



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

May 11, 2022

Patty Williams
711 Main St.
Omer, MI 48749

RE: License #: AS090291142
Investigation #: 2022A0572031
Guardian Angels

Dear Mrs. Williams:

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 (906) 226-4171.

Sincerely,

A handwritten signature in black ink that reads "Anthony Humphrey". The signature is written in a cursive style with a large, looping flourish at the end of the name.

Anthony Humphrey, Licensing Consultant
Bureau of Community and Health Systems
411 Genesee
P.O. Box 5070
Saginaw, MI 48605
(810) 280-7718

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AS090291142
Investigation #:	2022A0572031
Complaint Receipt Date:	04/29/2022
Investigation Initiation Date:	05/02/2022
Report Due Date:	06/28/2022
Licensee Name:	Patty Williams
Licensee Address:	711 Main St. Omer, MI 48749
Licensee Telephone #:	(989) 415-6174
Administrator:	Patty Williams
Licensee Designee:	N/A
Name of Facility:	Guardian Angels
Facility Address:	611 Litchfield Rd Bay City, MI 48706
Facility Telephone #:	(989) 316-2205
Original Issuance Date:	09/10/2007
License Status:	REGULAR
Effective Date:	04/07/2022
Expiration Date:	04/06/2024
Capacity:	6
Program Type:	DEVELOPMENTALLY DISABLED MENTALLY ILL AGED

II. ALLEGATION(S)

	Violation Established?
The residents are kicked out of the home daily around 7am. The individuals are not allowed to come back until around 9 or 10pm for unknown reasons.	No
Resident A begs on the side of the street for money, food, and drinks. It was believed until recently that Resident A was homeless, but he is residing in a home. Resident A does not have access to any of his money or food	No
ADDITIONAL FINDINGS:	Yes

III. METHODOLOGY

04/29/2022	Special Investigation Intake 2022A0572031
04/29/2022	APS Referral APS made referral.
05/02/2022	Special Investigation Initiated - On Site Staff, John Caspers; Resident B, Resident C, Resident D, Resident E, and Resident F.
05/03/2022	Contact - Telephone call received Resident A.
05/04/2022	Exit Conference Licensee, Patty Williams.
05/04/2022	Contact - Document Sent APS Investigator, Julie Anderson.
05/04/2022	Contact - Document Received APS Investigator, Julie Anderson.

ALLEGATION:

The residents are kicked out of the home daily around 7am. The individuals are not allowed to come back until around 9 or 10pm for unknown reasons.

INVESTIGATION:

On 04/29/2022, the local licensing office received a complaint for investigation. Adult Protective Services (APS) made a referral to licensing.

On 05/02/2022, I made an unannounced visit to Guardian Angels, located in Bay County, Michigan. I interviewed Staff, John Caspers, Resident B, Resident C, Resident D, Resident E, and Resident F. Resident A was not present at the time of my onsite.

On 05/02/2022, I interviewed Staff, John Caspers regarding the above allegation. He informed that none of the residents are kicked out of the home at any point of the day. Resident A comes and goes as he pleases because he does not have a guardian. He just tries to make sure that he takes his medications before he leaves because he will be out in the community for hours at a time.

On 05/02/2022, I interviewed Resident B and he informed that none of the residents are ever kicked out of the home. When asked specifically about Resident A, he informed that Resident A just leaves when he wants to for hours at a time.

On 05/02/2022, I interviewed Resident C and she denied that she or any of the other residents are ever kicked out of the home. With respect to Resident A, she indicated that Resident A just leaves when he wants to, and he is usually gone all day.

On 05/02/2022, I interviewed Resident D and she denied that her or any of the other residents in the home are ever kicked out of their home for any reason. In regard to Resident A, she stated, "He takes off everyday and go to the local church to eat. Sometimes the staff will try to stop him from leaving so he can eat and take his meds, but he will refuse and leave anyways."

On 05/02/2022, I interviewed Resident E and she informed that her and the other residents are not being kicked out of the home. Resident A will leave early in the morning and be gone for hours, but he doesn't have to leave.

On 05/02/2022, I interviewed Resident F and he indicated that that they are never kicked out of the home, but Resident A leaves the home all the time, but does not know for certain what he does.

On 05/02/2022, I reviewed Resident A's Assessment Plan and it indicates that he can go out into the community on his own.

On 05/02/2022, I reviewed Resident A's Health Care Appraisal and it was noted that Resident A left the home for 3 separate schedule doctor's appointments before he

could be transported to the doctor's office. For another appointment, Resident A made it to the doctor's appointment but left the doctor's office because the doctor was taking too long to see him.

On 05/03/2022, I received a phone call from Resident A and interviewed him regarding the above allegation. When asked if he is ever kicked out of the home, he stated, "No, of course not. I live here. This is my home sweet home."

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: (g) Refuse the resident entrance to the home.
ANALYSIS:	Staff and Resident A, B, C, D, E and F all denied that residents are kicked out of the home throughout the day. Everyone who was interviewed indicated that Resident A is gone for hours at a time because that's what he wants to do.
CONCLUSION:	VIOLATION NOT ESTABLISHED

ALLEGATION:

Resident A begs on the side of the street for money, food, and drinks. It was believed until recently that Resident A was homeless, but he is residing in a home. Resident A does not have access to any of his money or food.

