



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

SHELLY EDGERTON
DIRECTOR

September 7, 2018

Leonardo Marino-Ochoa
ASGW, LLC
36688 Briarcliff
Sterling Hts., MI 48312

RE: License #: AS500366081
Investigation #: 2018A0986017
Hearthstone Communities

Dear Mr. Marino-Ochoa:

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 feel free to 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 (248) 975-5053.

Sincerely,

A handwritten signature in cursive script that reads "Roeiah Epps". The signature is written in dark ink and is positioned above the typed name and address.

Roeiah Epps, Licensing Consultant
Bureau of Community and Health Systems
4th Floor, Suite 4B
51111 Woodward Avenue
Pontiac, MI 48342
(586) 256-1776

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AS500366081
Investigation #:	2018A0986017
Complaint Receipt Date:	05/07/2018
Investigation Initiation Date:	05/08/2018
Report Due Date:	07/06/2018
Licensee Name:	ASGW, LLC
Licensee Address:	36688 Briarcliff Sterling Hts., MI 48312
Licensee Telephone #:	(248) 925-8997
Administrator:	Angelyth Villamizar-Nieto
Licensee Designee:	Leonardo Marino-Ochoa
Name of Facility:	Hearthstone Communities
Facility Address:	36688 Briarcliff Sterling Heights, MI 48312
Facility Telephone #:	(248) 925-8997
Original Issuance Date:	08/12/2015
License Status:	REGULAR
Effective Date:	02/12/2018
Expiration Date:	02/11/2020
Capacity:	6
Program Type:	AGED ALZHEIMERS

ALLEGATION(S)

	Violation Established?
The facility has two live-in staff members that cannot speak English.	Yes

II. METHODOLOGY

05/07/2018	Special Investigation Intake 2018A0986017
05/08/2018	Inspection Completed On-site Interviewed licensee designee Leonardo Marino-Ochoa, administrator Angelyth Villamizar-Nieto and staff member Carla Calderon-Pulido
05/08/2018	Special Investigation Initiated - On Site Interviewed licensee designee Leonardo Marino-Ochoa, administrator Angelyth Villamizar-Nieto and staff member Carla Calderon-Pulido; and observed Residents A and B
05/16/2018	Contact -Telephone call received Interviewed
08/31/2018	Exit Conference Email and voicemail message left for licensee designee Leonardo Marino-Ochoa
09/04/2018	Exit Conference Telephone licensee designee Leonardo Marino-Ochoa
09/04/2018	Contact-Telephone made Resident A's adult daughter

ALLEGATION:

The facility has two live-in staff members that cannot speak English.

INVESTIGATION:

On 5/8/18, I conducted an unannounced onsite inspection and interviewed licensee designee Leonardo Marino-Ochoa, administrator Angelyth Villamizar-Nieto and direct care staff member Carla Calderon-Pulido; and observed Residents A and B. Resident

A was dozing on the family room sofa and Resident B watched television as I attempted to interview her. However, Resident B has Alzheimer's and could not provide sufficient information.

On 5/8/18, Mr. Ochoa stated the allegations were not true. Mr. Ochoa stated all direct care staff members speak English that work at the facility. Mr. Ochoa stated that no resident or family member has ever complained about his direct-care staff members being unable to effectively communicate or provide good care. Mr. Ochoa took me to the basement area where both live-in staff members Carla Calderon-Pulido and Mariangel Avila-Donado. Mr. Ochoa asked Ms. Pulido for the combination for the code to enter the basement which she responded to in English. Mr. Ochoa stated currently only two staff members have been on the schedule, but several direct care staff are employed at the facility. However, Mr. Ochoa did not have a current staff schedule posted, and instructed the administrator Angelyth Villamizar-Nieto to look for it. Mr. Ochoa stated that staff member Mariangel Avila-Donado was out of town in Florida and would not be back to the facility for approximately two weeks.

On 5/8/18, Ms. Villamizar-Nieto stated the allegations were not true. Ms. Nieto corroborated Mr. Ochoa's statements and stated that she visits the facility daily and has never observed any staff-member being unable to effectively communicate with the residents. Ms. Nieto instructed staff member Carla Calderon-Pulido to obtain a resident's file information located in the facility, to which Ms. Pulido responded in Spanish. Ms. Nieto quickly prompted Ms. Pulido to speak in English by stating, "Inglés." Ms. Nieto explained Ms. Pulido is more comfortable speaking in Spanish because it is her native language. Therefore, the issue is not that she cannot speak English. Ms. Nieto stated because of current issues with relocating residents from another facility to the home, no staff schedule had been completed, and she could not locate any staff schedules. Ms. Nieto also gave me a copy of both Ms. Pulido's and Ms. Donado's training records and background clearances to establish their competence and suitability.

