



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

SHELLY EDGERTON  
DIRECTOR

July 6, 2017

Thomas and Jane Siminske  
1660 Altorf Strasse  
Gaylord, MI 49735

RE: License #: AF690362002  
Investigation #: 2017A0225026  
Siminske Residential Care

Dear Mr. and Mrs. Siminske:

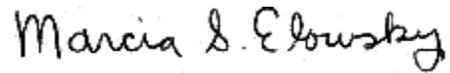
Attached is the Special Investigation Report for the above referenced facility. Due to the violations identified in the report, a written corrective action plan is required. The corrective action plan is due 15 days from the date of this letter and must include the following:

- How compliance with each rule will be achieved.
- Who is directly responsible for implementing the corrective action for each violation.
- Specific time frames for each violation as to when the correction will be completed or implemented.
- How continuing compliance will be maintained once compliance is achieved.
- The signature of the responsible party and a date.

If you desire technical assistance in addressing these issues, please contact me. In any event, the corrective action plan is due within 15 days. Failure to submit an acceptable corrective action plan will result in disciplinary action.

Please review the enclosed documentation for accuracy and contact me with any questions. In the event that I am not available and you need to speak to someone immediately, please contact the local office at (616) 356-0100.

Sincerely,

A handwritten signature in black ink that reads "Marcia S. Elowsky". The signature is written in a cursive style with a large initial 'M' and a distinct 'S'.

Marcia S. Elowsky, Licensing Consultant  
Bureau of Community and Health Systems  
Suite 11  
701 S. Elmwood  
Traverse City, MI 49684  
(231) 342-4924

Enclosure

**MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
BUREAU OF COMMUNITY AND HEALTH SYSTEMS  
SPECIAL INVESTIGATION REPORT**

**I. IDENTIFYING INFORMATION**

<b>License #:</b>	AF690362002
<b>Investigation #:</b>	2017A0225026
<b>Complaint Receipt Date:</b>	06/19/2017
<b>Investigation Initiation Date:</b>	06/21/2017
<b>Report Due Date:</b>	08/18/2017
<b>Licensee Name:</b>	Thomas and Jane Siminske
<b>Licensee Address:</b>	1660 Altorf Strasse Gaylord, MI 49735
<b>Licensee Telephone #:</b>	(989) 732-6203
<b>Name of Facility:</b>	Siminske Residential Care
<b>Facility Address:</b>	1660 Altorf Strasse Gaylord, MI 49735
<b>Facility Telephone #:</b>	(989) 732-6203
<b>Original Issuance Date:</b>	08/04/2014
<b>License Status:</b>	REGULAR
<b>Effective Date:</b>	02/04/2017
<b>Expiration Date:</b>	02/03/2019
<b>Capacity:</b>	4
<b>Program Type:</b>	DEVELOPMENTALLY DISABLED

## II. ALLEGATION(S)

	<b>Violation Established?</b>
On 6/17/17, responsible person Kylvynn Siminske got into an argument with her boyfriend at the home. Resident A became scared and called 911.	Yes
Additional Findings	Yes

## III. METHODOLOGY

06/19/2017	Special Investigation Intake 2017A0225026
06/19/2017	APS Referral From Centralized Intake - Denied APS
06/20/2017	Contact - Document Sent E-mails to Ruth Hewett, Recipient Rights Officer (RRO) at Northeast Michigan Community Mental health (CMH) and Brandy Marvin, Recipient Rights Advisor at North County CMH
06/20/2017	Contact - Document Received E-mails from Ruth Hewett, RRO and Brandy Marvin
06/21/2017	Special Investigation Initiated - Telephone Call Jane Siminske, Co-licensee
06/21/2017	Contact - Document Sent E-mail to Otsego County Sheriff Department for FOIA-Police report
06/23/2017	Inspection Completed On-site Interviewed Jane Siminske and residents with Ruth Hewett, RRO and Brandy Marvin. Record review
06/23/2017	Contact - Document Received Police report from Otsego County Sheriff Department
06/23/2017	Contact - Document Sent Police report to Ruth Hewett and Brandy Marvin
06/23/2017	Contact - Document Received E-mail from Jane Siminske
07/05/2017	Inspection Completed-BCAL Sub. Compliance
07/05/2017	Exit conference With Jane Siminske, Co-licensee

**ALLEGATION: On 6/17/17, responsible person Kylynn Siminske got into an argument with her boyfriend at the home. Resident A became scared and called 911.**

**INVESTIGATION:**

On 06/19/17, I received an Adult Protective Services (APS) referral from APS Centralized Intake that was denied investigation by APS. The referral indicated that Resident A called 911 due to being scared because Kylynn Siminske and her boyfriend were arguing at the home.

On 06/23/17, I conducted an investigation at the facility with Ruth Hewett, RRO from Northeast Michigan CMH and Brandy Marvin, Recipient Rights Advisor from North Country CMH. We interviewed co-licensee Jane Siminske, Resident A and Resident B. We did not interview Resident C because he was at the local workshop.

Ms. Siminske reported she was not at the home when this incident occurred. She reported her step-daughter Kylynn Siminske was working on Friday, 06/16/17 from 8am-5pm. Ms. Siminske reported co-licensee Tom Siminske has been providing most of the care because he is currently laid off from work. However, they had Kylynn work at the home on June 8, 15 and 16, 2017 as Mr. Siminske had other commitments. Ms. Siminske reported Kylynn called her and told her that Resident A called 911 because she was arguing with her boyfriend and law enforcement had come to the home. Ms. Siminske reported she left her place of employment and came home about 4pm. Ms. Siminske reported Kylynn will no longer be working in the home.