INVESTIGATION:

On 05/02/2022, I interviewed Staff, John Caspers regarding the above allegation. Mr. Caspers informed that Resident A gets to eat, sleep, and take all of his medications at the home. Because the weather is now good, he will leave out into the community. Staff will leave food out for him to eat, but he will eat out in the community much of the time while he's out. There have been times where he has told Resident A that supper will be done in 30 minutes and ask if he is going to stay, and Resident A will say he is going to stay, but at some point, he will change his mind and leave anyways. Resident A panhandles, so he's given money or food when he's out. He likes to smoke premium cigarettes, and he likes to eat at fast food establishments like Burger King or Taco Bell and the facility cannot take him to a fast-food restaurants every day.

On 05/02/2022, I interviewed Resident B and he stated, "He (Resident A) can eat here if he wants. They give us 3 meals a day. He has food, shelter, and everything

he needs. He goes out and panhandles because he wants to. He doesn't have to do none of that stuff."

On 05/02/2022, I interviewed Resident C and she indicated that Resident A can get everything he needs at home.

On 05/02/2022, I interviewed Resident D and he stated, "He (Resident A) goes out and panhandles because he wants to. He doesn't have to. He always gets upset with John (Mr. Caspers) when he tries to stop him from leaving so he can at least eat and take his meds first."

On 05/02/2022, I interviewed Resident E and she stated, "He (Resident A) panhandles every day. That's why he's not here now. He doesn't even have to, but he goes out and do it anyways, even when he is asked not to do it."

On 05/02/2022, I interviewed Resident F and he indicated that he heard that Resident A panhandles, but he never seen him do it, so he doesn't know. When asked if he thinks Resident A has to panhandle so he can get his basic needs, he stated, "I don't think so, because he has everything that he needs here."

On 05/03/2022, I interviewed Resident A over the phone and when asked if he felt that he needed to panhandle so that his basic needs are met, he stated, "Look, when people offer me food or money, I'm going to accept it. I'll look at it, smell it and if it is appetizing to me, I'm going to eat it. If they offer me food, I'm not going to turn it down. I can eat here when I want to and if I don't want to eat here, I don't have to eat here."

On 05/04/2022, I contacted APS Investigator, Julie Anderson regarding her findings. She informed that she does not have any concerns. She believes that Resident A is cared for and gets enough food as well as money for his needs. Ms. Anderson does not believe that Resident A or any other resident is kicked out of the home. Ms. Anderson did not substantiate and closed her case.

APPLICABLE RULE	
R 400.14313	Resident nutrition.
	(1) A licensee shall provide a minimum of 3 regular, nutritious meals daily. Meals shall be of proper form, consistency, and temperature. Not more than 14 hours shall elapse between the evening and morning meal.
ANALYSIS:	Staff and all residents indicated that all of Resident A's basic needs are being met at the home and he panhandles because he wants to.
CONCLUSION:	VIOLATION NOT ESTABLISHED

ADDITIONAL FINDINGS:

INVESTIGATION:

On 05/02/2022, I interviewed Staff, John Caspers. He informed that Resident A comes and goes as he pleases because he does not have a guardian. He just tries to make sure that he takes his medications before he leaves because he will be out in the community for hours at a time. Resident A panhandles, so he's given money or food when he's out. He likes to smoke premium cigarettes, and he likes to eat at fast food establishments like Burger King or Taco Bell and the facility cannot take him to a fast-food restaurants every day.

On 05/02/2022, I interviewed Resident B. When asked specifically about Resident A, he informed that Resident A just leaves when he wants to for hours at a time.

On 05/02/2022, I interviewed Resident C. With respect to Resident A, she indicated that Resident A just leaves when he wants to, and he is usually gone all day.

On 05/02/2022, I interviewed Resident D. In regard to Resident A, she stated, "He takes off every day and go to the local church to eat. Sometimes the staff will try to stop him from leaving so he can eat and take his meds, but he will refuse and leave anyways."

On 05/02/2022, I interviewed Resident E. Resident A will leave early in the morning and be gone for hours.

On 05/02/2022, I interviewed Resident F. Resident A leaves the home all the time but does not know for certain what he does.

On 05/02/2022, I reviewed Resident A's Assessment Plan and it indicates that he can go out into the community on his own.

On 05/03/2022, I received a phone call from Resident A. and interviewed him regarding the above allegation. When asked if he is ever kicked out of the home, he stated, "No, of course not. I live here. This is my home sweet home."

APPLICABLE RULE	
MCL 400.707	Definitions; R to T.
	(7) "Supervision" means guidance of a resident in the activities of daily living, including 1 or more of the following: (d) Being aware of a resident's general whereabouts even though the resident may travel independently about the community.

ANALYSIS:	Staff Caspers reported Resident A is out in the community all day and he comes and goes. The residents also reported that Resident A leaves for hours at a time. The facility is not requiring Resident A to indicate where he is going when out in the community and when he will return. The licensee must know the whereabouts of Resident A while in the community.
CONCLUSION:	VIOLATION ESTABLISHED

On 05/04/2022, an Exit Conference was held with Licensee, Patty Williams. She was informed of the results of the investigation.

On 05/11/2022, another an Exit Conference was held with Licensee, Patty Williams. She was informed of the rule violation for the investigation.

IV. RECOMMENDATION

Contingent upon receipt of an acceptable plan of correction, I recommend no change to the licensing status of this small adult foster care group home (Capacity 1-6).



05/11/2022

Anthony Humphrey
Licensing Consultant

Date

Approved By:



05/11/2022

Mary E Holton
Area Manager

Date