



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

October 20, 2021

Shikha Halder and Subrato Sarker
420 South Main Street
Berrien Springs, MI 49103

RE: License #: AF110338351
Investigation #: 2022A0583001
Home Away Home

Dear Shikha Halder and Subrato Sarker:

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 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 (616) 356-0183.

Sincerely,

A handwritten signature in cursive script, appearing to read "Toya Zylstra".

Toya Zylstra, Licensing Consultant
Bureau of Community and Health Systems
Unit 13, 7th Floor
350 Ottawa, N.W.
Grand Rapids, MI 49503
(616) 333-9702

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AF110338351
Investigation #:	2022A0583001
Complaint Receipt Date:	09/30/2021
Investigation Initiation Date:	09/30/2021
Report Due Date:	10/30/2021
Licensee Name:	Shikha Halder and Subrato Sarker
Licensee Address:	420 South Main Street Berrien Springs, MI 49103
Licensee Telephone #:	(269) 815-5233
Administrator:	N/A
Licensee Designee:	N/A
Name of Facility:	Home Away Home
Facility Address:	420 South Main Street Berrien Springs, MI 49103
Facility Telephone #:	(269) 815-5233
Original Issuance Date:	06/17/2013
License Status:	REGULAR
Effective Date:	12/06/2019
Expiration Date:	12/05/2021
Capacity:	6
Program Type:	DEVELOPMENTALLY DISABLED MENTALLY ILL AGED

II. ALLEGATION(S)

	Violation Established?
Licensee Shikha Halder refused to allow Resident A to return to the facility after Resident A was discharged from the Emergency Department.	Yes

III. METHODOLOGY

09/30/2021	Special Investigation Intake 2022A0583001
09/30/2021	Special Investigation Initiated - Telephone Ashia Cross, Lakeland Hospital Social Worker
09/30/2021	Contact - Telephone call made Licensee Shikha Halder
10/01/2021	Inspection Completed On-site Licensee Shikha Halder, Resident A
10/01/2021	Contact - Telephone call made Public Guardian, Jamie Velthouse
10/18/2021	Exit Conference Licensee Shikha Halder

ALLEGATION: Licensee Shikha Halder refused to allow Resident A to return to the facility after Resident A was discharged from the Emergency Department.

INVESTIGATION: On 09/30/2021 I received this complaint allegation from the BCAL Online reporting system. The complaint alleged that Resident A was a patient at Lakeland Niles Emergency Department and upon discharge, Licensee Shikha Halder refused to allow Resident A to return to the facility.

On 09/30/2021 I interviewed Licensee Shikha Halder via telephone. Ms. Halder stated she had previously provided Resident A's public guardian with a 30 day notice of discharge last month via email transmission. Licensee Shikha Halder stated Resident A has been "struggling" at the facility with many symptoms such as "pooping all over" the facility. Licensee Shikha Halder stated Resident A's current medical symptoms were too much for Ms. Halder to handle. Ms. Halder stated Resident A is currently at the facility.

On 09/30/2021 I interviewed Lakeland Emergency Department Social Worker Ashia Cross via telephone. Ms. Cross stated Resident A was sent by Licensee Shikha Halder to the Emergency Department on 09/28/2021 at 9:00 pm after Ms. Halder reported to medical staff that Resident A "refused to eat and cooperate with staff".

Ms. Cross stated Resident A was discharged from the Emergency Department on 09/29/2021 at approximately 8:00 pm and arrived at the facility via medical transport van at approximately 9:30 pm. Ms. Cross stated Ms. Halder refused to allow Resident A to enter the facility and informed medical transport van staff that she couldn't provide care to Resident A because he "vomits". Ms. Cross stated due to Ms. Halder's refusal to allow Resident A back in the facility, he was transported again to the Emergency Department. Ms. Cross stated she telephoned Ms. Halder and informed Ms. Halder to accept Resident A back in the facility because "that's what she is paid to do, provide care". Ms. Cross stated she informed Ms. Halder that Resident A was medically cleared to return home and demanded that Ms. Halder allow Resident A back in the facility. Ms. Cross stated Resident A was transported back to the facility on 09/30/2021 at 11:30 am and Ms. Halder allowed Resident A to re-enter.