On 5/8/18, I interviewed staff member Carla Calderon-Pulido. Ms. Pulido stated she has been working at the facility as a direct care staff member since October 2017. Further, stated her job responsibilities entailed cooking, cleaning, passing medication, providing personal care to the residents, and practicing fire drills. Ms. Pulido stated she is also required to seek medical treatment for the residents if it is required.

On 5/16/18, I interviewed direct care staff member Mariangel Avila-Donado. Ms. Donado was able to tell me she worked at the facility but was unable to provide a start date or timeframe. Ms. Donado paused frequently throughout the interview and I had to repeat questions multiple times in effort to get a response. Consequently, Ms. Donado was also unable to provide any descriptions regarding her work responsibilities or trainings she completed.

On 9/4/18, I interviewed Resident A's adult daughter ("AD"). AD stated her mother has been a resident at the facility for the past two years and reports being very pleased with her mother's care. AD stated all staff members that work at the facility speak and

understand English to her knowledge. AD stated that she visits the facility weekly and quite often unannounced. At no time had AD ever witnessed or observed a staff member unable to speak in English.

On 9/4/18, I interviewed Resident B's adult grandson and legal guardian ("LG"). LG stated although the staff members speak Spanish primarily, they can speak English well enough to care for Resident B. LG stated he visits Resident B at least once a month and he has never witnessed or observed any staff member unable to communicate to any resident in English. LG stated Resident B is provided phenomenal care at the facility and he has no issues or safety concerns.

On 9/4/18, I conducted the exit conference with the licensee designee Leo Marino-Ochoa. Mr. Ochoa stated that Mariangel Avila-Donado is currently completing an online course for English as a second language. Mr. Ochoa stated he will monitor the issues surrounding Ms. Donado's language barriers closely over the next three months and ensure that he she is never scheduled to work alone. Mr. Ochoa stated he will complete a corrective action plan once the special investigation report is received.

APPLICABLE RULE	
R 400.14201	Qualifications of administrator, direct care staff, licensee, and members of the household; provision of names of employee, volunteer, or member of the household on parole or probation or convicted of felony; food service staff.
	(10) All members of the household, employees, and those volunteers who are under the direction of the licensee shall be suitable to assure the welfare of residents.
ANALYSIS:	On 5/16/18, staff member Mariangel Avila-Donado did not speak fluent English and was unable to respond or answer questions regarding her job responsibilities in providing direct care to the residents.
CONCLUSION:	VIOLATION ESTABLISHED

APPLICABLE RULE	
R 400.14204	Direct care staff; qualifications and training.
	(2) Direct care staff shall possess all of the following qualifications: (a) Be suitable to meet the physical, emotional, intellectual, and social needs of each resident. (b) Be capable of appropriately handling emergency situations.
ANALYSIS:	On 5/16/18, staff member Mariangel Avila-Donado did not speak fluent English and was unable to respond or answer questions regarding her job responsibilities in providing direct care to the residents regarding emergencies and personal care.
CONCLUSION:	VIOLATION ESTABLISHED

APPLICABLE RULE	
R 400.14208	Direct care staff and employee records.
	(3) A licensee shall maintain a daily schedule of advance work assignments, which shall be kept for 90 days. The schedule shall include all of the following information: (a) Names of all staff on duty and those volunteers who are under the direction of the licensee. (b) Job titles. (c) Hours or shifts worked. (d) Date of schedule. (e) Any scheduling changes.
ANALYSIS:	On 5/8/18, the facility did not have staff schedule posted or any staff schedules available for review.
CONCLUSION:	VIOLATION ESTABLISHED

III. RECOMMENDATION

Contingent upon the licensee submitting an acceptable corrective action plan, I recommend that the special investigation be closed with no change to the license.

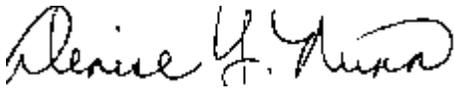


9/4/18

Roeiah Epps
Licensing Consultant

Date

Approved By:



09/07/2018

Denise Y. Nunn
Area Manager

Date