



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

March 23 , 2020

June Bozarth and Larry Bozarth
614 Linwood Ave
Battle Creek, MI 49037

RE: License #: AF130294904
Investigation #: 2020A0462030
J & L Sunny Adult Foster Care

Dear June Bozarth and Larry Bozarth:

Attached is the Special Investigation Report for the above referenced facility. Due to the violations identified in the report, a written corrective action plan was required. On 03/05/2020, you submitted an acceptable written corrective action plan. It is expected that the corrective action plan be implemented within the specified time frames as outlined in the approved plan.

On 03/04/2020, Resident A was issued a 30-day discharge notice. *To verify compliance with your corrective action plan, if you are able to obtain all required signatures and dates on Resident A's assessment plan, complete a written Resident Care Agreement for Resident A, and obtain a completed health care appraisal for Resident A, before Resident A is discharge from the home, you are to submit verification of this to the department, no later than 04/01/2020.*

You are to submit to the department a copy of completed written Resident Care Agreements for Residents B and C to the department by 04/01/2020.

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,



Michele Streeter, Licensing Consultant
Bureau of Community and Health Systems
322 E. Stockbridge Ave
Kalamazoo, MI 49001
(269) 251-9037

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AF130294904
Investigation #:	2020A0462030
Complaint Receipt Date:	03/04/2020
Investigation Initiation Date:	03/04/2020
Report Due Date:	05/03/2020
Licensee Name:	June Bozarth and Larry Bozarth
Licensee Address:	614 Linwood Ave Battle Creek, MI 49037
Licensee Telephone #:	(269) 968-6126
Administrator:	N/A
Licensee Designee:	N/A
Name of Facility:	J & L Sunny Adult Foster Care
Facility Address:	614 Linwood Ave Battle Creek, MI 49037
Facility Telephone #:	(269) 883-6340
Original Issuance Date:	07/11/2008
License Status:	REGULAR
Effective Date:	01/04/2019
Expiration Date:	01/03/2021
Capacity:	6
Program Type:	PHYSICALLY HANDICAPPED DEVELOPMENTALLY DISABLED AGED

II. ALLEGATION(S)

	Violation Established?
The licensee failed to complete and maintain required paperwork for Resident A.	Yes
Additional finding.	Yes

III. METHODOLOGY

03/04/2020	Special Investigation Intake 2020A0462030
03/04/2020	Special Investigation Initiated – Telephone interview with Long Term Care Ombudsman Kelly Jonkers.
03/05/2020	Unannounced investigation on-site. Interview with licensee June Bozarth.
03/05/2020	Exit conference with licensee June Bozarth.

ALLEGATION: The licensees failed to complete and maintain required paperwork for Resident A.

INVESTIGATION: On 03/04/2020, Complainant reported these allegations to me via telephone. According to Complainant, it appeared licensees June and Larry Bozarth did not complete, and/or maintain on record in the home, required resident paperwork for Resident A, including medication records.

I conducted a telephone interview with Michigan Long Term Care Ombudsman Kelly Jonkers who stated she visited the home on 03/04. Ms. Jonkers confirmed the allegations reported to the department. According to Ms. Jonkers, Resident A moved into the home on 11/30/2019. Ms. Jonkers stated the licensees issued Resident A a 30-day discharge notice, effective 03/04. According to Ms. Jonkers, while visiting the home, she observed the home to be clean and orderly. According to Ms. Jonkers, the residents also appeared to be clean, well-groomed and appropriately cared for.

On 03/05 I conducted an unannounced investigation at the home and interviewed licensee June Bozarth, who stated three residents resided in the home. Ms. Bozarth confirmed Resident A moved into the home on 11/30/2019 and Resident A was issued a 30-day discharge notice on 03/04. Ms. Bozarth stated she completed and maintained the required paperwork for Resident A, with the exception of a health care appraisal. According to Ms. Bozarth, Resident A had not seen a physician since moving into the home.

I reviewed Resident A's record and confirmed there were no physicians' instructions for the care of Resident A and/or a completed health care appraisal for Resident A on record.

I reviewed Resident A's *Assessment Plan for AFC Residents* (assessment plan). While it appeared an assessment for Resident A was conducted, the assessment plan contained no dates and/or signatures.

There was no completed *Resident Care Agreement* for Resident A on record in the home. I reviewed a one-page form titled AFC Placement Agreement, which was signed and dated by both Resident A and Ms. Bozarth upon Resident A's admission into the home. It appeared Mr. and Mrs. Bozarth used this form in place of the department's required *Resident Care Agreement* form. Documentation on the form titled AFC Placement Agreement read, "In accordance with ARM 37.100.162 the adult foster care provider must enter into a written placement agreement with the resident, the agency, or the person placing the adult in the foster home". I conducted an internet search of ARM 37.100.162, using the search engine Google.com, and discovered ARM 37.100.162 was a State of Montana AFC administrative licensing rule. According to Ms. Bozarth, she obtained this alternative form from her daughter and was not aware she was required to use a department form.

