

August 5, 2024

Meghann Lewis, Authorized Agent
Bella Mente Inc
26331 Far Creek Road
Bovey, Minnesota 55709

License Number: 1097618 (245D – HCBS)

CORRECTION ORDER

Dear Meghann Lewis:

On June 12, 2024, a licensing review of Bella Mente Inc, located at 26331 Far Creek Road, Bovey, Minnesota, 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 eight persons whose records were reviewed (P6 and P8), the license holder did not establish and enforce a written individual abuse prevention plan (IAPP) as required.

- a. In an order issued on March 19, 2024, the license holder was ordered to establish and enforce an IAPP for P6 that met the requirements of this section and review this IAPP with P6 and their case manager, within 60 days of receipt of the order. At the time of the licensing review on June 12, 2024, DHS licensors determined that the license holder failed to complete this corrective action.
- b. The license holder failed to develop an IAPP for P8 that included the following, as required under section 626.557, subdivision 14, paragraph (b):
 - statements of the specific measures to be taken to minimize the risk of abuse to that person and other vulnerable adults; and

- measures with specific actions the program would take to minimize the risk of abuse within the scope of the licensed services.

Repeat Violation: In Correction Orders that DHS issued on October 2, 2020 and March 19, 2024, you were previously found in violation of this same statute.

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

- establish and enforce an IAPP for P6 and P8 that include statements of measures, including specific actions, that the program will take to minimize the risk of abuse to that person within the scope of the licensed service, when the individual assessment required in section 626.557, subdivision 14, paragraph (b), indicates the need for measures;
- review P6's IAPP with P6 and their case manager and maintain documentation of this review in P6's service recipient record; and
- maintain the newly established IAPPs in P6 and P8's service recipient records.

Additionally, within 65 days of receiving this order, you must submit the following to your licensor:

- documentation of the review of P6's IAPP that includes the date, who attended and their role in P6's support team, and the topics discussed during the meeting; and
- the established IAPPs for P6 and P8.

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

2. **Citation:** Minnesota Statutes, section 245D.071, subdivision 4.

Violation: For two persons whose records were reviewed (P3 and P7), the license holder did not develop service outcomes and supports as required.

In an order issued on March 19, 2024, the license holder was ordered to:

- meet with P3, P7, and their support teams to determine the supports and methods to be implemented to support the person and accomplish their outcomes;
- within 10 working days of this meeting, develop a service plan for P3 and P7 that documented the supports and methods and maintain this plan in P3 and P7's support plan addendum; and
- within 20 working days of this meeting, submit and obtain dated signatures from P3 and P7 or their legal representative, if applicable, and case manager to document completion and approval of the support plan addendum.

At the time of the licensing review on June 12, 2024, DHS licensors determined that the license holder failed to complete this corrective action.

- a. Regarding P3, at the time of the licensing review on June 12, 2024, there was no service plan developed that included the supports and methods to support P3 and accomplish their outcomes.
- b. Regarding P7, while the license holder did develop a service plan documenting the supports and methods developed to support P7 and accomplish their outcomes, this service plan failed to include the measurable and observable criteria for identifying when P7's desired outcome had been achieved.

Repeat Violation: In a Correction Order that DHS issued on March 19, 2024, you were previously found in violation of this same statute.

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

- meet with P3 and their support teams to determine the supports and methods to be implemented to support the person and accomplish their outcomes;
- within 10 working days of this meeting, develop a service plan for P3 that documents the supports and methods and maintain this plan in P3's support plan addendum; and
- within 20 working days of this meeting, submit and obtain dated signatures from P3 or their legal representative, if applicable, and case manager to document completion and approval of the support plan addendum;
- provide training to any staff persons providing services to P3 under this license on P3's support plan addendum;
- begin implementing the supports and methods developed to assist P3 in accomplishing their outcomes;
- develop the measurable and observable criteria for identifying when P7's desired outcome has been achieved and include this information in the service plan that documents the supports and methods developed to support P7 and accomplish their outcomes.

Additionally, within 65 days of receiving this order, you must submit the following to your licensor:

- documentation of the meeting with P3 and their support team that includes the date, who attended and their role in P3's support team, and the topics discussed during the meeting;
- the service plan developed for P3 that documents the supports and methods to support the person and accomplished their outcomes;
- documentation that shows the communication mode and date P3's support plan addendum was submitted to P3 and their support team;
- documentation of the dated signatures obtained from P3 and their support team approving the support plan addendum.

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

3. **Citation:** Minnesota Statutes, section 245D.10, subdivision 4, paragraph (b).

Violation: For one person whose record was reviewed (P8), the license holder did not inform the person's case manager of the policies and procedures affecting a person's rights under section 245D.04, as required.

The license holder failed to inform P8's case managers of the following policies and procedures that affect a person's rights and provide copies of those policies and procedures within five working days of service initiation:

- grievance policy and procedure;
- service suspension policy and procedure;
- service termination policy and procedure; and
- emergency use of manual restraints policy and procedure.

Repeat Violation: In Correction Orders that DHS issued on October 2, 2020 and March 19, 2024, you were previously found in violation of this same statute.

Corrective Action Ordered: Within 30 days of receiving this order, you must inform and provide copies of the above listed policies to P2's case manager. 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 Krista.Hastings@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: Krista Hastings
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
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 me as soon as possible.

Krista Hastings, HCBS Licensor
Licensing Division
Office of Inspector General
651-431-4825