



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

SHELLY EDGERTON
DIRECTOR

December 7, 2018

Kevin Hankerson
2 Foot Prints Inc
24106 Hickory Grove Ln
Novi, MI 48375

RE: License #: AS820237850
Investigation #: **2019A0116002**
Brooklane AFC

Dear Mr. Hankerson:

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 (313) 456-0380.

Sincerely,

A handwritten signature in blue ink that reads "Pandrea Robinson". The signature is written in a cursive, flowing style.

Pandrea Robinson, Licensing Consultant
Bureau of Community and Health Systems
Cadillac Pl. Ste 9-100
3026 W. Grand Blvd
Detroit, MI 48202
(313) 319-9682

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AS820237850
Investigation #:	2019A0116002
Complaint Receipt Date:	10/17/2018
Investigation Initiation Date:	10/19/2018
Report Due Date:	12/16/2018
Licensee Name:	2 Foot Prints Inc
Licensee Address:	3826 Springhill Inkster, MI 48141
Licensee Telephone #:	(734) 641-7830
Administrator:	Kevin Hankerson
Licensee Designee:	Kevin Hankerson
Name of Facility:	Brooklane AFC
Facility Address:	29844 Brooklane Inkster, MI 48141
Facility Telephone #:	(734) 595-6744
Original Issuance Date:	11/08/2001
License Status:	REGULAR
Effective Date:	07/30/2017
Expiration Date:	07/29/2019
Capacity:	6
Program Type:	DEVELOPMENTALLY DISABLED MENTALLY ILL

II. ALLEGATION(S)

	Violation Established?
Home manager smokes marijuana while on duty.	No
The only food served in the home is cereal, milk, bread and bologna lunch meat. There is allegedly never any fruit, vegetables or snacks.	Yes
Additional Findings	Yes

III. METHODOLOGY

10/17/2018	Special Investigation Intake 2019A0116002
10/17/2018	APS Referral Referral rejected for investigation.
10/19/2018	Special Investigation Initiated - Telephone Left a message for complainant requesting a return call.
10/19/2018	Contact - Telephone call made Left a message for Office of Recipient Right (ORR) requesting contact information for assigned officer.
10/22/2018	Inspection Completed On-site Interviewed Resident A-C and staff Kerry Diaz, Jr.
10/26/2018	Contact - Telephone call made Interviewed assigned ORR investigator Nicole Williams.
10/26/2018	Contact - Telephone call made Interviewed Lea Green, case manager with Hegira Programs.
10/29/2018	Inspection Completed-BCAL Sub. Compliance

	Observed food supply and spoke briefly with staff Kenneth Singletary.
11/02/2018	Contact - Telephone call made Spoke with Ms. Williams.
11/02/2018	Contact - Telephone call made Interviewed Home manager Kerry Diaz Sr..
11/07/2018	Exit Conference With licensee designee Kevin Hankerson.

ALLEGATION:

Home manager smokes marijuana while on duty.

INVESTIGATION:

On 10/22/18, I conducted an unscheduled onsite inspection at the home and interviewed Residents A-C and staff Kerry Diaz Jr. Resident A reported that home manager Mr. Diaz Sr. smokes marijuana when he is on shift. Resident A reported that he is newer to the home and since he has been there he has noticed that this is Mr. Diaz's norm. Resident A reported that Mr. Diaz does not attempt to hide his marijuana smoking. Resident A could not recall the last time he observed Mr. Diaz Sr. smoke marijuana or where in the home he was smoking it. Resident A reported he knows he was smoking it because he could smell it.

I interviewed Residents B and C and they both denied observing Mr. Diaz Sr. or any other staff smoking marijuana. They also denied smelling it in the home. They both reported knowing how the substance smells and reported it is not being smoked in the home. Resident B and C reported that they have lived in the home over 6 years and have never observed or smelled marijuana being smoked in the home.

I interviewed Mr. Diaz Jr. and he denied the allegations. Mr. Diaz Jr. reported that he has not observed Mr. Diaz Sr. or any other staff smoking cigarettes or marijuana in the home.

On 11/02/18, I interviewed Mr. Diaz Sr. and he denied the allegations. Mr. Diaz Sr. reported that he does not smoke in the home and reported that he understands the

serious ramifications if he had. Mr. Diaz Sr. reported that he believes that one of the residents is upset with him and is making up false allegations. Mr. Diaz Sr. reported that the men in the home are all high functioning, all have case managers, guardians, etc. that are in and out of the home and if he were smoking marijuana as alleged, someone would have reported it by now. Mr. Diaz Sr. adamantly denied the allegations.

