



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

ORLENE HAWKS  
DIRECTOR

April 28, 2022

Hilary Kutha  
605 5th Ave  
MENOMINEE, MI 49858

RE: License #: AM550409860  
Investigation #: 2022A0234008  
Kutha Adult Foster Care

Dear Mrs. Kutha:

Attached is the Special Investigation Report for the above referenced facility. No substantial violations were found.

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 "Maria DeBacker".

Maria DeBacker, Licensing Consultant  
Bureau of Community and Health Systems  
234 W. Baraga Ave.  
Marquette, MI 49855  
(906) 280-8531

enclosure

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

**I. IDENTIFYING INFORMATION**

<b>License #:</b>	AM550409860
<b>Investigation #:</b>	2022A0234008
<b>Complaint Receipt Date:</b>	03/17/2022
<b>Investigation Initiation Date:</b>	03/17/2022
<b>Report Due Date:</b>	05/16/2022
<b>Licensee Name:</b>	Hilary Kutha
<b>Licensee Address:</b>	605 5th Ave MENOMINEE, MI 49858
<b>Licensee Telephone #:</b>	(906) 290-0502
<b>Administrator:</b>	Colton Kutha
<b>Licensee Designee:</b>	Hilary Kutha
<b>Name of Facility:</b>	Kutha Adult Foster Care
<b>Facility Address:</b>	605 5th Ave Menominee, MI 49858
<b>Facility Telephone #:</b>	(906) 290-0502
<b>Original Issuance Date:</b>	10/06/2021
<b>License Status:</b>	REGULAR
<b>Effective Date:</b>	04/06/2022
<b>Expiration Date:</b>	04/05/2024
<b>Capacity:</b>	12
<b>Program Type:</b>	DEVELOPMENTALLY DISABLED MENTALLY ILL AGED

**II. ALLEGATION(S)**

	<b>Violation Established?</b>
Resident A doesn't like how he is treated at the home because the people there are mean. He stated that the people there ignore him and he is not happy about this. Complainant stated it is 5:30 and no one from the facility has called to check on him.	No
Resident A said the place is dirty and the people there are "nuts"	No

**III. METHODOLOGY**

03/17/2022	Special Investigation Intake 2022A0234008
03/17/2022	Special Investigation Initiated - Telephone Phone call to complainant - message left.
3/17/22	APS referral – referral received from APS
03/29/2022	Contact - Face to Face Unannounced visit to the home. Interviewed Staff Janice Kutha and McKenna Bellec and Residents A, B, C and D.
3/29/2022	Called Resident A's brother Kevin Corey to discuss placement.
03/29/2022	Inspection Completed On-site
04/06/2022	Contact - Telephone call made Called homeowners to discuss allegations as they were out of town at the time of on site. Message left.
4/6/2022	Exit conference - attempted to reach licensee to have exit conference. Message left to call
04/11/2022	Exit Conference Exit conference with licensee.

**ALLEGATION:** Resident A doesn't like how he is treated at the home because the people there are mean. He stated that the people there ignore him and he is not happy about this. Complainant stated it is 5:30 and no one from the facility has called to check on him.

**INVESTIGATION:** On 3/29/22 an unannounced visit occurred at the Kutha Foster Home. The entire home was walked through and observed to be clean and tidy.

Janice Kutha was interviewed on 3/29/22. She stated that Resident A is a schizophrenic and had an episode of hearing voices on the date the complaint was made. She said that his plan states that he should walk for exercise and the day he went for a walk to his brothers was a nice day in the 50's so no one was worried. She stated that he would be due back at 7:00 for medications and he has no restrictions on when he can come and go.

Hillary Kutha was interviewed by phone on 4/11/2022. She stated that she was aware of the things that were alleged, and that Resident A was very apologetic for the things the "voices made him say". She stated that he is feeling much better and his medication changes are working. She denied that any staff were mean to him or that the home is dirty. She stated that Resident A has no restrictions on his coming and going and was not expected back until 7 pm for medications.

Resident A was interviewed on 3/29/22. He stated that he loves his home and feels very bad for the things he said. He stated that the "voices" were "really bad" that day and sometimes they make him do mean things. He said he loves his home and Hillary and Colton Kutha are very nice to him. He is happy now that his medication is adjusted. Resident A asked that his peers not be told what he did as he is very embarrassed.

