



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

May 2, 2022

Simbarashe Chiduma
Open Arms Link
Suite 130
8161 Executive Court
Lansing, MI 48917

RE: License #: AS330387342
Investigation #: 2022A0790008
Open Arms Bates

Dear Mr. Chiduma:

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 (517) 284-9730.

Sincerely,

A handwritten signature in cursive script that reads "Rodney Gill".

Rodney Gill, Licensing Consultant
Bureau of Community and Health Systems
611 W. Ottawa Street
P.O. Box 30664
Lansing, MI 48909

enclosure

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

I. IDENTIFYING INFORMATION

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| License #: | AS330387342 |
| Investigation #: | 2022A0790008 |
| Complaint Receipt Date: | 03/28/2022 |
| Investigation Initiation Date: | 03/30/2022 |
| Report Due Date: | 05/27/2022 |
| Licensee Name: | Open Arms Link |
| Licensee Address: | Suite 130 8161 Executive Court Lansing, MI 48917 |
| Licensee Telephone #: | (517) 483-2489 |
| Administrator: | Mascline Chiduma |
| Licensee Designee: | Simbarashe Chiduma |
| Name of Facility: | Open Arms Bates |
| Facility Address: | 820 Bates Street Lansing, MI 48906 |
| Facility Telephone #: | (517) 455-8300 |
| Original Issuance Date: | 06/06/2017 |
| License Status: | REGULAR |
| Effective Date: | 12/06/2021 |
| Expiration Date: | 12/05/2023 |
| Capacity: | 4 |

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|----------------------|--|
| Program Type: | DEVELOPMENTALLY DISABLED MENTALLY ILL |
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II. ALLEGATION(S)

| | Violation Established? |
|--|-----------------------------------|
| Licensee designee Simbarashe Chiduma and administrator Mascline Chiduma are hiring illegal staff to work as live in direct care staff members and producing and providing false documents to LARA. | No |
| Licensee designee Simbarashe Chiduma and administrator Mascline Chiduma have Mathew (aka grandfather) working as the live in direct care staff member at Open Arms Bates and it is unknown if Mathew is legal to work, nor if Mathew is his actual name. The live in direct care staff member prior to Mathew was reported as illegal as well. | No |
| Licensee designee Simbarashe Chiduma and administrator Mascline Chiduma lie and say that Takvdywa Chiduma and Tadiwa Chiduma (their children) are direct care staff members at times to cover up actual workers. | No |

III. METHODOLOGY

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|------------|---|
| 03/28/2022 | Special Investigation Intake 2022A0790008 |
| 03/30/2022 | Special Investigation Initiated - Telephone Spoke to complainant via phone to gather additional allegations. |
| 03/31/2022 | Contact – Document Received |
| 04/07/2022 | Inspection Completed On-site |
| 04/07/2022 | Contact - Face to face interview with live in direct care staff member Mathew Nyanzandora. |
| 04/12/2022 | Contact – Telephone call made to interview direct care staff member Divine Uwamahoro |

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| 04/12/2022 | Contact – Telephone call made to interview direct care staff member Michelle Wells. |
| 04/21/2022 | A second onsite investigation at the Open Arms Link corporate office on 04-21-2022. |
| 05/03/2022 | Exit Conference with licensee designee Sambarashe Chiduma. |

ALLEGATION:

- **Licensee designee Simbarashe Chiduma and administrator Masline Chiduma are hiring illegal staff to work as live in direct care staff members and producing and providing false documents to LARA.**
- **Licensee designee Simbarashe Chiduma and administrator Masline Chiduma have Mathew (aka grandfather) working as the live in direct care staff member at Open Arms Bates and it is unknown if Mathew is legal to work, nor if Mathew is his actual name. The live in direct care staff member prior to Mathew was reported as illegal as well.**

INVESTIGATION:

I spoke to Complainant on 03-30-2022 to gather additional information regarding this and other active investigations involving the Open Arms Link Corporation. No additional allegations were made pertaining to the Open Arms Bates Adult Foster Care home, but additional information was gathered to better understand the complainant's concerns.

Staff directories were received via email by Open Arms Link Corporation human resources assistant manager Kimberly Solgat and reviewed on 03/31-2022.

An unannounced on-site investigation was conducted at the Open Arms Bates Adult Foster Care home on 04-07-2022 by this consultant. Direct care staff member Mathew Nyanzandora was interviewed. Mr. Nyanzandora stated that his date of birth and indicated that he works as the live-in direct care staff member at Open Arms Bates. Mr. Nyanzandora said that he stays at Open Arms Bates 24/7. Mr. Nyanzandora stated the residents call him "grandpa" as a nickname. The residents were all present during the onsite investigation and there were no concerns regarding personal care or supervision as observed by this consultant.

Mr. Nyanzandora stated that he is responsible for managing everything at Open Arms Bates which includes cooking, cleaning, and providing all necessary care to the residents. He said that there are currently four residents residing at Open Arms Bates.

