



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

March 7, 2022

Daniel McNeill
PO Box 68
Fenton, MI 48430

RE: License #: AF250404622
Investigation #: 2022A0576018
Serenity Gardens

Dear Mr. McNeill:

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 "C. Garza".

Christina Garza, Licensing Consultant
Bureau of Community and Health Systems
611 W. Ottawa Street
P.O. Box 30664
Lansing, MI 48909
(810) 240-2478

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AF250404622
Investigation #:	2022A0576018
Complaint Receipt Date:	01/19/2022
Investigation Initiation Date:	02/17/2022
Report Due Date:	03/20/2022
Licensee Name:	Daniel McNeill
Licensee Address:	110 Lansing St. Gaines, MI 48436
Licensee Telephone #:	(810) 931-8466
Administrator:	N/A
Name of Facility:	Serenity Gardens
Facility Address:	110 Lansing St. Gaines, MI 48436
Facility Telephone #:	(810) 931-8644
Original Issuance Date:	08/27/2020
License Status:	REGULAR
Effective Date:	02/27/2021
Expiration Date:	02/26/2023
Capacity:	6
Program Type:	PHYSICALLY HANDICAPPED DEVELOPMENTALLY DISABLED MENTALLY ILL

II. ALLEGATION(S)

	Violation Established?
Facility dog bit Resident A on his arm and it bled for quite some time. This is not the first time the dog has bit Resident A. The AFC home encouraged the resident not to tell anyone because they were afraid they would have to get rid of the dog.	Yes
There is concern that the resident may not have received treatment for the dog bite wound.	No

III. METHODOLOGY

01/19/2022	Special Investigation Intake 2022A0576018
01/19/2022	APS Referral
02/17/2022	Special Investigation Initiated - On Site Interviewed Staff, Roseanna Gibson, Resident A, Resident B, Resident C, and Licensee Dan McNeill
02/18/2022	Contact - Document Sent Email sent to Dan Spalthoff, Genesee County APS
02/18/2022	Contact - Document Received Email received from Dan Spalthoff
03/04/2022	Exit Conference Conducted with Licensee, Dan McNeill

ALLEGATION:

- Facility dog bit Resident A on his arm and it bled for quite some time. This is not the first time the dog has bit Resident A. The AFC home encouraged the resident not to tell anyone because they were afraid they would have to get rid of the dog.
- There is concern that the resident may not have received treatment for the dog bite wound.

INVESTIGATION:

On February 17, 2022, I completed an unannounced on-site inspection and interviewed Staff, Roseanna Gibson, Resident A, Resident B, Resident C, and Licensee Dan McNeill. Ms. Gibson confirmed there is a dog at the facility. The residents will play with the dog and “get the dog going”. The dog jumps on the residents and has bit Resident

A before. Resident A was bleeding and Ms. Gibson put peroxide on the bite. Ms. Gibson denied writing an Incident Report (IR) when Resident A was bit, and he did not go to urgent care or the hospital after being bit as he did not need to go. According to Ms. Gibson, the dog is not vicious but, rather, playful and none of the residents are afraid of the dog. Ms. Gibson denied telling the residents not to tell anyone about the dog biting a resident.

On February 17, 2022, I interviewed Resident A who reported he has lived at his home for 3 months and it is okay. Staff are nice to Resident A and treat him well. Regarding the allegations, there is a dog at the home, and it has bit him. The dog left scars on Resident A's arm, which were viewed. The dog bit Resident A last month and staff told Resident A that the dog is afraid of him. Resident A denied doing anything to the dog and stated the dog barks at him, bites him, and also bit him on the leg. After the dog bit Resident A on the arm, he was bleeding and staff helped him. Staff cleaned his arm and put a band-aid on it, and it eventually stopped bleeding. Resident A did not go to the doctor after he was bit. Resident A denied being afraid of the dog and the dog begs for Resident A's food. Resident A does not have a guardian and said "not really" when asked if he had any concerns regarding his home.

