



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

June 7, 2019

Tamika Ruth
514 S. Ortman Street
Saginaw, MI 48601

RE: License #: AS730377214
Investigation #: 2019A0572024
Annie's Home Care

Dear Ms. Ruth:

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 (989) 787-7031.

Sincerely,

A handwritten signature in black ink that reads "Anthony Humphrey". The signature is written in a cursive style with a large, looping flourish at the end of the name.

Anthony Humphrey, Licensing Consultant
Bureau of Community and Health Systems
411 Genesee
P.O. Box 5070
Saginaw, MI 48605
(810) 280-7718

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AS730377214
Investigation #:	2019A0572024
Complaint Receipt Date:	04/09/2019
Investigation Initiation Date:	04/10/2019
Report Due Date:	06/08/2019
Licensee Name:	Tamika Ruth
Licensee Address:	514 S. Ortman Street Saginaw, MI 48601
Licensee Telephone #:	(989) 714-1271
Administrator:	Tamika Ruth
Licensee Designee:	N/A
Name of Facility:	Annie's Home Care
Facility Address:	514 N. Warren Avenue Saginaw, MI 48607
Facility Telephone #:	(989) 401-7835
Original Issuance Date:	11/16/2015
License Status:	REGULAR
Effective Date:	05/16/2018
Expiration Date:	05/15/2020
Capacity:	6
Program Type:	PHYSICALLY HANDICAPPED DEVELOPMENTALLY DISABLED MENTALLY ILL AGED

II. ALLEGATION(S)

	Violation Established?
Yesterday Resident A was admitted to a Crisis Residential Program due to concerns that she is being sexually assaulted by a staff member at the AFC home. Reportedly a staff person named Terry came into Resident A's bedroom, choked her, and put a knife to her throat. Terry is trying to have unprotected sex with Resident A, however they have not actually had sex.	No
Additional Findings	Yes

III. METHODOLOGY

04/09/2019	Special Investigation Intake 2019A0572024
04/09/2019	APS Referral APS made referral.
04/10/2019	Special Investigation Initiated - On Site
04/10/2019	Contact - Face to Face Licensee, Tamika Ruth.
04/10/2019	Contact - Telephone call received APS Investigator, Rebecca Robelin.
05/07/2019	Contact - Face to Face Occupant, Terry Bulger.
05/07/2019	Contact - Face to Face Licensee, Tamika Ruth.
05/07/2019	Contact - Face to Face Resident A, Detective Jacobs and APS Investigator, Rebecca Robelin.
05/20/2019	Contact - Face to Face Detective Jacobs and APS Investigator, Rebecca Robelin.
05/31/2019	Contact - Face to Face License, Tamika Ruth.
05/31/2019	Inspection Completed-BCAL Sub. Compliance

05/31/2019	Exit Conference Licensee, Tamika Ruth.

ALLEGATION:

Yesterday Resident A was admitted to a Crisis Residential Program due to concerns that she is being sexually assaulted by a staff member at the AFC home. Reportedly a staff person named Terry came into Resident A's bedroom, choked her, and put a knife to her throat. Terry is trying to have unprotected sex with Resident A, however they have not actually had sex.

INVESTIGATION:

On 04/09/2019, the local licensing office received a complaint for investigation from Adult Protective Service (APS).

On 04/10/2019, an unannounced visit was made to Annie's Home Care, located in Saginaw County, Michigan. I conducted an interview with Licensee, Tamika Ruth.

On 04/10/2019, I interviewed Ms. Tamika Ruth regarding allegations that a staff person named Terry came into Anitris' room, choked her, and put a knife to her throat. Ms. Ruth informed that this was not true and indicated that Terry (Bulger) is not a staff. Ms. Ruth indicated that Mr. Terry Bulger was a resident, but he became an Occupant several months ago. She provided the Background Check for Mr. Terry Bulger and emailed it to me. Ms. Ruth informed that Resident A was transported to Crisis Center on Monday due to her faking seizures. Resident A has been doing this for the past 6 months and believes that after 3 years, she no longer wants to reside at Annie's Home Care.

On 04/10/2019, phone contact was received from APS Investigator, Rebecca Robelin. She informed that she interviewed Resident A and due to the severity of the allegations and the fact that Resident A appeared to be truthful, they ended their interview and contacted Law Enforcement.

