



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

April 8, 2022

Judith Schiavone
Schiavone Enterprises Ltd
1690 N Center
Saginaw, MI 48638

RE: License #: AM730259474
Investigation #: 2022A0576022
Schiavone AFC VI

Dear Mrs. Schiavone:

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.
- Be signed and dated.

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, appearing to read "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 #:	AM730259474
Investigation #:	2022A0576022
Complaint Receipt Date:	02/10/2022
Investigation Initiation Date:	02/14/2022
Report Due Date:	04/11/2022
Licensee Name:	Schiavone Enterprises Ltd
Licensee Address:	1690 N Center, Saginaw, MI 48638
Licensee Telephone #:	(989) 992-9400
Administrator:	Judith Schiavone
Licensee Designee:	Judith Schiavone
Name of Facility:	Schiavone AFC VI
Facility Address:	1027 N Michigan, Saginaw, MI 48602
Facility Telephone #:	(989) 753-9188
Original Issuance Date:	06/24/2005
License Status:	REGULAR
Effective Date:	05/06/2020
Expiration Date:	05/05/2022
Capacity:	12
Program Type:	DEVELOPMENTALLY DISABLED MENTALLY ILL

II. ALLEGATION(S)

	Violation Established?
Staff, Stacy Miller was physically aggressive with Resident A on 2/4/2022, leaving bruising on her wrist.	Yes
The facility did not give Resident A her medication (Depakote) for one week back in the Fall due to thinking it was PRN cough syrup.	Yes
Additional Findings	Yes

III. METHODOLOGY

02/10/2022	Special Investigation Intake 2022A0576022
02/10/2022	APS Referral
02/14/2022	Special Investigation Initiated - Telephone Left message for Complainant to return call
03/29/2022	Inspection Completed On-site Interviewed Home Manager Aundre Buckley, Resident B, Resident C, Staff, Sharita Galvin, and Licensee Designee, Judy Schiavone
03/29/2022	Contact - Document Received Reviewed Incident Report (IR)
03/31/2022	Contact - Telephone call made Interviewed Guardian A
03/31/2022	Contact - Telephone call made Interviewed Staff, Stacy Miller
03/31/2022	Contact - Telephone call made Interviewed Resident A
04/06/2022	Contact - Document Sent Sent email to Katrice Humphrey, Saginaw County Adult Protective Services (APS)
04/06/2022	Contact - Telephone call made Interviewed Taylor Thelen, Saginaw Psychological Therapist
04/07/2022	Contact - Document Received

	Reviewed police report
04/07/2022	Contact - Face to Face Viewed Resident D
04/07/2022	Contact - Telephone call made Interviewed Staff, Arielle Laplaunt
04/07/2022	Contact - Document Received Reviewed Employer Basic Injury Report
04/07/2022	Exit Conference Exit Conference conducted with Licensee Designee, Judy Schiavone
04/08/2022	Contact - Telephone call made Interviewed Staff, Stacy Miller

ALLEGATION:

Staff, Stacy Miller was physically aggressive with Resident A on 2/4/2022, leaving bruising on her wrist.

INVESTIGATION:

On March 29, 2022, I completed an unannounced on-site inspection at Schiavone AFC VI and interviewed Home Manager, Aundre Buckley, Resident B, Resident C, Staff, Sharita Galvin, and Licensee Designee, Judy Schiavone. Ms. Buckley advised that Resident A no longer lives at the facility. Resident A lived at the home from June 29, 2021, and moved on February 25, 2022. Regarding the allegation, Resident A never disclosed to Ms. Buckley that Staff, Stacy Miller pushed her or harmed her in any manner. In the past, Resident A would tell Ms. Buckley when staff does "something wrong". Ms. Buckley reported after she heard about the incident, she asked Resident A why she didn't tell her, and Resident A said she did not want to bother Ms. Buckley. Ms. Buckley reported she never witnessed Ms. Miller push or hit residents. Ms. Buckley reported Ms. Miller does not currently work at the facility due to Ms. Miller hitting Ms. Buckley. Ms. Buckley was talking to Ms. Miller about medications, and Ms. Miller became upset. Ms. Buckley directed Ms. Miller to go home and as Ms. Miller walked by, she punched Ms. Buckley. Ms. Buckley lost her balance and almost fell. Ms. Buckley went to the hospital due to an injury to her eye from being hit by Ms. Miller. Ms. Buckley reported there were no witnesses when Ms. Miller hit her as it occurred in the dining room area and residents were in the living room or bedrooms.

