



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

June 17, 2021

Carmel Slebodnik
Grace Haven Assisted Living, LLC
Suite 200
3196 Kraft Ave SE
Grand Rapids, MI 49512

RE: License #: AL190294006
Investigation #: 2021A0783034
Grace Haven Assisted Living-Supportive Care

Dear Ms. Slebodnik:

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 (517) 284-9730.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Herrguth".

Leslie Herrguth, Licensing Consultant
Bureau of Community and Health Systems
611 W. Ottawa Street
P.O. Box 30664
Lansing, MI 48909
(517) 256-2181

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AL190294006
Investigation #:	2021A0783034
Complaint Receipt Date:	05/13/2021
Investigation Initiation Date:	05/17/2021
Report Due Date:	07/12/2021
Licensee Name:	Grace Haven Assisted Living, LLC
Licensee Address:	Suite 200 3196 Kraft Ave SE Grand Rapids, MI 49512
Licensee Telephone #:	(989) 224-1650
Administrator:	Carmel Slobodnik
Licensee Designee:	Carmel Slobodnik
Name of Facility:	Grace Haven Assisted Living-Supportive Care
Facility Address:	1507 Glastonbury Dr. St. Johns, MI 48879
Facility Telephone #:	(989) 224-1650
Original Issuance Date:	08/26/2008
License Status:	REGULAR
Effective Date:	06/23/2019
Expiration Date:	06/22/2021
Capacity:	20

Program Type:	ALZHEIMERS AGED
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ALLEGATION(S)

	Violation Established?
Direct care staff member Vincent Hall worked at the facility from September 8, 2020 through May 12, 2021 despite being excluded from employment in an adult foster care home via the Michigan Workforce Background Check system due to his criminal history.	Yes

II. METHODOLOGY

05/13/2021	Special Investigation Intake – 2021A0783034
05/17/2021	Special Investigation Initiated – Telephone call to senior operations manager Rochelle Lyons
05/18/2021	Contact - Telephone call made to licensee designee Carmel Slobodnik
05/18/2021	Contact - Document Received – Employee schedule for past 90 days
05/20/2021	Contact - Telephone call made to employee relations manager Lisa Green
05/21/2021	Contact - Document Received – Termination letter addressed to direct care staff member Vincent Hall
06/07/2021	Contact - Document Received – Job description for direct care staff member Vincent Hall
06/08/2021	Exit Conference – Left message for Carmel Slobodnik

ALLEGATION:

Direct care staff member Vincent Hall worked at the facility from September 8, 2020 through May 12, 2021 despite being excluded from employment in an adult foster care home via the Michigan Workforce Background Check system due to his criminal history.

INVESTIGATION:

On May 13, 2021 I received a telephone call from facility senior operations manager Rochelle Lyons who stated facility employee Vincent Hall worked at the facility where he had direct and ongoing access to residents and their records after he was excluded by the Michigan Workforce Background Check system on September 8, 2020 until it was discovered by Ms. Lyons on May 13, 2021.

On May 17, 2021 I spoke to facility senior operations manager Rochelle Lyons who said employee Vincent Hall was hired as a care specialist, or direct care staff member on September 8, 2020. Ms. Lyons stated at that time Mr. Hall consented to and participated in a criminal background clearance through the Michigan Workforce Background Check system. Ms. Lyons said Mr. Hall was excluded from employment at the facility on September 8, 2020, per the Michigan Workforce Background Check system but former facility administrator Katreva Bisbee hired him despite the exclusion and Mr. Hall worked at the facility from September 8, 2020 until May 13, 2021 when Ms. Lyons discovered the exclusionary notice in Mr. Hall's employee record at the facility. Ms. Lyons stated no staff member at the corporate office received a copy of the exclusionary notice for Mr. Hall. Ms. Lyons stated either the facility office manager or former administrator Katreva Bisbee received the exclusionary notice and placed it in Mr. Hall's employee file at the facility but did not exclude Mr. Hall from working at the facility and did not notify anyone at the corporate office. Ms. Lyons said Ms. Bisbee's employment was terminated on May 13, 2021 due to this and other concerns. Ms. Lyons said Ms. Bisbee stated she was not aware of Mr. Hall's criminal history. Ms. Lyons said Mr. Hall's employment was terminated on May 13, 2021 due to finding the exclusionary notice.

On May 18, 2021 I spoke to licensee designee Carmel Slobodnik who stated Vincent Hall worked at the facility as a direct care staff member and had direct and ongoing access to residents and their records from September 8, 2020 until May 13, 2021. Ms. Slobodnik stated in the process of addressing other concerns Mr. Hall's employee file was reviewed by Lisa Green from the human resources department at the corporate office and she discovered that Mr. Hall was excluded from employment at the facility through the Michigan Workforce Background Check clearance system upon hire on September 8, 2021. Ms. Slobodnik stated either former facility administrator Katreva Bisbee or former facility office manager Robin Bolling received a copy of the exclusionary notice and put it in Mr. Hall's employee

record at the facility but did not terminate his employment. Ms. Slobodnik stated she normally receives a copy of all exclusionary notices, but she did not receive one for Vincent Hall.

On May 20, 2021 I spoke to facility employee relations manager Lisa Green who stated she reviewed Vincent Hall's employee record at the facility on May 13, 2021 and located an exclusionary notice from the Michigan Workforce Background Check system indicating Mr. Hall was not eligible for employment at the facility. Ms. Green stated former facility administrator Katreva Bisbee and/or former facility office manager Robin Bolling received and placed the exclusionary notice in Mr. Hall's record but did not rescind the offer to employ him at the facility, which is what should have happened. Ms. Green stated she telephoned Vincent Hall on May 13, 2021 as he was not working at the facility that day and told him his employment at the facility was terminated immediately. Ms. Green stated she mailed a written termination notice to Mr. Hall following the conversation. Ms. Green said Mr. Hall is not eligible for rehire at the facility. Ms. Green said she normally receives a copy of all exclusionary notices but did not receive one for Mr. Hall.

