



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

May 20, 2019

Sharon Blain
Spectrum Community Services
3353 Lousma Dr.
Wyoming, MI 49548

RE: License #: AS410014757
Investigation #: 2019A0464035
Stauffer

Dear Mrs. Blain:

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.
- Indicate how continuing compliance will be maintained once compliance is achieved.
- Be signed and dated.

If you desire technical assistance in addressing these issues, please contact me. In any event, the corrective action plan is due within 15 days.

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) 356-0183.

Sincerely,

A handwritten signature in blue ink that reads "Megan Aukerman, MSW". The signature is written in a cursive style.

Megan Aukerman, Licensing Consultant
Bureau of Community and Health Systems
Unit 13, 7th Floor
350 Ottawa, N.W.
Grand Rapids, MI 49503
(616) 438-3036

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AS410014757
Investigation #:	2019A0464035
Complaint Receipt Date:	05/09/2019
Investigation Initiation Date:	05/10/2019
Report Due Date:	07/08/2019
Licensee Name:	Spectrum Community Services
Licensee Address:	3353 Lousma Dr. Wyoming, MI 49548
Licensee Telephone #:	(616) 447-9380
Administrator:	Sharon Blain
Licensee Designee:	Sharon Blain
Name of Facility:	Stauffer
Facility Address:	4661 Stauffer Avenue, SE Kentwood, MI 49508-5017
Facility Telephone #:	(616) 281-9565
Original Issuance Date:	02/24/1993
License Status:	REGULAR
Effective Date:	07/27/2018
Expiration Date:	07/26/2020
Capacity:	6
Program Type:	DEVELOPMENTALLY DISABLED MENTALLY ILL

II. ALLEGATION(S)

	Violation Established?
Lavetta Bruce (direct care worker) hit Resident A with a broom, causing injury to his ear.	Yes

III. METHODOLOGY

05/09/2019	Special Investigation Intake 2019A0464035
5/09/2019	APS Referral DHHS, Centralized Intake
05/09/2019	Contact - Document Sent Bob Patterson, ORR
05/10/2019	Special Investigation Initiated - Face to Face Resident A
05/10/2019	Inspection Completed On-site Bob Patterson (ORR), Resident A, Resident B, Dereka Seigel (Spectrum Community Services Rights Coordinator), Tavante Abraham (Facility Manager)
05/13/2019	Contact-Face to Face Bob Patterson (ORR), Dereka Seigel (Spectrum) and Lavetta Bruce
05/20/2019	Exit Conference Sharon Blain, Licensee

ALLEGATION: Lavetta Bruce (direct care worker) hit Resident A with a broom, causing injury to his ear.

INVESTIGATION: On 05/09/2019, I received a complaint from the Office of Recipient Rights (ORR). The complaint stated that on 05/02/2019, Resident A was having significant behavioral problems. Staff person, Lavetta Bruce was in an altercation with Resident A. Ms. Bruce ended up hitting Resident A with a broom, causing injury to his ear.

On 05/09/2019, I contacted the Department of Health and Human Services (DHHS), Centralized Intake to complete an Adult Protective Services (APS) referral.

On 05/09/2019, I exchanged emails with Bob Patterson, ORR worker to coordinate the investigation.

On 05/10/2019, Mr. Patterson and I completed an onsite inspection at the facility. Dereka Seigel from Spectrum Community Services was also present. We interviewed Resident A, privately. Resident A stated on 05/02/2019, Ms. Bruce hit him in the ear ten times. Resident A stated Ms. Bruce hit him with the broom. He does not know why Ms. Bruce hit him with the broom, he was not doing anything to cause her to do this. Resident A stated then Resident B pushed him down and bit Resident A in the same ear Ms. Bruce hit him with the broom. Resident A stated he then ran outside, and Ms. Bruce came after him. She (Ms. Bruce) pushed him (Resident A) down onto the central air conditioner and he hurt his back. Resident A stated he wanted Ms. Bruce fired because she should not take down a resident the way she took him down. I then looked over Resident A. Resident A's left ear did appear slightly red in color. There were no other injuries observed.