On 05/07/2019, I interviewed Occupant, Terry Bulger regarding allegations that he came into resident A's bedroom, choked her, and put a knife to her throat. Mr. Terry Bulger denied the allegations. He informed that he is the staff person at night and indicated that sometimes Ms. Ruth is there or her son. Terry Bulger is staff and he also reside on the 1st floor of the home. The residents have to go upstairs in their bedroom at 8pm so that they won't be able to tell lies on him. When there's two people working, they don't have to worry about anyone lying on him. The residents still have to go upstairs at 8pm, even if there are two staff working.

On 05/07/2019, I re-interviewed Licensee, Tamika Ruth regarding allegations that a staff person named Terry came into Resident A's bedroom, choked her, and put a knife to her throat. Ms. Ruth denied these allegations and informed that Resident B told her that Resident A said that she was going to make false allegations on Mr. Terry Bulger.

In review of Resident A's Assessment Plan, it indicates that Resident A talks about things that are not really happening. In review of Resident A's PPC, it indicates that she is diagnosed with Schizoaffective Disorder and she can become verbally and physically aggressive.

On 05/07/2019, I went to the Saginaw County Community Mental Health to sit in on the interview of Resident A with Detective Jacobs and APS Investigator, Rebecca Robelin. Resident A indicated that the allegations were true that Mr. Terry Bulger grabbed by the throat and tried to have sex with her.

On 05/20/2019, interviews took place at Saginaw County Community Mental Health. Present during the interviews were Detective Jacobs and APS Investigator, Rebecca Robelin. Interviewed were Residents B and C.

On 05/20/2019, an interview took place with Resident B regarding allegations that a staff person named Terry came into Resident A's bedroom, choked her, and put a knife to her throat. Resident B informed that she has heard Resident A screaming in her room, however; she does not believe that Mr. Terry Bulger is the cause of her screaming. The other time Resident A was screaming was when Mr. Terry Bulger was blocking her from coming downstairs. The residents are not supposed to come downstairs after 8pm. Mr. Terry Bulger was not hurting her. He was just blocking her from coming downstairs and she began screaming. This happened on two different occasions. She indicated that he did that because he is the staff and the staff have to make sure that they do not come downstairs after 8pm. She has never observed Mr. Terry Bulger hitting Resident A and Resident A has never said that she was afraid of anyone or that Mr. Terry Bulger was hurting her. Mr. Terry Bulger has never done anything bad to anyone in the home. Resident B does not believe that Mr. Terry Bulger is the type of person who would hurt anyone. Resident A is known for making things up. Ms. Tamika Ruth made Mr. Terry Bulger move out and he only came back a couple days ago to pickup something that he had left.

On 05/20/2019, an interview took place with Resident C regarding allegations that a staff person named Terry came into Resident A's bedroom, choked her, and put a knife to her throat. She informed that Mr. Terry Bulger is staff and he used to reside at Annie's Home Care but had to move out because Resident A told someone that Mr. Terry Bulger grabbed her by the throat with a knife. Resident C informed that the allegations are not true because Resident A told her that she was going to lie and call the police and say that Mr. Terry Bulger grabbed her by the throat with a knife. When asked why would Resident A make up such a story, Resident C informed that Resident A wanted to have a relationship with Mr. Terry Bulger, but he

kept telling her that he could not do that, so she told him that she was going to lie and call the cops on him. Mr. Terry Bulger has a girlfriend already that he sees at church and was not interested in Resident A. Resident C has heard Resident A screaming in her room at night stating, "Get off of me." She does not know what was going on because they are not supposed to be out of their rooms at that time. Resident C does not believe that Mr. Terry Bulger caused her to scream because the only time he goes upstairs is if one of the residents are being disorderly or to take his shower for church. Resident C informed that she has never observed anyone with a knife in the home because no one is even allowed to use them. Resident C never noticed any marks or bruises on Resident A. She informed that Mr. Terry Bulger is a really nice guy and nobody in the house believes Resident A.

On 05/20/2019, Detective Jacobs informed that he will submit his report to the prosecutor but based on his interviews, it will get thrown out because there are no witnesses and the other residents either do not believe that the allegations because Resident A has a history of making things up or she has told them that she was going to make up a story to get Mr. Terry Bulger in trouble.