Mr. Nyanzandora said that he possesses a green card and is a resident of the United States. He showed me a copy of his driver's license. Mr. Nyanzandora indicated that the green card allows him to live and work permanently in the United States.

Mr. Nyanzandora stated that he had to get fingerprinted when he was hired to work at Open Arms Bates. He said that he has completed a lot of training since he has been working at the home. He mentioned that he has completed medication training, CPR & First Aid, as well as many online trainings through Community Mental Health. Mr. Nyanzandora said that Open Arms Bates has a special certification and that caseworkers and other professionals from Community Mental Health visit the home often. Mr. Nyanzandora said that he has no complaints regarding the pay he receives for working at Open Arms Bates Adult Foster Care home.

Mr. Nyanzandora stated that he normally works alone but that direct care staff members from other homes provide transportation to appointments and community activities for the residents at Open Arms Bates.

Direct care staff member Divine Uwamahoro was interviewed on 04-12-2022. She said that she works at Open Arms Bates and Open Arms Greenhouse. Ms. Uwamahoro stated that she has been working for approximately six months at these homes. She said that she was hired in November of 2021. Ms. Uwamahoro said that she is legal to work in the United States. Ms. Uwamahoro stated she has completed CPR, First Aid, and Medication training. She stated she was fingerprinted and had a background check. Ms. Uwamahoro stated she also had a physical examination and TB test.

Ms. Uwamahoro stated that she feels like she is paid well for what she does at Open Arms Bates and Open Arms Greenhouse. Ms. Uwamahoro said that she works at Open Arms Bates every other Sunday so direct care staff member Mathew Nyanzandora can have the day off. Ms. Uwamahoro stated that she knows nothing about direct care staff members working for Open Arms Link Corporation that are not legal to work in the United States. She said that she has not heard anything about that. Ms. Uwamahoro stated that she has no issues with working for Open Arms Link Corporation.

Direct care staff member Michelle Wells was interviewed on 04-12-2022. She said that she works at Open Arms Bates, Open Arms Greenhouse, Open Arms Stoll, and Boichot Adult Foster Care home. Ms. Wells explained that she is currently the activities coordinator for all four homes, plans all the activities, and takes the residents on outings and to appointments. Ms. Wells indicated that she is a citizen of the United States. She stated that she was fingerprinted, had a background check, was physically examined by a licensed physician, and had a TB test when she began working for Open Arms Link to ensure that she could complete all the responsibilities and duties associated with direct care staff work. Ms. Wells stated that she is not aware of any direct care staff members working at any of the Open Arm's homes that are not legal to work in the United States. She said that she keeps to herself though and does not know many of the direct care staff members working in the homes.

Ms. Wells stated that she is happy with every aspect of her employment with Open Arms Link. She said that Open Arms Link Corporation is the first company she has

worked for that makes her feel appreciated. Ms. Wells stated that she is paid well for the work that she does. Ms. Wells said that licensee designee Simbarashe Chiduma and administrator Masline Chiduma are good people that care about the residents. She said they tell her how much they appreciate the work that she does all the time.

Ms. Wells said that direct care staff member Mathew Nyandora is great with the residents. He does a great job according to Ms. Wells. She said that the residents call him grandpa and respond well to him.

A second onsite investigation took place at the Open Arms Link corporate office on 04-21-2022 to review daily schedules and employee records for Open Arms Bates. Office manager Jason Zilka was working at the time of the unannounced investigation.

I reviewed direct care staff member Mathew Nyandora's employee record and found that he had all the required documentation to work independently as a direct care staff member. He had a driver's license, social security card, employment agreement, job application with at least two references that had been contacted and had responded in writing, work history, education, duties of direct care staff members, job description, onboarding documentation, Michigan Workforce Background letter indicating that Mr. Nyandora is eligible to work in an Adult Foster Care home, a medical examination, an up to date negative TB test, employer health appraisal form, and all necessary training including CPR/First Aid/Medication/Recipient Rights were found in Mr. Nyandora's employee record.

Direct care staff member Divine Uwamahora's employee record was reviewed. It was found that Ms. Uwamahora had all the required documentation to work independently as a direct care staff member in her employee record. She had a driver's license, social security card, employment agreement, job application with at least two references that had been contacted and had responded in writing, work history, education, duties of direct care staff members, job description, onboarding documentation, Michigan Workforce Background letter indicating that Ms. Uwamahora is eligible to work in an Adult Foster Care home, a medical examination, an up to date negative TB test, employer health appraisal form, and all necessary training including CPR/First Aid/Medication/Recipient Rights were found in Mr. Uwamahora's employee record.

Direct care staff member Michelle Christine Wells' employee record was reviewed. It was found that Ms. Wells had all the required documentation to work independently as a direct care staff member in her employee record. She had a driver's license, social security card, employment agreement, job application with at least two references that had been contacted and had responded in writing, work history, education, duties of direct care staff members, job description, onboarding documentation, Michigan Workforce Background letter indicating that Ms. Wells is eligible to work in an Adult Foster Care home, a medical examination, an up to date negative TB test, employer health appraisal form, and all necessary training including CPR/First Aid/Medication/Recipient Rights were found in Mr. Well's employee record.