On March 29, 2022, I interviewed Resident B who reported she has resided at the facility since September 2021. Resident B likes her home and stated, "it's not bad". Resident B is familiar with Staff, Stacy Miller and Resident B never witnessed Ms. Miller hit or push Resident A. Ms. Miller is playful with the residents and has never seen her respond to residents in anger. Ms. Miller can be firm however she is not mean. Resident B gets along with Ms. Miller, and she denied any concerns regarding Ms. Miller or her treatment of residents.

On March 29, 2022, I interviewed Resident C who advised she has lived at the home for 11 years and likes her home very well. Resident C is familiar with Staff, Stacy Miller and she gets along with her. Ms. Miller did her work, and she was "okay". Resident C denied witnessing Ms. Miller push or hit Resident A or any residents. Ms. Miller treated the residents well and Resident C denied any concerns with Ms. Miller.

On March 29, 2022, I interviewed Licensee Designee, Judy Schiavone who reported to her knowledge Resident A did not have any bruise or injury to her wrist. Resident A had a bruise on her arm however no one knew how she obtained the bruise. Resident A reported to her that someone hit her on her head and later recanted this statement. Regarding the incident between the 2 staff, Aundre Buckley and Stacy Miller, Ms. Buckley called her immediately after the incident occurred and Mrs. Schiavone arrived at the facility within 15 minutes. She advised Ms. Buckley to go to the hospital and Ms. Miller did not deny hitting Ms. Buckley. Mrs. Schiavone has since transferred Ms. Miller to another facility.

On March 29, 2022, I interviewed Staff, Sharita Galvin who reported working at the facility for 1 year. Regarding the allegations, Resident A did not report to her that she was pushed or hit by Staff, Stacy Miller. Ms. Galvin advised no residents have ever disclosed to her any concerns regarding Ms. Miller's behavior.

On March 29, 2022, I reviewed an AFC Licensing Division – Incident / Accident Report (IR). The IR indicated that on February 8, 2022, Staff, Stacy Miller, and Arielle Laplaunt had a disagreement over Resident D having donuts as she cannot eat sweets due to being diabetic. Resident A became involved in the argument and reported to her therapist that she was hit by staff. The licensee designee spoke with Resident A about the incident and Resident A told many variations of the incident. Both agreed that Resident A would move from the home as she was not happy.

On March 31, 2022, I interviewed Resident A's guardian, Guardian A who denied any direct knowledge regarding the allegation. Guardian A reported Resident A did complain about not getting along with staff at the facility however Guardian A thought things had "worked out". Resident A never disclosed to Guardian A that there was anything physical that occurred between Resident A and staff. Resident A has moved from Schiavone AFC VI and is doing well at her new home. Guardian A denied any concerns regarding the facility. Guardian A advised he has other residents who reside at the facility, and they have not provided any complaints about staff.

On March 31, 2022, I interviewed Staff, Stacy Miller who denied the allegation. Ms. Miller advised Resident A had an old yellow bruise on her wrist and Ms. Miller asked her about the bruise. Resident A reported to her that she hit her wrist on her bed rail. Ms. Miller denied pushing Resident A or cause any injury to her.

On March 31, 2022, I interviewed Resident A regarding the allegation. Resident A reported Staff, Stacy Miller pushed Resident D. Resident A “stood up” to Ms. Miller about her behavior toward Resident D and Ms. Miller called Resident A “bitch”. Ms. Miller pushed Resident A and twisted her arm. Resident A walked away and went to her bedroom. Resident A did not tell anyone until the next day and she made a report with the police regarding this matter.

On April 6, 2022, I sent an email to Katrice Humphrey, Saginaw County Adult Protective Services (APS). Ms. Humphrey advised she did substantiate her investigation involving Resident A. According to Ms. Humphrey, Resident A reported abuse by staff leaving a bruise on her arm.

On April 6, 2022, I interviewed Resident A’s Case Manager Taylor Thelen. Ms. Thelen reported that Resident A disclosed to her that a staff member pushed her and caused an injury to her arm. Ms. Thelen viewed a small bruise on her wrist. Resident A then ran away from her office as she did not want to return to her home. Resident A has never made complaints of being harmed by staff in the past.

On April 7, 2022, I reviewed a Saginaw Police Report. The report documents that on February 9, 2022, Resident A stated 4 days prior that Staff, Stacy Miller pushed her because she was not listening to her. Ms. Miller pushed Resident A into a countertop, which caused a small bruise on the inside of her right forearm. Resident A reported that on February 9, 2022, Ms. Miller was abusing another resident and Resident A said something to her in efforts to get her to stop being abusive. In response, Ms. Miller punched Resident A in the head (near left temple area). Resident A had no complaints of pain and no visible injuries to her head. Resident A had slight bruising on the inside of her right forearm.

