



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

ORLENE HAWKS  
DIRECTOR

September 9, 2021

Robert Gulley  
606 E High Street  
Ishpeming, MI 49849

RE: License #: AF520379592  
Investigation #: 2021A0233014  
High Street Assist Living

Dear Mr. Gulley:

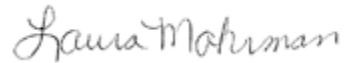
Attached is the Special Investigation Report for the above referenced facility. Due to the violations identified in the report, a written corrective action plan is required. The corrective action plan is due 15 days from the date of this letter and must include the following:

- 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 (906) 226-4171.

Sincerely,

A handwritten signature in cursive script that reads "Laura Mohrman".

Laura Mohrman, Licensing Consultant  
Bureau of Community and Health Systems  
234 W. Baraga Ave.  
Marquette, MI 49855  
(906) 290-3428

enclosure

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

**I. IDENTIFYING INFORMATION**

<b>License #:</b>	AF520379592
<b>Investigation #:</b>	2021A0233014
<b>Complaint Receipt Date:</b>	07/20/2021
<b>Investigation Initiation Date:</b>	07/20/2021
<b>Report Due Date:</b>	09/18/2021
<b>Licensee Name:</b>	Robert Gulley
<b>Licensee Address:</b>	606 E High Street Ishpeming, MI 49849
<b>Licensee Telephone #:</b>	(906) 204-4378
<b>Administrator:</b>	N/A
<b>Licensee Designee:</b>	N/A
<b>Name of Facility:</b>	High Street Assist Living
<b>Facility Address:</b>	606 E High Street Ishpeming, MI 49849
<b>Facility Telephone #:</b>	(906) 204-4378
<b>Original Issuance Date:</b>	10/21/2016
<b>License Status:</b>	REGULAR
<b>Effective Date:</b>	05/28/2021
<b>Expiration Date:</b>	05/27/2023
<b>Capacity:</b>	6
<b>Program Type:</b>	DEVELOPMENTALLY DISABLED MENTALLY ILL

## II. ALLEGATION(S)

	<b>Violation Established?</b>
One of the caregivers is constantly drunk.	No
Paramedics are called almost every night around 10:00 pm. Residents wander the neighborhood and go into other peoples' yards.	No
Resident B is often in dirty clothes.	No
Facility has bed bugs	Yes
There are 2 broken windows in the attic.	Yes

## III. METHODOLOGY

07/20/2021	Special Investigation Intake 2021A0233014
07/20/2021	Special Investigation Initiated - Telephone I called the complainant
07/20/2021	Contact - Telephone call made I called central dispatch for dates and times
07/22/2021	Inspection Completed On-site I made an unannounced visit to the facility.
07/26/2021	Contact - Document Received I received another complaint regarding bed bugs that has been added to this investigation
07/27/2021	Contact - Telephone call received Mr. Gulley verified there are bed bugs and has contacted a pest control company
07/27/2021	APS Referral I emailed adult protective services
07/27/2021	Contact - Document Received I received another denied complaint intake from APS regarding Resident A and bed bugs
08/04/2021	Contact - Telephone call made I called the complainant for the third complaint regarding Resident A.

09/01/2021	Contact - Face to Face I made a second unannounced visit to the home.
09/02/2021	Exit Conference I spoke to Robert Gulley over the phone
09/03/2021	Contact - Document Received Received receipts for bed bug treatments
09/07/2021	Contact - Telephone call made I called the Ishpeming City Police Department

**ALLEGATION:**

One of the caregivers is constantly drunk.

**INVESTIGATION:**

On July 20, 2021, I received an anonymous complaint stating that one of the caregivers is constantly drunk or drinking in his garage and has residents buying alcohol for him. The owner/worker has another job and leaves the residents with the drunken worker.

On July 20, 2021, I called the complainant. The complainant stated that the care giver appears to be drunk all the time. They stated that they witnessed a resident carrying beer from the corner store. I went over some of the other allegations about residents wandering in other people's yards, broken windows and let them know I would be addressing this with Mr. Gulley.

On July 22, 2021, I made an unannounced visit to the facility. Resident B was on the front porch when I arrived. I asked him how things are going, and he said they are going well. I asked him if he goes to the store and purchases alcohol for Mr. Peterson and he stated he has. Resident B stated that he does not drink alcohol. I asked him if Mr. Peterson is drunk all the time and Resident B stated, "no." I let him know that in the future he will not be purchasing alcohol for Mr. Peterson.

On July 22, 2021, I met with Mr. Peterson and Mr. Gulley. Mr. Peterson stated he has had Resident B go to the store for him, but he pays for the beer. I let him know that this is not appropriate for the residents to be purchasing alcohol for him. Mr. Peterson denied being drunk when he is left in charge of the residents. He stated that he drinks on Mr. Gulley's days off. During my unannounced visit Mr. Peterson and Mr. Gulley were sober and coherent.