We then interviewed Resident B privately. Resident B stated on 05/20/2019, during the afternoon, he was using the bathroom. When he was in the bathroom, he heard Resident A say to Ms. Bruce; "bitch, I am going to fuck you up". When he came out of the bathroom Resident B saw Resident A kicking and punching Ms. Bruce. Resident A then turned around and jumped on Resident B. Resident B stated, "(Resident A) was beating the shit out of me. I was fighting back to defend myself". Resident B stated he did bite Resident A, in order to get Resident A off of him. Resident B added that "Ms. Bruce was trying to stop (Resident A). Ms. Bruce grabbed the broom and was swinging it around to get (Resident A off of me)". Resident B stated Ms. Bruce was protecting him from Resident A. Resident B stated, "he better move out of this facility, because I am going to fuck him up if you don't do anything. I am not going back to prison for this knuckle head".

Mr. Patterson, Ms. Seigel and I then interviewed staff person, Ken Harris. Mr. Harris stated he was working with Ms. Bruce on 05/02/2019. Mr. Harris stated in the afternoon he took another resident with him to run some errands. While he was out Ms. Bruce called him several times frantic, telling Mr. Harris he needed to return to the facility as soon as possible. Mr. Harris stated Ms. Bruce said, "Don't you ever leave this mother fucker with me again. You need to get back here. He is going off". Mr. Harris stated he told Ms. Bruce to contact facility manager, Tavonte Abraham to come to the facility, because he was closer to the facility than Mr. Harris and could get there sooner.

We then interviewed Mr. Abraham. He stated on 05/02/2019, he was at the facility working on paperwork. Mr. Abraham then left to go to Walmart. Mr. Abraham stated sometime in the afternoon, he received a phone call from Ms. Bruce, informing him someone better come get Resident A because he was fighting with her and Resident B. Mr. Abraham told Ms. Bruce he was on his way. Ms. Bruce then called him three more time asking where he was. When Mr. Abraham returned to the facility, Ms. Bruce was outside crying and told Mr. Abraham she was leaving her shift. Mr. Abraham then called in another staff to cover the remainder of Ms. Bruce's shift. Mr. Abraham stated he then asked Resident B what happened. Resident B informed him he was in the bathroom and when he came out, he saw Resident A attacking

Ms. Bruce. Resident A then began attacking Resident B. Mr. Abraham then saw that Resident A's left ear was slightly bleeding. Resident A stated Ms. Abraham hit him with the broom and then Resident B bit his ear. Mr. Abraham stated Resident A has only resided in the facility for a few months. Mr. Abraham stated Ms. Bruce has been suspended while the investigation is pending.

On 05/13/2019, Mr. Patterson, Ms. Seigel and I interviewed Ms. Bruce at Network 180. Ms. Bruce stated on 05/02/2019, she was working with Mr. Harris. In the morning of their shift, Mr. Harris took three residents fishing, leaving Ms. Bruce with two residents, including Resident A. Ms. Bruce stated that morning Resident A was upset because he wanted to go fishing with Ms. Harris, but Mr. Harris informed Resident A it was his turn next time. Ms. Bruce stated Mr. Harris and the other residents returned around lunch time. Ms. Bruce stated Mr. Harris left the facility again around 1:40 PM to run errands and pick up Resident D from work. Mr. Harris took Resident C with him for a car ride. Ms. Bruce stated she was left with Residents A, B and E. Ms. Bruce stated Resident A became more upset because he wanted to run errands with Mr. Harris. Ms. Bruce stated Residents A, B and E were all watching TV. All of the sudden the TV started blinking. Ms. Bruce stated all of the sudden Resident A became defensive and stated; "Bitch I didn't do anything, I didn't touch the cable cord. You just don't want me to go anywhere. I am going to hurt you." Ms. Bruce stated Resident A started banging his head on the wall and she believed he was going to continue to escalate. Ms. Bruce told the other two residents to go into their bedrooms and lock the door. She told them to stay there until she said it was safe to come out. Then Resident A started coming towards Ms. Bruce. Ms. Bruce tried to calm Resident A down but nothing she said or did would work. Resident A then began punching and kicking Ms. Bruce. Ms. Bruce stated there was nothing she could do besides try to get away from him. Ms. Bruce stated she kept running away from Resident A. She was running in and out of the facility and Resident A was chasing her. Ms. Bruce stated she called Mr. Harris and Mr. Abraham several times and told them they needed to return to the facility immediately. Ms. Bruce stated she realizes she should have called 911, but everything was happening so fast, and she thought her coworkers would be there soon to help calm Resident A down.