Resident A's record included records of all medications administered to Resident A since she moved into the home. I reviewed Resident A's medications and medication records for the months of December, January, February and March. According to Resident A's medication bubble packs, as well as the documentation on Resident A's medication records for December, January, February and March, it appeared Resident A was administered her medications pursuant to label instructions.

Resident A was not present at the facility during my unannounced investigation. Therefore, I was unable to interview Resident A.

APPLICABLE RULE	
R 400.1407	Resident admission and discharge criteria; resident assessment plan; resident care agreement; house guidelines; fee schedule; physicians' instructions; health care appraisal.
	(9) If a resident is not under the care of a physician at the time of the resident's admission to the home, the licensee shall require that the resident or the resident's designated representative provide a written health care appraisal completed within the 90-day period before the resident's admission to the home. If a written health care appraisal is not available, a licensee shall require that the appraisal be obtained not later than 30 days after admission. A department form shall be used unless prior authorization

	for a substitute form has been granted in writing by the department.
ANALYSIS:	Based upon my unannounced investigation at the home on 03/05, as well as a review of pertinent documentation related to the allegations, it has been established the licensees did not obtain physicians' instructions for the care of Resident A and/or a completed health care appraisal for Resident A within 30 days after her admission into the home.
CONCLUSION:	VIOLATION ESTABLISHED

APPLICABLE RULE	
R 400.1407	Resident admission and discharge criteria; resident assessment plan; resident care agreement; house guidelines; fee schedule; physicians' instructions; health care appraisal.
	(3) In situations where a resident is referred for admission, the resident assessment plan shall be conducted in conjunction with the resident or the resident's designated representative, the responsible agency, and the licensee. A licensee shall maintain a copy of the resident's written assessment plan on file in the home.
ANALYSIS:	Based upon my unannounced investigation at the home on 03/05, as well as a review of pertinent documentation related to the allegations, it has been established that while an assessment plan was conducted on Resident A, Resident A's assessment plan did not contain dates and/or signatures. Therefore, there was no way to verify who conducted the assessment, when the assessment was conducted, and if the assessment plan was conducted in conjunction with Resident A and/or Resident A's designated representative.
CONCLUSION:	VIOLATION ESTABLISHED

APPLICABLE RULE	
R 400.1407	Resident admission and discharge criteria; resident assessment plan; resident care agreement; house guidelines; fee schedule; physicians' instructions; health care appraisal.
	(5) At the time of a resident's admission, a licensee shall complete a written resident care agreement which shall be established between the resident or the resident's designated representative, the responsible agency, and the licensee. A department form shall be used unless prior

	authorization for a substitute form has been granted in writing by the department. A resident shall be provided the care and services as stated in the written resident care agreement.
ANALYSIS:	Based upon my unannounced investigation at the home on 03/05, as well as a review of pertinent documentation related to the allegations, it has been established the licensees used a substitute form to complete Resident A's written resident care agreement without written authorization from the department.
CONCLUSION:	VIOLATION ESTABLISHED

APPLICABLE RULE	
R 400.1418	Resident medications.
	(4) When a licensee or responsible person supervises the taking of medication by a resident, the licensee or responsible person shall comply with the following provisions: (a) Maintain a record as to the time and amount of any prescription medication given or applied. Records of prescription medication shall be maintained on file in the home for a period of not less than 2 years.
ANALYSIS:	Based upon my unannounced investigation at the home on 03/05, as well as a review of pertinent documentation related to the allegations, other than what Complainant reported to the department, there is no evidence to support the allegation the licensees did not maintain records of all medications administered to Resident A while residing in the home.
CONCLUSION:	VIOLATION NOT ESTABLISHED

ADDITIONAL FINDING:

INVESTIGATION: I reviewed Resident B's and Resident C's resident records, which included all required and completed resident paperwork, except for *Resident Care Agreements*. I established the licensees used AFC Placement Agreements forms for Residents B and Resident C in place of the department's required *Resident Care Agreement* form.

APPLICABLE RULE	
R 400.1407	Resident admission and discharge criteria; resident assessment plan; resident care agreement; house guidelines; fee schedule; physicians' instructions; health care appraisal.

	(5) At the time of a resident's admission, a licensee shall complete a written resident care agreement which shall be established between the resident or the resident's designated representative, the responsible agency, and the licensee. A department form shall be used unless prior authorization for a substitute form has been granted in writing by the department. A resident shall be provided the care and services as stated in the written resident care agreement.
ANALYSIS:	Based upon my unannounced investigation at the home on 03/05, as well as a review of pertinent documentation related to the allegations, it has been established the licensees used a substitute form to complete Resident B's and Resident C's written resident care agreements without written authorization from the department.
CONCLUSION:	VIOLATION ESTABLISHED

On 03/05 I conducted an exit conference with licensee June Bozarth while at the home and shared with her the findings of this investigation.

IV. RECOMMENDATION

On 03/05 Ms. Bozarth submitted an acceptable plan of correction addressing the violations cited in this report. It is recommended this license remain on regular status.

Michele Streeter

03/06/2020

Michele Streeter
Licensing Consultant

Date

Approved By:

Dawn Timm

03/23/2020

Dawn N. Timm
Area Manager

Date