On 06/23/17, Resident A reported that Kylynn and her boyfriend were yelling at each other about some ice cream bars. Resident A reported he asked them to “please cool it down” because their arguing was upsetting to him. He reported Kylynn and her boyfriend went outside on the front porch and continued to argue and he decided to call 911 and asked the operator to “please help me out, I need an officer”. Resident A reported Kylynn came in the kitchen and hung up the phone. Resident A reported he was mad when she hung up the phone, and then the boyfriend left the home.

On 06/23/17, Ms. Hewett, Ms. Marvin and I attempted an interview with Resident B however he has limited verbal skills due to his cognitive disabilities. He was able to confirm that Kylynn was arguing with someone.

On 06/23/17, I received and reviewed an *Incident Report* from the Otsego County Sheriff Department. The incident involves domestic violence at the home on 06/16/17 with Kylynn Siminske and her boyfriend. The report indicates that Kylynn had her boyfriend come over to the home for dinner and she started yelling at her boyfriend because the steaks were overdone and the ice cream sandwiches had freezer burn. Also, Kylynn admitted to the officer that she did push her boyfriend and

that he grabbed her wrists, otherwise this was a verbal argument. It is reported the incident took place in the kitchen and front porch. Kylynn reported to the officer that she did hang up the phone on Resident A, however she didn't know he had called 911. The boyfriend was not at the home when the officer arrived at 1340 hours.

<b>APPLICABLE RULE</b>	
<b>R 400.1404</b>	<b>Licensee, responsible person, and member of the household; qualifications.</b>
	<b>(3) A licensee or responsible person shall possess all of the following qualifications: (b) Be suitable to meet the physical, emotional, social, and intellectual needs of each resident.</b>
<b>ANALYSIS:</b>	Based on the findings noted above, it's evident that responsible person Kylynn Siminske is not suitable to meet the needs of the residents. The minor issue of freezer burned ice cream sandwiches turned into an incident of having law enforcement called by Resident A. He became scared when Kylynn and her boyfriend were arguing. Also, Kylynn hung up the phone on Resident A.
<b>CONCLUSION:</b>	<b>VIOLATION ESTABLISHED</b>

**ADDITIONAL FINDINGS:**

**INVESTIGATION:**

During this investigation Ms. Hewett and Ms. Marvin were concerned that Kylynn Siminske was not fully trained to work independently. On 06/23/17, Ms. Hewett and Ms. Marvin provided training records for Kylynn during the interview with co-licensee Jane Siminske. A review of Kylynn's CMH training transcripts indicates that she has not been trained in the areas of introduction to community residential services, nutrition, emergency preparedness, health and medications. Therefore, the licensees, Tom and Jane Siminske, should not have had Kylynn working alone as Ms. Siminske reported above on June 8, 15 and 16, 2017.

<b>APPLICABLE RULE</b>	
<b>R 330.1806</b>	<b>Staffing levels and qualifications.(2) All staff who work independently and staff</b>
	<b>(2) All staff who work independently and staff who function as lead workers with clients shall have successfully completed a course of training which imparts basic concepts required in providing specialized dependent care and which measures staff comprehension and</b>

	<p><b>competencies to deliver each client's individual plan of service as written. Basic training shall address all of the following areas:</b></p> <p><b>(a) An introduction to community residential services and the role of direct care staff.</b></p> <p><b>(b) An introduction to the special needs of clients who have developmental disabilities or have been diagnosed as having a mental illness. Training shall be specific to the needs of clients to be served by the home.</b></p> <p><b>(c) Basic interventions for maintaining and caring for a client's health, for example, personal hygiene, infection control, food preparation, nutrition and special diets, and recognizing signs of illness.</b></p> <p><b>(d) Basic first aid and cardiopulmonary resuscitation</b></p> <p><b>(e) Proper precautions and procedures for administering prescriptive and nonprescriptive medications.</b></p> <p><b>(f) Preventing, preparing for, and responding to environmental emergencies, for example, power failures, fires, and tornados.</b></p> <p><b>(g) Protecting and respecting the rights of clients, including providing client orientation with respect to the written policies and procedures of the licensed facility.</b></p> <p><b>(h) Non-aversive techniques for the prevention and treatment of challenging behavior of clients.</b></p>
<b>ANALYSIS:</b>	Based on CMH training records obtained by Ruth Hewett and Brandy Marvin, Kylynn Siminske has not completed all required trainings to work independently in providing specialized dependent care to residents at this home.
<b>CONCLUSION:</b>	<b>VIOLATION ESTABLISHED</b>

On 07/05/17, I conducted an exit conference with co- licensee Jane Siminske. She acknowledged an understanding of the findings of this special investigation and agreed to submit a corrective action plan.

**IV. RECOMMENDATION**

Continent upon receipt of an acceptable corrective action plan (CAP), I recommend the status of this license remain unchanged.

*Marcia S. Elowsky*

07/05/2017

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Marcia S. Elowsky  
Licensing Consultant

Date

Approved By:

*Jerry Hendrick*

07/05/2017

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Jerry Hendrick  
Area Manager

Date