On September 1, 2021, I made an unannounced visit to the facility. I met with Resident A and Resident B. Both residents stated that Mr. Peterson drinks beer, but they deny seeing him drunk. They stated that Mr. Peterson takes care of the things around the home that need to be done. During this visit Mr. Peterson appeared sober and coherent.

On September 7, 2021, I spoke to Officer Biancho of the Ishpeming police. I asked him if when he has come to the home is Mr. Peterson drunk. He stated that on a couple of occasions he appeared to have been drinking but could not say for sure as he did not appear intoxicated.

<b>APPLICABLE RULE</b>	
<b>R 400.1404</b>	<b>Licensee, responsible person, and member of the household; qualifications.</b>
	<b>(5) All responsible persons and members of the household shall be of good moral character and suitable temperament to assure the welfare of residents.</b>
<b>ANALYSIS:</b>	The residents in this home can meet their basic needs. They can move freely in the community and can accurately report what is going on in the home. Resident A and B stated that Mr. Peterson drinks, but they do not see him drunk.
<b>CONCLUSION:</b>	<b>VIOLATION NOT ESTABLISHED</b>

**ALLEGATION:**

Paramedics are called almost every night around 10:00 PM for Resident A. Residents wander the neighborhood and go into other peoples' yards.

**INVESTIGATION:**

On July 20, 2021, I received an anonymous complaint stating paramedics are called almost every night around 10pm, and the complaint stated the paramedics are looking into this as well.

On July 20,2021, I called the complainant. The complainant reported that the residents wander up and down the street and go into other people's yards. They stated that 1 of the neighbors passed away and a resident is on the porch often. They stated that the paramedics are called on a regular basis for resident A.

On July 20,2021, I called central dispatch and requested a printout of the 911 calls made since January1, 2021. They sent the list right over after my phone call. A review of the 911 calls indicates that there were 21 EMS calls and 5 law enforcement between 01/01/2021 and 07/19/2021. Some of the law enforcement calls correlate with EMS

being on site. Many of the 911 calls are made around 8:00 pm but some calls have been made in the morning and some around midnight.

On July 22, 2021, I made an unannounced visit to the facility. I met with Mr. Gulley and went over the allegations. He stated that he is sure it is a resident from across the street who made up these allegations because he has been having a lot of problems with her. I let him know that it does not matter who made them I am here to address them. I reminded him of our conversation on 5/7/2021 when I was there for his renewal inspection. At that time, we discussed Resident A calling 911 without their knowledge. I had also reviewed the discharge paperwork from the 911 calls, and they were finding nothing medically wrong with Resident A. On 5/7/2021 we discussed Resident A having to ask to use the phone instead of it being right there to use without Mr. Gulley's knowledge. Mr. Gulley thought he had to leave the phone where all the residents can access it at any time. I let him know that the rule states reasonable access to a phone. There is always a staff person in the home and the residents can ask to use it. I also went over the residents wandering into neighbor's yards. Mr. Gulley stated that the residents had permission to sit on the swing in the neighbor's yard.

On July 27, 2021, I had emailed Adult Protective Services (APS) to follow up on the denied APS referral that they sent to me regarding bed bugs and Resident C. They sent another denied referral that they received on 7/20/2021 but it was not sent to our complaint intake. This referral was regarding Resident A calling 911 multiple times a week for medical complaints. Resident A is tested often; but he has minimal issues. It also states that Resident A has had bed bugs on him and is in dirty clothes.

On August 4, 2021, I called the complainant that was denied by APS on 7/20/2021. She stated that she has witnessed Resident A after he has called 911 and he is brought to the hospital and discharged without any new concerns. She also stated he is often in dirty clothes and has had bed bugs on his person. I let her know that I was investigating and that the bed bugs are being addressed.

On September 1, 2021, I made another unannounced visit to the facility. I met with Resident A and he stated that he has not called 911 in a long time. I let him know if he needs to be seen he should ask Mr. Gulley or Mr. Peterson to take him to the walk-in clinic or make an appointment with his physician. I met with Mr. Peterson and asked him about how things are going. He stated that Resident C is at the hospital and will most likely not be returning due to his steady decline with dementia. He stated that his level of needs is exceeding this facilities level of care.

On September 7, 2021, I called the Ishpeming Police to get clarification of when law enforcement has been to the home. Officer Biancho stated he is familiar with Resident A and making false claims of needing assistance. He stated that they have not had a call in in quite a while. I sent him my contact information and asked him to contact me if he has concerns regarding this facility.

<b>APPLICABLE RULE</b>	
<b>R 400.1407</b>	<b>Resident admission and discharge criteria; resident assessment plan; resident care agreement; house guidelines; fee schedule; physicians instructions; health care appraisal.</b>
	<b>(2) A licensee shall not accept or retain a resident for care unless and until a resident assessment plan is made and it is determined that the resident is suitable pursuant to the following provisions:</b>  <b>(b) The kinds of services and skills required of the home to meet the resident's needs are available in the home.</b>
<b>ANALYSIS:</b>	The residents in this home are mostly independent but require assistance with prompting with hygiene and medication administration. They have freedom to move about the community. This home can meet the needs of the residents.
<b>CONCLUSION:</b>	<b>VIOLATION NOT ESTABLISHED</b>

**ALLEGATION:**

Resident A is often in dirty clothes.