Office manager Jason Zilka stated that these are the only direct care staff members currently working at Open Arms Bates.

| APPLICABLE RULE | |
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| R 400.14208 | Direct care staff and employee records. |
| | <p>(1) A licensee shall maintain a record for each employee. The record shall contain all of the following employee information:</p> <ul style="list-style-type: none"> (a) Name, address, telephone number, and social security number. (b) The professional or vocational license, certification, or registration number, if applicable. (c) A copy of the employee's driver license if a direct care staff member or employee provides transportation to residents. (d) Verification of the age requirement. (e) Verification of experience, education, and training. (f) Verification of reference checks. (g) Beginning and ending dates of employment. (h) Medical information, as required. (i) Required verification of the receipt of personnel policies and job descriptions. |
| ANALYSIS: | Based on information gathered during this investigation including interviews with current direct care staff members, other Open Arms Link Corporation present and previous employees, and review of all pertinent documentation related to the allegations made and all direct care staff members working at the facility had all required employee documents in their employee records. All documents were reviewed by this consultant for each current employee. |
| CONCLUSION: | VIOLATION NOT ESTABLISHED |

ALLEGATION:

Licensee designee Simbarashe Chiduma and administrator Mascline Chiduma say that Takvdywa Chiduma and Tadiwa Chiduma (their children) are direct care staff members at times to cover up actual workers.

INVESTIGATION:

Mr. Nyanzandora said that Takydywa Chiduma does work at Open Arms Bates sometimes. He said that she is the daughter of the administrator and licensee designee

Mascline and Simbarashe Chiduma. Mr. Nyanzandora said that Ms. Chiduma will sometimes assume his job duties at Open Arms Bates when he wants a weekend off to spend time at home with his wife. He was unsure if Ms. Chiduma has been fingerprinted or had a Michigan Workforce Background check completed. Ms. Nyanzandora was also unsure if Ms. Chiduma has completed the required training to work as a direct care staff member.

Mr. Nyanzandora said that Tadiwa Chiduma is the son of administrator and licensee designee Mascline and Simbarashe Chiduma. He said that Mr. T. Chiduma is an engineering student and does not work at Open Arms Bates. Mr. Nyanzandora stated that Mr. T. Chiduma helps occasionally at the home but not in the capacity of a direct care staff member. He said that Mr. T. Chiduma helps with chores around the home but does not provide direct care or supervision to the residents in the home.

Office manager Jason Zilka stated that Tadiwa Chiduma does not work in the capacity of a direct care staff member at any of the Open Arms Link Corporation Adult Foster Care homes. Mr. Zilka stated that Mr. T. Chiduma does not have an employee record because he does not work for the corporation in this capacity.

Direct care staff member Takvdywa Chiduma's employee record was reviewed. It was found that Ms. Chiduma had all the required documentation to work independently as a direct care staff member in her employee record. She had a driver's license, social security card, employment agreement, job application with at least two references that had been contacted and had responded in writing, work history, education, duties of direct care staff members, job description, onboarding documentation, Michigan Workforce Background letter indicating that Ms. Chiduma is eligible to work in an Adult Foster Care home, a medical examination, an up to date negative TB test, employer health appraisal form, and all necessary training including CPR/First Aid/Medication/Recipient Rights were found in Ms. Chiduma's employee record.

An exit conference took place via phone with licensee designee Simbarashe Chiduma. Mr. Chiduma was informed of the allegations that were investigated and that there were no violations established.

| APPLICABLE RULE | |
|------------------------|--|
| R 400.14208 | Direct care staff and employee records. |
| | <p>(1) A licensee shall maintain a record for each employee. The record shall contain all of the following employee information:</p> <p>(a) Name, address, telephone number, and social security number.</p> <p>(b) The professional or vocational license, certification, or registration number, if applicable.</p> |

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| | <p>(c) A copy of the employee's driver license if a direct care staff member or employee provides transportation to residents.</p> <p>(d) Verification of the age requirement.</p> <p>(e) Verification of experience, education, and training.</p> <p>(f) Verification of reference checks.</p> <p>(g) Beginning and ending dates of employment.</p> <p>(h) Medical information, as required.</p> <p>(i) Required verification of the receipt of personnel policies and job descriptions.</p> |
| ANALYSIS: | Based on information gathered during this investigation including interviews with current direct care staff members and review of all pertinent documentation related to the allegation, direct care staff member Ms. T. Chiduma is trained and eligible to work in the AFC. Her employee file was reviewed and found to be complete with all required documents. |
| CONCLUSION: | VIOLATION NOT ESTABLISHED |

IV. RECOMMENDATION

I recommend that the status of the license remains the same.



04-26-2022

Rodney Gill
Licensing Consultant

Date

Approved By:



05/02/2022

Dawn N. Timm
Area Manager

Date