or other individual plans required of the license holder for P3-P5.

Corrective Action Ordered: Within 30 days of receiving this order, you must:

- assess P3-P5's strengths, needs, and preferences to identify and create positive support strategies for each person;
- incorporate the positive support strategies for P3-P5 in writing to an existing treatment, service, or other individual plan for each person; and
- evaluate with P1 the identified positive support strategies and determine whether changes are needed in the positive support strategies used. You must document this review and make changes to P1's plan if needed.

On an ongoing basis, you must maintain compliance as required in this subpart.

9. Citation: Minnesota Statutes, section 245D.10, subdivision 4.

Violation: For three persons whose records were reviewed (P3-P5), the license holder did not inform and provide copies of the policies and procedures affecting a person's rights as required.

The license holder failed to provide the policies and procedures affecting a person's rights to P3-P5's case managers within five working days of service initiation.

Corrective Action Ordered: Within 30 days of receiving this order, you must provide P3-P5's case managers copies of the policies and procedures affecting a person's rights under section 245D.04. On an ongoing basis, you must maintain compliance as required in this subdivision.

10. Citation: Minnesota Statutes, section 245D.95, subdivision 5, paragraph (a).

Violation: For three of three staff persons whose records were reviewed (SP1-SP3), the license holder did not maintain a personnel record of each employee to document and verify staff qualifications, orientation, and training as required.

The license holder failed to record an acknowledgement signed by the employee that job duties were reviewed with the employee and the employee understood those duties for SP1-SP3.

Corrective Action Ordered: Immediately you must review the above with SP1-SP3 and obtain their signed acknowledgment of understanding. On an ongoing basis, you must maintain compliance as required in this subdivision.

If you fail to correct the violations specified in the Correction Order within the prescribed time lines the Commissioner may issue an Order of Conditional License or may impose a fine and order other licensing sanctions pursuant to Minnesota Statutes, sections 245A.06 and 245A.07.

Submissions required as part of a corrective action ordered must be sent to your Licensor at:

1. By secure email at [kristopher.oberg@state.mn.us](mailto:kristopher.oberg@state.mn.us); or
2. If you are unable to submit corrective action ordered securely through email, you can mail or fax using the information below:

Commissioner, Department of Human Services  
ATTN: Kristopher Oberg  
Licensing Division  
PO Box 64242  
St. Paul, MN 55164-0242

**B. Right to Request Reconsideration**

If you believe any of the citations are in error, you have the right to request that the Commissioner of Human Services reconsider the parts of the Correction Order that you believe to be in error. The request for reconsideration must be in writing and received by the Commissioner within 20 calendar days after receipt of this report. Your request for reconsideration must be sent to:

Commissioner, Department of Human Services

Awo Mohamed  
Page 7 of 2  
August 9, 2023

Office of Inspector General  
Legal Counsel's Office  
Attention: Licensing Legal Unit  
PO Box 64953  
St. Paul, MN 55164-0953

Please note that a request for reconsideration does not stay any provisions or requirements of the Correction Order. The Commissioner's disposition of a request for reconsideration is final and not subject to appeal under Minnesota Statutes, chapter 14.

If you have any questions regarding this Correction Order, please contact Kris Oberg at 651-431-6589 as soon as possible.

Brittany Raddatz, Supervisor  
Licensing Division  
Office of Inspector General