On 11/07/18, I conducted the exit conference with Mr. Hankerson and he denied any knowledge of Mr. Diaz Sr. smoking marijuana in the home. Mr. Hankerson reported he does not believe that any staff would smoke marijuana in the home and reported this has never been brought to his attention. I informed Mr. Hankerson of the findings of my investigation and he agreed with the findings. I informed Mr. Hankerson of the seriousness of this allegation and recommended that he talk with all staff to reiterate and ensure they are aware that this is prohibited. Mr. Hankerson reported an understanding and stated that he would.

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.

ANALYSIS:	<p>It was alleged that Ms. Diaz Sr. smokes marijuana while on duty. Based on the information obtained, which included interviews with Residents A-C, staff Mr. Diaz Jr. and Mr. Diaz Sr. I am unable to corroborate the allegations. Although Resident A reported observing Mr. Diaz Sr. smoking marijuana he could not provide any details regarding where he observed Mr. Diaz smoking marijuana in the home or when. Resident A could only say he smelled it and knew it was Mr. Diaz Sr.</p> <p>Residents B and C denied ever observing Mr. Diaz Sr. or any other staff smoking marijuana in the home as alleged.</p> <p>Mr. Diaz Sr. and Mr. Diaz Jr. also both denied use of marijuana and denied observing any staff use the substance in the home.</p> <p>This violation is not established as there is insufficient evidence to substantiate that staff Mr. Diaz Sr. is not suitable to meet the needs of the residents.</p>
CONCLUSION:	VIOLATION NOT ESTABLISHED

ALLEGATION:

The only food served in the home is cereal, milk, bread and bologna lunch meat. There is allegedly never any fruit, vegetables or snacks.

INVESTIGATION:

I conducted an unscheduled onsite inspection at the home on 10/22/18 and interviewed Residents A-C and staff Mr. Diaz Jr. Resident A-C all confirmed the allegations and reported that the food supply is always limited and that there is no variety when it comes to the food in the home. Resident A reported that he does not eat pork and reported for lunch 90% of the time bologna sandwiches are served for lunch. Resident A reported non-pork alternatives are not an option and he either has to eat what is served or go hungry until the next meal is served. Resident A reported there is never fresh fruit or vegetables available or snacks to eat between meals if one is hungry. Resident A reported that the food situation in the home is a real issue. Resident A reported that dinner usually consist of chicken or meatloaf, which he reports is okay, however, reported it would be nice to have other options available.

Residents B and C reported that breakfast is normally cold cereal, lunch is a bologna sandwich and dinner is usually just chicken and some sort of canned vegetable.

Residents B and C reported that they can not recall eating any type of grain, legumes, or potatoes. They reported they do not eat balanced meals and reported never having fresh fruit or vegetables to eat, no healthy snacks, no coffee or tea and reported drinking mostly water, milk and on occasion juice. Residents A-C reported they would love to eat well-balanced meals at breakfast, lunch, and dinner and reported maybe they wouldn't be so hungry between meals if they ate more filling selections at meal times.

I interviewed Mr. Diaz Jr. and he reported that he prepares the food that is available in the home. He reported that Mr. Diaz Sr. does all of the grocery shopping and reported there is always food in the home. Mr. Diaz Jr. reported that the residents usually eat cereal for breakfast, a sandwich for lunch and chicken, beef, or fish for dinner with a vegetable. I checked the food supply in the home and found it to be inadequate for six adult men. The refrigerator was almost empty with only a gallon of milk and jars/containers of condiments. The freezer contained a small amount of meats and the cabinet/pantry had a gallon of juice and a few cans of vegetables. Mr. Diaz reported being sure that this was a grocery shopping week and that at the present the home was just low on food.

On 10/26/18, I spoke with Ms. Williams with ORR. Ms. Williams reported she would be conducting an onsite on 10/29/18 and would share her findings after the inspection.

On 10/26/18, I interviewed Ms. Green who reported that she frequents the home monthly as she is the supports coordinator for a few of the residents. Ms. Green reported that none of the residents have shared with her any concerns regarding the food situation in the home. She reported that she will definitely follow up with each of them when she conducts her monthly visits as they pay Mr. Hankerson, "good money" to live there and reported that food should never be an issue.

I conducted another unscheduled onsite inspection on 10/29/18, to check the food supply. There was more food in the refrigerator, freezer and cabinets than at the initial onsite, however, it was still inadequate to feed six adult males three times per day for one week. Staff Kenneth Singleton was present in the home and reported that Mr. Diaz Sr. had recently went grocery shopping and would more than likely be going again the following week.

On 11/02/18, I received a call from Ms. Williams. Ms. Williams reported she went to the home on 10/29/18 and found that the food supply in the home was inadequate for the number of residents residing in the home. Ms. Williams reported after interviewing the residents she determined that the residents are not being fed a nutritional diet that follows the Food and Drug Administration (FDA) guidelines. Ms. Williams reported that she is substantiating the case.