On June 7, 2021 I received a copy of Mr. Hall's job description. The title on the job description was "care specialist" and the position summary stated, "Responsible for providing comfort, safety, and general supervision to residents by assisting them with activities of daily living [and] administering medications and tending to their individual care needs." The essential functions of the job were listed as:

- Administer medications to residents
- Review eMAR each shift to ensure timely administration of medications
- Review incoming medication physician orders for accuracy
- Partner with residents to provide needed/requested assistance with activities of daily living as outlined in residents' service plans
- Answer resident call lights, as well as door and safety alarms promptly
- Observe and report resident behavior and condition changes
- Order-re-order medications
- Complete daily charting, documentation, and reporting as required
- Obtain resident weight and vitals
- Participate in training new employees
- Clean and disinfect the facility
- Assist with meal set up and clean up
- Assist and remind residents to participate in activities

On May 18, 2021 I received and reviewed the facility schedule from February 2021 – current. I noted that Mr. Hall was consistently scheduled to work at the facility several days each week through May 12, 2021.

On May 21, 2021 I received a copy of a letter dated May 13, 2021 and addressed to Vincent Hall that stated, "The purpose of this letter is to let you know that on

May 13, 2021, [the licensee] became aware of a letter that had been sent to Grace Haven Assisted Living from the Department of Licensing and Regulatory Affairs (LARA) specific to the Michigan Workforce Background Check disqualification of employment notice dated September 8, 2020. According to the letter, you are not eligible to work in a job that involves direct access or provides direct services to residents of an Adult Foster Care (AFC) licensed setting. This termination is consistent with MCL 333.1134a, 333.20173a, and/or 400.734b. Therefore, pursuant to the requirements of Michigan’s Compiled Law (MCL) 400.734b, your employment with Grace Haven Assisted Living is terminated effective immediately.”

On May 21, 2021 I received a copy of Offender Tracking Information System (OTIS) information for Vincent Hall that indicated he was convicted of possession of a fraudulent or altered financial transaction device on June 11, 2019 which was a felony conviction.

On May 13, 2021 I reviewed the facility file and noted an employment disqualification notice generated by the Michigan Workforce Background Check system for Vincent Hall dated September 8, 2020. The letter stated Mr. Hall is not eligible to work in a job that involves direct access or provides direct services to a resident in an adult foster care facility before August 29, 2030. The letter was addressed to Tim Krzys at the facility corporate office.

APPLICABLE RULE	
MCL 400.734b	Employing or contracting with certain employees providing direct services to residents; prohibitions; criminal history check; exemptions; written consent and identification; conditional employment; determination of existence of national criminal history; use of criminal history record information; disclosure; failure to conduct criminal history check; automated fingerprint identification system database; electronic web-based system; costs; definitions.
	(1) In addition to the restrictions prescribed in sections 13, 22, and 31, and except as otherwise provided in subsection (2), an adult foster care facility shall not employ or independently contract with an individual who regularly has direct access to or provides direct services to residents of the adult foster care facility if the individual satisfies 1 or more of the following: (b) Has been convicted of any of the following felonies, an attempt or conspiracy to commit any of those felonies, or any other state or federal crime that is similar to the felonies described in this subdivision, other than a felony for a relevant crime described under 42 USC 1320a-7(a), unless 15 years have lapsed since the individual completed all of the terms and conditions of his or

	<p>her sentencing, parole, and probation for that conviction before the date of application for employment or the date of the execution of the independent contract: (i) A felony that involves the intent to cause death or serious impairment of a body function, that results in death or serious impairment of a body function, that involves the use of force or violence, or that involves the threat of the use of force or violence. (ii) A felony involving cruelty or torture. (iii) A felony under chapter XXA of the Michigan penal code, 1931 PA 328, MCL 750.145m to 750.145r. (iv) A felony involving criminal sexual conduct. (v) A felony involving abuse or neglect. (vi) A felony involving the use of a firearm or dangerous weapon. (vii) A felony involving the diversion or adulteration of a prescription drug or other medications. (c) Has been convicted of a felony or an attempt or conspiracy to commit a felony, other than a felony for a relevant crime described under 42 USC 1320a-7(a) or a felony described under subdivision (b), unless 10 years have lapsed since the individual completed all of the terms and conditions of his or her sentencing, parole, and probation for that conviction before the date of application for employment or the date of the execution of the independent contract.</p>
<p>ANALYSIS:</p>	<p>Based on statements from Ms. Lyons, Ms. Slobodnik, and Ms. Green along with written documentation maintained by the facility and by the department in the facility file it can be determined that Vincent Hall was hired as a direct care staff member on September 8, 2021. The investigation revealed that Mr. Hall had consistent and ongoing access to residents and their personal information as part of his employment at the facility. Mr. Hall consistently worked at the facility from September 8, 2020 through May 12, 2021 despite being excluded from working in a job that involves direct access and provides services to residents in an adult foster care home until August 29, 2030 based on his criminal history.</p>
<p>CONCLUSION:</p>	<p>VIOLATION ESTABLISHED</p>

III. RECOMMENDATION

Contingent upon receipt of an acceptable corrective action plan I recommend no change in the status of the license.

Leslie Herrguth

06/08/2021

Leslie Herrguth
Licensing Consultant

Date

Approved By:

Dawn Timm

06/17/2021

Dawn N. Timm
Area Manager

Date