Resident A's Self Care Assessment was reviewed. Resident A is able to go out and about in the community with no restrictions.

Resident B was present in the home on 3/29/22. He stated that he is doing well and is happy at the home. He had no complaints about his treatment or the condition of the home.

On 3/29/22, Resident C was interviewed briefly and she stated that things are going well at the home and she has no complaints or changes since the renewal a few weeks ago.

On 3/29/22, Resident D came into the kitchen to ask me why I was here. I stated that I was just checking on everyone to see how things are going. She stated that things are good and she has no complaints.

Staff McKenna Bellec was interviewed on 3/29/22. She stated that she has worked for the Kutha's for almost 4 years but mostly at the Stephenson home. She stated that she has never witnessed anyone treated badly or witnessed the home to be dirty.

It should be noted that on 2/28/22 this worker and Consultant Theresa Norton conducted a renewal inspection and spoke to all residents. No complaints were made, and all residents appeared happy and healthy.

<b>APPLICABLE RULE</b>	
<b>R 400.14308</b>	<b>Resident behavior interventions prohibitions.</b>
	<b>(1) A licensee shall not mistreat a resident and shall not permit the administrator, direct care staff, employees, volunteers who are under the direction of the licensee, visitors, or other occupants of the home to mistreat a resident. Mistreatment includes any intentional action or omission which exposes a resident to a serious risk or physical or emotional harm or the deliberate infliction of pain by any means.</b>
<b>ANALYSIS:</b>	There is no evidence to suggest that and Residents are being treated poorly or being caused emotion harm. Residents A, B, C and D reported they are treated well by staff.
<b>CONCLUSION:</b>	<b>VIOLATION NOT ESTABLISHED</b>

**ALLEGATION:** Resident A said the place is dirty and the people there are "nuts."

**INVESTIGATION:** On 3/29/22 and unannounced visit was conducted and a tour of the living area of the Residents was complete. The home was clean and tidy.

Resident A reported that he said the home was dirty because the voices made him say "mean things".

Hillary Kutha was interviewed by phone on 4/11/2022. She stated that she was aware of the things that were alleged, and that Resident A was very apologetic for the things the "voices made him say". She stated that he is feeling much better and his medication changes are working. She denied that any staff were mean to him or that the home is dirty.

Resident B was present in the home on 3/29/22. He stated that he is doing well and is happy at the home. He has no complaints about his treatment or the condition of the home.

On 3/29/22, Resident C was interviewed briefly and she stated that things are going well at the home and she has no complaints or changes since the renewal a weeks ago.

On 3/29/22, Resident D came into the kitchen to ask me why I was here. I stated that I was just checking on everyone to see how things are going. She stated that things are good and she has no complaints.

Staff McKenna Bellec was interviewed on 3/29/22. She stated that she has worked for the Kutha's for almost 4 years but mostly at the Stephenson home. She stated that she has never witnessed anyone treated badly or witnessed the home to be dirty.

It should be noted that on 2/28/22 this worker and Consultant Theresa Norton conducted a renewal inspection and spoke to all residents. No complaints were made and all residents appeared happy and healthy. The home was clean and tidy.

<b>APPLICABLE RULE</b>	
<b>R 400.14403</b>	<b>Maintenance of premises.</b>
	<b>(2) Home furnishings and housekeeping standards shall present a comfortable, clean, and orderly appearance.</b>
<b>ANALYSIS:</b>	An unannounced visual inspection of the home showed that it was clean and tidy.
<b>CONCLUSION:</b>	<b>VIOLATION NOT ESTABLISHED</b>

On 4/11/22 Hillary Kutha an exit conference occurred with Ms. Kutcha. Ms. Kutha was informed of the finding of this investigation.

#### IV. RECOMMENDATION

I recommend no change to the status of the license.

*Maria DeBacker*

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 Maria DeBacker  
 Licensing Consultant

4/27/22  
 Date

Approved By:

*Mary Holton*

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 Mary E Holton  
 Area Manager

4/28/22  
 Date