On April 7, 2022, I contacted Resident D at her home. Resident D unable to answer any questions posed to her. Resident D was vocal however she was unable to provide any discernable statements. Resident D was neat and clean in appearance with no concerns noted.

On April 7, 2022, I interviewed Staff, Arielle Laplaunt regarding the allegations. Ms. Laplaunt reported she was at work on the day of the allegations involving Resident A and Resident D. Ms. Laplaunt reported Staff, Stacy Miller said that Resident D had stolen someone else’s donuts and Ms. Miller was upset about this. Another resident told Ms. Laplaunt someone gave Resident D the donuts and she did not steal them, so Ms. Laplaunt gave the donuts back to Resident D. Ms. Miller was angry and “carrying on” about the donuts. Ms. Miller was disrespectful toward Resident D regarding this incident and was yelling at Resident D about the donuts. Ms. Laplaunt did not like the

way Ms. Miller was behaving toward Resident D especially given Resident D has limited comprehension. Ms. Laplaunt stated she had to leave work because the incident was upsetting to her. The following day, Resident A told Ms. Laplaunt that after she left the facility the day prior, Resident A told Ms. Miller to stop yelling at Resident D. In response, Ms. Miller hit Resident A in the head. Resident A went to program, called the police to make a report, and did not want to return home. Ms. Laplaunt reported she believes Resident A to be credible and she believes Resident A was likely assaulted by Ms. Miller. Ms. Laplaunt stated she is aware that Ms. Miller hit the home manager, Aundre Buckley. Ms. Laplaunt did not witness the incident between Ms. Miller and Ms. Buckley however she did see the injury to Ms. Buckley's eye.

On April 7, 2022, I reviewed an Employer's Basic Report of Injury. The report documented that on February 25, 2022, Aundre Buckley corrected an error with staff. The staff swung at the manager and knocked her glasses off. Ms. Buckley was off balance, had a cut above her left eye, and pain in her hip from twisting away. The report indicates Ms. Buckley was treated in the emergency room.

On April 8, 2022, I interviewed Staff, Stacy Miller regarding the incident between her and Home Manager, Aundre Buckley. Ms. Miller stated Ms. Buckley as talking to her about something and "kept going on". Ms. Buckley eventually told Ms. Miller to go home. As Miller was walking by, Ms. Buckley ran into her and bumped her. Ms. Miller put her hand out to push Ms. Buckley and she fell back. Ms. Miller called the Licensee Designee to report what occurred. Ms. Miller reported the residents were not witness to this incident as it occurred in the dining area of the home and the residents were either in their bedrooms or in the living room watching television.

APPLICABLE RULE	
R 400.14308	Resident behavior interventions prohibitions.
	(2) A licensee, direct care staff, the administrator, members of the household, volunteers who are under the direction of the licensee, employees, or any person who lives in the home shall not do any of the following: (b) Use any form of physical force other than physical restraint as defined in these rules.

ANALYSIS:	<p>It was alleged that Staff, Stacy Miller was physically aggressive with Resident A causing an injury to her arm. After investigative interviews with Resident A and staff, and a review of relevant documentation (incident report, police report, etc.), there is a preponderance of evidence to conclude a rule violation.</p> <p>Resident A reported Staff, Stacy Miller became aggressive with her causing an injury to her arm. Resident A reported this occurred because she was sticking up for another resident, Resident D. There were no witnesses to Ms. Miller harming Resident A, however Resident A made a police report, which confirms her account and lends credence to Resident A's statement that Ms. Miller mistreated her.</p> <p>The police report Resident A filed was reviewed. Resident A reported Staff, Stacy Miller pushed her into a countertop causing an injury to her arm 4 days prior. Resident A reported that in a separate incident on February 9, 2022, Resident A told Ms. Miller to stop being abusive toward another resident. Ms. Miller then hit Resident A on the side of her head.</p> <p>Staff, Arielle Laplaunt was interviewed and reported that Ms. Miller became upset when Resident D had donuts. Ms. Miller reported Ms. Miller was yelling and disrespectful toward Resident D. This incident was upsetting to Ms. Laplaunt, and she left the facility. The following day, Resident A told Ms. Laplaunt that Ms. Miller hit her in the head after Resident A said something to Ms. Miller about her being mean toward Resident D.</p> <p>During the time of the incident involving Ms. Miller and Resident A, there was an altercation between her and Home Manager, Aundre Buckley on that occurred on February 25, 2022. Ms. Buckley contends Ms. Miller punched her causing an injury to her eye. Ms. Buckley provided an injury report, which documents an injury to her eye.</p> <p>Staff, Stacy Miller denied hitting, pushing, or harming Resident A and there were no witnesses to this occurring. However, Resident A's statements to other staff, her therapist, AFC licensing, APS, and the police are consistent in that Ms. Miller mistreated her and was physically aggressive toward her. Additionally, there was an additional incident of physical aggression causing injury involving Ms. Miller and another staff person. Given the totality of evidence collected in this investigation, there is a preponderance of evidence to conclude</p>
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	a rule violation in that Ms. Miller used physical force with Resident A despite her denial.
CONCLUSION:	VIOLATION ESTABLISHED

ALLEGATION:

The facility did not give Resident A her medication (Depakote) for one week back in the Fall due to thinking it was PRN cough syrup.