I interviewed Mr. Diaz Sr. on 11/02/18, and he reported that he grocery shops weekly and that there is always food in the home. I explained to Mr. Diaz Sr. that on

the two separate occasions that I was at the home, the food supply was inadequate, and did not meet the nutritional guidelines. Mr. Diaz reported that he had been in contact with Mr. Hankerson requesting additional funds to purchase food.

I conducted the exit conference on 11/07/18 with Mr. Hankerson and informed him of the findings of the investigation and the rule cited. I provided in depth technical assistance to Mr. Hankerson regarding nutritious foods and having an adequate food supply in the home. I emailed Mr. Hankerson the publication titled “Basic Nutrition Facts: A Nutrition Reference that outlines the Recommended Dietary Allowances. I also suggested to Mr. Hankerson to include the residents in meal planning and offer nutritional choices for them, while using inclusion to involve them in the process. Mr. Hankerson liked the suggestion and reported that he has already began implementing some changes pertaining to the food.

APPLICABLE RULE	
R 400.14313	Resident nutrition.
	(1) A licensee shall provide a minimum of 3 regular, nutritious meals daily. Meals shall be of proper form, consistency, and temperature. Not more than 14 hours shall elapse between the evening and morning meal.
ANALYSIS:	<p>It was alleged that the residents were only being provided cereal, milk, bread and bologna and there is never any fruit, vegetables or snacks in the home.</p> <p>Based on the information obtained, which included interviews with Residents A-C, Mr. Diaz Jr., Mr. Diaz Sr., Ms. Williams and consultant observation, this violation is established.</p> <p>I conducted two separate onsite inspections and both times the food supply was inadequate and could not provide for a minimum of three nutritious meals. Further, Residents A-C all reported not having nutritious food choices in the home and reported only eating cold cereal for breakfast, a sandwich for lunch and meat and some sort of canned vegetable for dinner daily. Ms. Williams also reported that during her onsite the food supply was inadequate, and after interviewing the residents determined that they were not being served 3 regular nutritious meals per day as required.</p>
CONCLUSION:	VIOLATION ESTABLISHED

ADDITIONAL FINDINGS:

INVESTIGATION:

On 10/26/18 and 10/29/18 I conducted unscheduled onsite inspections and observed that there was not a menu posted for the week. I interviewed Mr. Diaz Jr. and he reported that the menus are completed by Mr. Diaz Sr. and to date a current menu had not been provided.

On 10/26/18 I interviewed Residents A-C and they reported that menus are posted sometimes, however reported that they don't bother to look at them because the staff do not follow the menu. They also reported that the items written on the menu are never in the home to prepare.

On 11/07/18, I conducted the exit conference with Mr. Hankerson and informed him of the findings. Mr. Hankerson reported that he is aware of the rule requirement and reported that Mr. Diaz Sr. is responsible for the completion of the menus. Mr. Hankerson reported he will address this issue and will ensure that the menus are completed in a timely manner, posted, and followed by staff.

APPLICABLE RULE	
R 400.14313	Resident nutrition.
	(4) Menus of regular diets shall be written at least 1 week in advance and posted. Any change or substitution shall be noted and considered as part of the original menu.
ANALYSIS:	On 10/26/18 and 10/29/18 I conducted onsite inspections at the home and observed on both days that there was not a menu posted and dated at least one week in advance as required by this rule.
CONCLUSION:	VIOLATION ESTABLISHED

ADDITIONAL FINDINGS:

INVESTIGATION:

On 10/29/18, I conducted an onsite inspection and observed a pack of frozen ground beef thawing on the countertop in the kitchen. Mr. Singleton was the staff person on shift and appeared unaware of this rule.

On 11/07/18, I conducted the exit conference with Mr. Hankerson and informed him of the findings of the investigation. Ms. Hankerson reported that all staff is aware that

frozen food is to be thawed in the refrigerator. Mr. Hankerson reported that he will be addressing this again with all staff.

APPLICABLE RULE	
R 400.14402	Food service.
	(3) All perishable food shall be stored at temperatures that will protect against spoilage. All potentially hazardous food shall be kept at safe temperatures. This means that all cold foods are to be kept cold, 40 degrees Fahrenheit or below, and that all hot foods are to be kept hot, 140 degrees Fahrenheit or above, except during periods that are necessary for preparation and service. Refrigerators and freezers shall be equipped with approved thermometers.
ANALYSIS:	On 10/29/18, I observed frozen ground beef thawing on the kitchen countertop.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

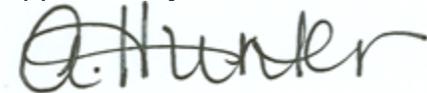
Contingent upon receipt of an acceptable corrective action plan, I recommend the status of the license remain unchanged.



Pandrea Robinson
Licensing Consultant

11/19/18
Date

Approved By:



12/7/2018

Ardra Hunter
Area Manager

Date