**INVESTIGATION:**

On July 27, 2021, I emailed APS regarding the second complaint that came in and they forwarded this third complaint that did not get sent to our complaint intake. APS screened out this complaint on 7/20/2021. The complaint states that Resident A is living in a dirty home and has had bed bugs crawling on him.

On August 4, 2021, I called the complainant. I asked her about the facility being dirty and she stated it was that Resident A is often in dirty clothes that do not appear to be laundered. I let her know that I would be following up on this.

On September 1, 2021, I made an unannounced visit to the facility. Resident A was outside on the porch. He was dressed in clean clothes and did not have a foul odor. I asked Resident A how often his laundry is done, and he stated 2 times a week. He stated that he puts them in a basket and Robert (Mr. Gulley) washes them for him. I asked why someone would report that he is often in dirty clothes, and he stated he does not care what other people think. While I was visiting with Resident A, Resident B joined us. He also stated that Robert does the laundry about twice a week. Resident B was in



clean clothing. Mr. Peterson came out while I was there, and he also stated that Robert does the laundry twice a week.

<b>APPLICABLE RULE</b>	
<b>R 400.1420</b>	<b>Resident hygiene.</b>
	<b>(5) A licensee shall afford a resident who is capable, opportunities, or instructions, when necessary, to routinely launder clothing. Clean clothing shall be available at all times.</b>
<b>ANALYSIS:</b>	The residents report that they have clean clothing to wear. The residents were in clean clothing on both of my unannounced visits.
<b>CONCLUSION:</b>	<b>VIOLATION NOT ESTABLISHED</b>

**ALLEGATION:**

Facility has bed bugs

**INVESTIGATION:**

On July 26, 2021, I received a second complaint. This complaint came in from APS who denied the intake. The complaint states that Resident C is being kept awake at night due to bed bugs. It states that Resident C was told not to tell anyone about the bed bugs.

On July 26, 2021, I called Mr. Gulley and asked him about the bed bugs. He stated that they have found bed bugs and that Creature control a pest control company is scheduled to be there on 7/31/2021 to treat the home.

On July 27, 2021, I emailed APS and let them know that I had a current investigation open and would be addressing the bed bugs with the other allegations. APS sent me another complaint that was screened out and not forwarded to me. The third complaint also was regarding bed bugs and Resident A.

On August 4, 2021, I called the complainant. She stated that she witnessed the bed bugs and the bed bug bites on Resident A. She stated that hospital employees reported finding bed bugs in the hospital room after resident A left. I let her know that the bed bugs are being addressed.

On September 1, 2021, I made a second unannounced visit to the facility. I met with Residents A and B. They stated that they have not seen any more bed bugs since the house was treated.

On September 1, 2021, I spoke to Mr. Gulley and let him know I had stopped at the facility to check on the residents and ask them a few questions. Mr. Gulley stated he would send me the invoices for the treatment of the bed bugs.

On September 3, 2021, Mr. Gulley sent me the receipts for 2 companies that he has had in the facility to treat the bed bugs. Creature Control had chemically treated the facility on 7/31/2021. On 8/12/2021, the facility was heat and chemically treated by Orkin pest control.

<b>APPLICABLE RULE</b>	
<b>R 400.1424</b>	<b>Environmental health.</b>
	<b>(4) Effective measures shall be taken to protect against the entrance of vermin into the home and against the breeding or presence of vermin on the premises.</b>
<b>ANALYSIS:</b>	The facility had bed bugs.
<b>CONCLUSION:</b>	<b>VIOLATION ESTABLISHED</b>

**ALLEGATION:**

There are 2 broken windows in the attic.

**INVESTIGATION:**

On July 20, 2021, I received a complaint stating that the facility has 2 broken windows on the 3<sup>rd</sup> floor of the home.

On July 22, 2021, I made an unannounced visit to the facility and observed the 2 broken windows in the attic of the home. Mr. Gulley stated that they were broken during a storm and has not had a chance to fix them. I let him know that they need to be covered to prevent water, birds, and other bugs from entering the home.

<b>APPLICABLE RULE</b>	
<b>R 400.1426</b>	<b>Maintenance of premises.</b>
	<b>(3) A roof, exterior walls, doors, skylights, and windows shall be weathertight and watertight and shall be kept in sound condition and good repair.</b>

<b>ANALYSIS:</b>	There are 2 broken windows in the attic of the home.
<b>CONCLUSION:</b>	<b>VIOLATION ESTABLISHED</b>

Exit conference: On September 2, 2021, I went over my findings with Mr. Gulley.

#### IV. RECOMMENDATION

Upon an acceptable corrective action plan, I recommend no change to the status of this license.

*Laura Mohrman*

9/9/2021

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Laura Mohrman  
Licensing Consultant

Date

Approved By:

*Mary Holton*

9/9/2021

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Mary E Holton  
Area Manager

Date