INVESTIGATION:

On March 29, 2022, I interviewed Home Manager, Aundre Buckley regarding this allegation. Ms. Buckley reported Staff, Sharita Galvin did not administer Resident A's liquid Depakote during the month of January 2022. Ms. Galvin thought Resident A was receiving this medication in a pill form and did not realize the medication had been changed to a liquid. There was some confusion on Ms. Galvin's part as she thought the medication was a cough medication.

On March 29, 2022, I reviewed Resident A's medication administration record (MAR) from January 2022. The MAR indicated Resident A's Depakene Syrup was not administered on January 3rd and 5th at 8pm.

On March 29, 2022, I interviewed Staff, Sharita Galvin who reported she thought Resident A's Depakote medication was an as needed medication. There was 2 times Ms. Galvin did not administer Resident A her Depakote medication due to this error on her part.

On March 31, 2022, I interviewed Resident A regarding the allegation. Resident A reported she is aware of what medications she is prescribed. Resident A reported she did not receive one of her medications, Depakote for about 1 month. Staff, Sharita Galvin did not administer her the Depakote and she does not know why.

On April 6, 2022, I interviewed Resident A's Case Manager Taylor Thelen. Ms. Thelen reported that Resident A's previous Case Manager, Shannon Darby would review Resident A's medications during visits to the home. Ms. Darcy discovered that there was a medication error with respect to Resident A's medications.

APPLICABLE RULE	
R 400.14312	Resident medications.
	(1) Prescription medication, including dietary supplements, or individual special medical procedures shall be given,

	<p>taken, or applied only as prescribed by a licensed physician or dentist. Prescription medication shall be kept in the original pharmacy-supplied container, which shall be labeled for the specified resident in accordance with the requirements of Act No. 368 of the Public Acts of 1978, as amended, being {333.1101 et seq. of the Michigan Compiled Laws, kept with the equipment to administer it in a locked cabinet or drawer, and refrigerated if required.</p>
ANALYSIS:	<p>It was alleged that Resident A did not receive a medication as prescribed. Upon conclusion of investigative interviews with staff and Resident A, and a review of Resident A's medication administration sheets, there is a preponderance of evidence to conclude a rule violation.</p> <p>Resident A reported she is aware of what medications she takes. Resident A reported staff did not administer one of her prescribed medications, Depakote.</p> <p>Home Manager, Andre Buckley reported Staff, Sharita Galvin did not administer Resident A her prescribed medication, Depakote.</p> <p>Staff, Sharita Galvin reported she did not administer Resident A's medication, Depakote in error. Ms. Galvin reported she thought the medication was an as needed medication causing Resident A to miss her prescribed medication.</p> <p>Resident A's medication administration record indicated Resident A did not receive Depakene Syrup on January 3, 2022, and January 5, 2022.</p>
CONCLUSION:	VIOLATION ESTABLISHED

ADDITIONAL FINDINGS:

INVESTIGATION:

On March 29, 2022, I completed an unannounced on-site inspection at Schiavone AFC VI and interviewed Home Manager, Aundre Buckley. Ms. Buckley reported Ms. Miller does not currently work at the facility due to Ms. Miller hitting Ms. Buckley. Ms. Buckley was talking to Ms. Miller about medications, and Ms. Miller became upset. Ms. Buckley directed Ms. Miller to go home and as Ms. Miller was walking by, she hit Ms. Buckley. Ms. Buckley lost her balance and almost fell. Ms. Buckley went to the hospital due to an injury to her eye from being hit by Ms. Miller. Ms. Buckley reported there were no

witnesses when Ms. Miller hit her as it occurred in the dining room area and residents were in the living room or bedrooms.

On March 29, 2022, I interviewed Licensee Designee, Judy Schiavone regarding the incident between the 2 staff, Aundre Buckley and Stacy Miller. Ms. Buckley called her immediately after the incident occurred and Mrs. Schiavone arrived at the facility within 15 minutes. Mrs. Schiavone advised Ms. Buckley to go to the hospital and Ms. Miller did not deny hitting Ms. Buckley. Mrs. Schiavone has since transferred Ms. Miller to another facility.