On 10/01/2021 I completed an onsite investigation at the facility and privately interviewed Licensee Shikha Halder and Resident A. Licensee Shikha Halder stated on 09/28/2021 Resident A was "lethargic and not standing" therefore she sent him to the Emergency Department for treatment. Ms. Halder stated Resident A received IV fluids and was sent back to the facility on 09/29/2021. Ms. Halder stated she refused to allow Resident A to enter the facility because Resident A was still unable to stand. Ms. Halder stated Resident A was transported back the Emergency Department. Ms. Halder stated she received a telephone call from hospital social worker Ashia Cross who stated Resident A was medically stable and would be transported back to the facility. Ms. Halder stated Resident A was transported to the facility on 09/30/2021 at 11:30 am and allowed to enter. Ms. Halder stated she refused to allow Resident A to enter the facility on 09/29/2021 because Ms. Halder did not believe Resident A was medically stable and therefore Ms. Halder stated she could not provide adequate care. Ms. Halder stated she supplied Resident A's public legal guardian, Jamie Velthouse, a 30 Day Discharge notice on 08/30/2021 because Resident A was "not standing" and the facility is not equipped for non-ambulatory residents.

I privately interviewed Resident A at the facility. Resident A was fully ambulatory and walked outside of the facility to complete the interview. Resident A stated he would prefer to live "on his own". Resident A stated he was recently hospitalized but could not provide details relating to the hospitalization. Resident A stated he is happy with the care provided.

On 09/30/2021 I interviewed Resident A's public legal guardian Jamie Velthouse via telephone. Ms. Velthouse stated Licensee Shikha Halder provided Ms. Velthouse with a 30-Day Discharge Notice on 08/30/2021 due Resident A's recent medical issues that include fecal impactions and Urinary Tract Infections. Ms. Velthouse stated she was contacted by Emergency Department Social Worker Ashia Cross on 09/30/2021 because Ms. Halder refused to allow Resident A entry into the facility after he was medically cleared to return home. Ms. Velthouse stated Resident A had been diagnosed with a fecal impaction that had resolved, and he was therefore able to stand

and return home. Ms. Velthouse stated she subsequently contacted Ms. Halder and ordered her to allow Resident A to return to the facility. Ms. Velthouse stated Resident A was allowed to return to the facility on 09/30/2021 and Ms. Velthouse has secured a new adult foster care placement for Resident A. Ms. Velthouse stated Resident A is moving to the new placement today.

On 10/18/2021 I completed an Exit Conference with Licensee Shikha Halder via telephone. Ms. Halder stated she did not agree with the Special Investigation findings because she could not provide adequate care to Resident A when he was discharged from the Emergency Department on 09/29/2021. Ms. Halder stated although she disagreed with the Special Investigation findings; she would submit an acceptable Corrective Action Plan.

APPLICABLE RULE	
R 400.1412	Resident behavior management; prohibitions.
	(1) A licensee shall not mistreat or permit the mistreatment of a resident by responsible persons or other occupants of the home. Mistreatment includes any intentional action or omission which exposes a resident to a serious risk of physical or emotional harm.
ANALYSIS:	On 09/29/2021 Licensee Shikha Halder mistreated Resident A by not allowing Resident A to enter the facility despite Resident A being medically cleared to return. A preponderance of evidence was discovered to establish violation of the applicable rule.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

Upon receipt of an acceptable Corrective Action Plan, I recommend the license remain unchanged.

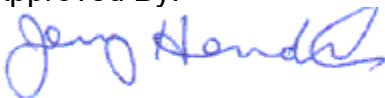


10/18/2021

Toya Zylstra
Licensing Consultant

Date

Approved By:



10/18/2021

Jerry Hendrick
Area Manager

Date