On 05/31/2019, contact was made with Licensee, Tamika Ruth. Ms. Ruth informed that she never thought that Mr. Terry Bulger did those things, however; she moved him out of the home because it was beginning to become a continuous problem. She informed that Resident A had been calling Mr. Terry Bulger and leaving him messages. Detective Jacobs told her that it does not appear that Resident A was in any type of fear if she is still calling him. Mr. Terry Bulger had gone down to the station to speak with the detective, but he was not there because he was busy with a couple of homicides.

APPLICABLE RULE	
R 400.14305	Resident protection.
	(3) A resident shall be treated with dignity and his or her personal needs, including protection and safety, shall be attended to at all times in accordance with the provisions of the act.

ANALYSIS:	There is not substantial evidence that Resident A was physically threatened a knifepoint by Mr. Terry Bulger. Resident A states this did occur. The other residents informed that Resident A will makes up stories. During the investigation, it found that Resident A wanted a relationship with Mr. Terry Bulger and when he declined, she indicated that she was going to lie to the police and tell them that he threatened her with sexual advances at knifepoint. Resident A's Assessment Plan indicates that she talks about things that are not really happening.
CONCLUSION:	VIOLATION NOT ESTABLISHED

ADDITIONAL FINDINGS:

INVESTIGATION:

On 05/07/2019, an interview was conducted with Occupant, Mr. Terry Bulger. When asked if he was a staff member for Annie's Home Care, he indicated that he was. He also informed that he works at night and sometimes Ms. Tamika Ruth works or her son.

On 05/07/2019, an interview was conducted with Resident B. She informed that Mr. Terry Bulger is a staff member and that he works 3rd shift. She informed that he works by himself because the owners leave at around 9:30pm. Resident B knows this because she can see them leave in their cars and that's when Mr. Terry Bulger takes over. Resident B indicated that same thing during an interview on 05/20/2019 at Community Mental Health.

On 05/07/2019, an interview was conducted with Resident D. When asked who is the 3rd shift staff, Resident C stated, "Terry (Mr. Bulger) is the staff at night. He is the only staff at night. There is no other workers at night."

On 05/07/2019, I reviewed the Staff Schedule and it does not list Mr. Terry Bulger as a staff person. There is a staff person scheduled for 3rd shift, but it is not Mr. Terry Bulger. Licensee does not have employee records for the 3rd shift staff, Mr. Terry Bulger.

On 05/20/2019, an interview was conducted with Resident C. Resident C indicated that Mr. Terry Bulger is the nighttime staff at the AFC Home.

On 05/31/2019, an interview was conducted with Ms. Tamika Ruth. She informed that Mr. Terry Bulger is not a staff. She was informed that residents believe that he is staff and he is performing staff duties. Ms. Ruth does not have any employee records for Mr. Terry Bulger.

APPLICABLE RULE	
R 400.14208	Direct care staff and employee records.
	<p>(1) A licensee shall maintain a record for each employee. The record shall contain all of the following employee information:</p> <ul style="list-style-type: none"> (a) Name, address, telephone number, and social security number. (b) The professional or vocational license, certification, or registration number, if applicable. (c) A copy of the employee's driver license if a direct care staff member or employee provides transportation to residents. (d) Verification of the age requirement. (e) Verification of experience, education, and training. (f) Verification of reference checks. (g) Beginning and ending dates of employment. (h) Medical information, as required. (i) Required verification of the receipt of personnel policies and job descriptions.
ANALYSIS:	There is substantial evidence that Ms. Tamika Ruth is utilizing an Occupant of the home as a 3 rd shift staff. All residents interviewed, indicated that Mr. Terry Bulger is the staff on 3 rd shift. Mr. Terry Bulger himself also indicated that he was staff and described work that he does in the facility. Ms. Ruth does not have the required trainings and documents required for Terry Bugler to be a staff person.
CONCLUSION:	VIOLATION ESTABLISHED

On 05/31/2019, an exit conference was held with Licensee, Tamika Ruth. She was informed of the rule violation. She denies that Mr. Terry Bulger was a staff at her home and had him move out of the home to end any confusion.

IV. RECOMMENDATION

I recommend no change to the licensing status of this small adult foster care group home, pending the receipt of an acceptable corrective action plan (Capacity 1-6).

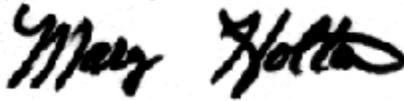


06/06/2019

Anthony Humphrey
Licensing Consultant

Date

Approved By:



06/07/2019

Mary E Holton
Area Manager

Date