On April 7, 2022, I interviewed Staff, Arielle Laplaunt. Ms. Laplaunt reported she was at work on the day of the incident involving Resident A, Resident D, and Staff, Stacy Miller. Ms. Laplaunt reported Staff, Stacy Miller said that Resident D had stolen someone else's donuts and Ms. Miller was upset about this. Another resident told Ms. Laplaunt someone gave Resident D the donuts and she did not steal them, so Ms. Laplaunt gave the donuts back to Resident D. Ms. Miller was angry and "carrying on" about the donuts. Ms. Miller was disrespectful toward Resident D regarding this incident and was yelling at Resident D about the donuts. Ms. Laplaunt did not like the way Ms. Miller was behaving toward Resident D especially given Resident D has limited comprehension. Ms. Laplaunt stated she had to leave work because the incident was upsetting to her. The following day, Resident A told Ms. Laplaunt that after she left the facility the day prior, Resident A told Ms. Miller to stop yelling at Resident D. In response, Ms. Miller hit Resident A in the head. Resident A went to program, called the police to make a report, and did not want to return home. Ms. Laplaunt reported she believes Resident A to be credible and she believes Resident A was likely assaulted by Ms. Miller. Ms. Laplaunt stated she is aware that Ms. Miller hit the home manager, Aundre Buckley. Ms. Laplaunt did not witness the incident between Ms. Miller and Ms. Buckley however she did see the injury to Ms. Buckley's eye.

On April 7, 2022, I reviewed an Employer's Basic Report of Injury. The report documented that on February 25, 2022, Aundre Buckley corrected an error with staff. The staff swung at the manager and knocked her glasses off. Ms. Buckley was off balance, had a cut above her left eye, and pain in her hip from twisting away. The report indicates Ms. Buckley was treated in the emergency room.

On April 7, 2022, I reviewed a Saginaw Police Report. The report documents that on February 9, 2022, Resident A stated 4 days prior that Staff, Stacy Miller pushed her because she was not listening to her. Ms. Miller pushed Resident A into a countertop, which caused a small bruise on the inside of her right forearm. Resident A reported that on February 9, 2022, Ms. Miller was abusing another resident and Resident A said something to her in efforts to get her to stop being abusive. In response, Ms. Miller punched Resident A in the head (near left temple area). Resident A had no complaints of pain and no visible injuries to her head. Resident A had slight bruising on the inside of her right forearm.

On April 8, 2022, I interviewed Staff, Stacy Miller regarding the incident between her and Home Manager, Aundre Buckley. Ms. Miller stated Ms. Buckley as talking to her about something and “kept going on”. Ms. Buckley eventually told Ms. Miller to go home. As Miller was walking by, Ms. Buckley ran into her and bumped her. Ms. Miller put her hand out to push Ms. Buckley and she fell back. Ms. Miller called the Licensee Designee to report what occurred. Ms. Miller reported the residents were not witness to this incident as it occurred in the dining area of the home and the residents were either in their bedrooms or in the living room watching television.

APPLICABLE RULE	
R 400.14204	Direct care staff; qualifications and training.
	(2) Direct care staff shall possess all of the following qualifications: (a) Be suitable to meet the physical, emotional, intellectual, and social needs of each resident.
ANALYSIS:	Staff, Stacy Miller became physically aggressive with Resident A and Home Manager, Aundre Buckley causing injury to both. Documentation (police report and injury report) has been reviewed, which support the respective accounts of Resident A and Ms. Buckley despite Ms. Millers denial and version of events. Staff, Arielle Laplaunt reported Ms. Miller was angry at Resident D, who is nonverbal and has limited comprehension, for having donuts. Ms. Laplaunt reported Ms. Miller was yelling and disrespectful toward Resident D. Given Ms. Miller’s actions, there is a preponderance of evidence to conclude she is not suitable to meet the physical, emotional, intellectual, and social needs of the residents.
CONCLUSION:	VIOLATION ESTABLISHED

On April 7, 2022, I completed an Exit Conference with Licensee Designee, Judy Schiavone. I advised Mrs. Schiavone I would be requesting a corrective action plan with regards to the cited rule violations.

IV. RECOMMENDATION

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

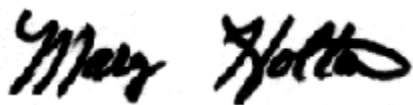


4/8/2022

Christina Garza
Licensing Consultant

Date

Approved By:



4/8/2022

Mary E Holton
Area Manager

Date