Ms. Bruce stated during the altercation; Resident B came out of his bedroom and Resident A immediately started attacking Resident B. Ms. Bruce then became extremely tearful during the interview. Ms. Bruce stated she was trying to get Resident A off of Resident B. Ms. Bruce stated she grabbed the kitchen broom that was nearby and began swinging it so that she could escort Resident B into his bedroom. Ms. Bruce stated she did not want Resident B to get hurt by Resident A. Ms. Bruce stated she does not recall hitting Resident A with the broom, but stated it is possible because she was trying to do what she could to get Resident B back to safety. Ms. Bruce stated while this was occurring, Resident A continued to yell; "Bitch I am going to kill you". Ms. Bruce stated she was eventually able to get Resident B back into his room. Ms. Bruce then ran outside and shut the door. Mr. Abraham arrived shortly afterwards. Ms. Bruce stated she became hysterical and

told Mr. Abraham she had to leave. Ms. Bruce returned shortly after to complete the incident report and then left again. Ms. Bruce stated she received a phone call later that day, stating her employment was suspended until an investigation was completed. Ms. Bruce stated Resident A had behavioral outburst before, but nothing like the incident that occurred on 05/20/2019. Ms. Bruce stated typically a staff person is able to calm Resident A down before things escalate. Ms. Bruce stated she completed Mandt training for Spectrum Community Services. Ms. Bruce stated she was fully aware of the skills taught in Mandt, but stated she was not able to use those techniques, as Resident A was too out of control. Ms. Bruce stated she is a hard worker and never had any problems like this before. She stated she has worked for the company for over four years.

After the interview was concluded, Ms. Seigel confirmed Ms. Bruce has worked for the agency for over four years. Ms. Seigel stated Ms. Bruce has worked in several of the agency's AFC homes and has always done a good job. Ms. Seigel stated Ms. Bruce has never received any previous forms of disciplinary action.

On 05/17/2019, I reviewed the facility incident reports (IR). Licensing did receive an incident report on 05/02/2019, regarding the altercation between Resident A and Ms. Bruce as well as Resident B. The IR was consistent with the verbal interviews.

On 05/20/2019, I completed an exit conference with licensee, Sharon Blain. She was informed of the investigation findings and recommendations. Ms. Blain stated the company has not yet decided what they will do regarding Ms. Bruce's employment and will decide once the Recipient Rights investigation is completed as well.

APPLICABLE RULE	
R 400.14308	Resident behavior interventions prohibitions.
	(1) A licensee shall not mistreat a resident and shall not permit the administrator, direct care staff, employees, volunteers who are under the direction of the licensee, visitors, or other occupants of the home to mistreat a resident. Mistreatment includes any intentional action or omission which exposes a resident to a serious risk or physical or emotional harm or the deliberate infliction of pain by any means.
ANALYSIS:	Resident A stated staff person, Lavetta Bruce hit him with a broom on 05/02/2019. Resident A stated Resident B also bit him in the ear. Resident A stated he did not do anything to cause the altercations. Resident B was interviewed and stated on 05/02/2019, he witnessed Resident A attacking Ms. Bruce. Resident B stated

	<p>Resident A then began attacking him. Resident B stated he was fighting back to get Resident A to stop. Resident B stated he did bite Resident A. Resident B stated Ms. Bruce was trying to get Resident A off of Resident B so that Resident B could go back into his bedroom. Resident B stated Ms. Bruce did grab a broom to swing at Resident A so that she could distract him to get Resident B back to safety.</p> <p>Ms. Bruce stated during the afternoon of 05/02/2019, Resident A began attacking her. Ms. Bruce stated Resident B then came out of his bedroom and Resident A started attacking him. Ms. Bruce wanted to protect Resident B, so she grabbed a broom. Ms. Bruce stated she was swinging the broom so that she could get Resident B back into his bedroom for safety. Ms. Bruce stated she does not recall actually hitting Resident A with the broom, but it was possible. Ms. Bruce stated she was trained in Mandt techniques; however, she was not able to use them during the altercation as Resident A was too out of control.</p> <p>Facility manager, Tavante Abraham stated when he returned to the facility, he noticed Resident A's ear was bleeding. Resident A informed Mr. Abraham Ms. Bruce hit him with the broom and Resident B bit his ear.</p> <p>Based on the investigative findings, there is sufficient evidence to support a rule violation that Ms. Bruce mistreated Resident A. Ms. Bruce admitted to swinging a broom at Resident A.</p>
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

Upon receipt of an acceptable corrective action plan, I recommend that the licensing status remain unchanged.

Megan Aukerman, MSW

05/20/2019

Megan Aukerman
Licensing Consultant

Date

Approved By:

Jerry Hendrick

05/20/2019

Jerry Hendrick
Area Manager

Date