On February 17, 2022, I interviewed Resident B who reported there is a dog at his home. The dog ate Resident B's shoe and Resident B smacked the dog with the shoe. The dog then bit Resident B on his forearm, and it did not bleed because he had a coat on. Resident B stated Resident A got bit too and it "drew blood". Resident A had teeth marks and he was bleeding. According to Resident B, the dog has not bitten anyone else.

On February 17, 2022, I interviewed Resident C who reported there is a dog at the home, and it is pit bull and boxer. The dog is good and not mean. Resident A fears the dog and the dog has bitten Resident A. The dog "nibbled on" Resident A and he was bleeding. The dog has growled at Resident C when he was petting him while he was eating. The dog has never bitten Resident C.

On February 17, 2022, I interviewed Licensee, Dan McNeill who reported he has a dog who is 3 years old. The dog is a male and mixed. Mr. McNeill was not at home when the dog allegedly bit Resident A. According to Mr. McNeill, the residents were horsing around and teasing the dog. The dog will get hyper and jump around. Ms. McNeill was told that the dog's nail scratched Resident A and it was bleeding however not a lot. Resident A did not go to the hospital or urgent care as he did not think it was needed. Staff cleaned the injury and put Neosporin and a band-aid. According to Mr. McNeill, the dog is not vicious and does not bite people. Since this incident, the dog is kept locked in Mr. McNeill's bedroom until Mr. McNeill is home. Mr. McNeill supervises the interactions between the dog and residents to ensure everyone's safety.

On February 18, 2022, I sent an email to Dan Spalthoff, Genesee County APS regarding if he is investigating the matter involving Resident A. Mr. Spalthoff confirmed

he investigated the allegations regarding Resident A being bit by a dog. Mr. Spalthoff advised he denied his investigation and has since closed his case.

On March 4, 2022, I spoke with Licensee, Dan McNeill. Mr. McNeill confirmed that his dog is licensed and is up to date with his shots including Rabies.

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.
	(2) A licensee shall not accept or retain a resident for care unless and until a written assessment is made and it is determined that the resident is suitable pursuant to the following provisions: (a) The amount of personal care, supervision, and protection required by the resident is available in the home.
ANALYSIS:	<p>It was alleged that Resident A was bitten by a dog at the home on more than one occasion. Upon completion of an on-site inspection and investigative interviews there is a preponderance of evidence to conclude a rule violation.</p> <p>Resident A, Resident B, and Resident C all confirm Resident A was bitten by a dog at the family home. Old scars were visible on Resident A's arm, which he attributed to being bitten by the dog. The Licensee, Dan McNeill indicated the injury to Resident A was the result of the resident playing with the dog. There is a preponderance of evidence to conclude the amount of supervision and protection required by the resident was not available in the home given he was bitten by the dog.</p>
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.
	(7) A licensee shall contact a resident's physician for instructions as to the care of the resident under the following conditions:

	(b) If the resident requires the care of a physician while living in the home.
ANALYSIS:	<p>It was alleged that Resident A was not taken for medical treatment after being bitten by the dog. There is not a preponderance of evidence to conclude a rule violation.</p> <p>After Resident A was bitten by the dog, he was bleeding and required some care. First aid was rendered by staff, which included cleaning the injury and applying Neosporin and a band aid. The injury stopped bleeding and has since healed. Resident A's injury did not require the care of a physician.</p>
CONCLUSION:	VIOLATION NOT ESTABLISHED

On March 4, 2022, I conducted an Exit Conference with Licensee, Dan McNeil. I advised Mr. McNeill I would be requesting a corrective action plan with regard to the cited rule violation.

IV. RECOMMENDATION

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

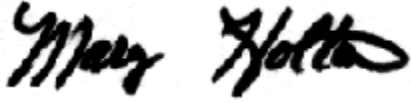
C. Barry

3/7/2022

Christina Garza
Licensing Consultant

Date

Approved By:



3/7/2022

Mary E Holton
Area Manager

Date