



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

May 23, 2022

Leone Swanberg
5329 McCords
Alto, MI 49302

RE: License #: AM410016238
Investigation #: 2022A0467034
Swanberg - Countryside AFC

Dear Ms. Swanberg:

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 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 (616) 356-0183.

Sincerely,

A handwritten signature in cursive script that reads "Anthony Mullins".

Anthony Mullins, Licensing Consultant
Bureau of Community and Health Systems
Unit 13, 7th Floor
350 Ottawa, N.W.
Grand Rapids, MI 49503

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AM410016238
Investigation #:	2022A0467034
Complaint Receipt Date:	05/04/2022
Investigation Initiation Date:	05/04/2022
Report Due Date:	07/03/2022
Licensee Name:	Leone Swanberg
Licensee Address:	5329 McCords Alto, MI 49302
Licensee Telephone #:	(616) 893-6613
Administrator:	Ben Visel
Licensee Designee:	Leone Swanberg
Name of Facility:	Swanberg - Countryside AFC
Facility Address:	6575 Whitneyville Road Alto, MI 49302
Facility Telephone #:	(616) 868-6003
Original Issuance Date:	03/10/1995
License Status:	REGULAR
Effective Date:	03/06/2022
Expiration Date:	03/05/2024
Capacity:	12
Program Type:	DEVELOPMENTALLY DISABLED MENTALLY ILL AGED

II. ALLEGATION(S)

	Violation Established?
Resident A is not receiving appropriate care, resulting in poor oral hygiene.	Yes
Ms. Shipley yells at residents and is not treating them with respect.	Yes

III. METHODOLOGY

05/04/2022	Special Investigation Intake 2022A0467034
05/04/2022	Special Investigation Initiated - Telephone
05/04/2022	APS Referral Complaint was received from APS
05/06/2022	Inspection Completed On-site
05/23/2022	Exit conference completed with Ben Visel, AFC administrator.

ALLEGATION: Resident A is not receiving appropriate care, resulting in poor oral hygiene.

INVESTIGATION: On 5/4/22, I received a BCAL online complaint from Adult Protective Services (APS). The complaint stated that on 4/27/22, Resident A’s gums were bleeding and his mouth was hurting. Resident A was observed with a lot of decay in his mouth. Resident A was sent to the ER at the request of his guardian due to his mouth bleeding and he was prescribed an oral antibiotic and mouthwash. The complainant was concerned that Resident A was not being cared for appropriately and that the lack of care would have continued without his guardian intervening.

On 5/4/22, I spoke to the complainant via phone and he confirmed the allegations.

On 5/4/22, I received an email from Donna Gable, guardian of Resident A and B stating that she would like to speak to me. Ms. Gable stated that it would also be beneficial to speak to Kerry Cox, a previous staff member of the facility. The guardian stated that Ms. Cox made multiple complaints to Ben Visel, administrator of the facility about how Ms. Shipley treats and talks to the residents.

On 5/5/22, I spoke to Donna Gable via phone. Ms. Gable confirmed the allegations listed above regarding Resident A and B. Regarding Resident A’s mouth bleeding, Ms. Gable felt it was necessary for him to be seen at the hospital to prevent an infection due to the lack of his oral hygiene. Ms. Gable stated that she doesn’t want

Ms. Shipley to brush Resident A's teeth for him. Instead, she feels that Ms. Shipley should prompt Resident A to brush his teeth and supervise him. Ms. Gable stated that Ms. Shipley couldn't tell her the last time that Resident A was seen by a dentist although she feels it's her job to make sure his appointments are scheduled and that he attends them. Ms. Gable shared that she doesn't feel that Resident A's personal needs are being met. The week prior to this concern, Ms. Gable stated that Ms. Shipley called her distraught, saying that "something is wrong with (Resident A)" but she didn't know what. Ms. Shipley reportedly told Ms. Gable that Resident A doesn't shower as he reportedly turns the water on and turns it back off relatively quickly. She also mentioned that she doesn't know why Resident A picks at his face and she believes that it could be related to fear/anxiety caused by Ms. Shipley. Ms. Gable stated that Resident A will be reserved while speaking to me as he has limitations and he's scared. Ms. Gable stated that Covid has affected this as well. Ms. Gable stated that Ms. Shipley is "left to care for people when she can't care for herself."

On 5/5/22, I spoke to APS worker, Rodney Allen via email. We agreed to meet at the facility tomorrow at 10:00 am.

On 5/6/22, Mr. Allen and I made an unannounced onsite investigation at the facility. Upon arrival, entry was made into the home. Mr. Allen and I interviewed Resident A first in his room. Resident A stated that he has been at the home for a couple years. Resident A stated that things are "good" at the home and he likes being able to go outside. Resident A was asked if there was anything he dislikes about living at the home and he stated, "not really, nothing." Resident A confirmed that he had a dentist appointment recently due to his mouth/teeth bleeding. Resident A stated that he brushes his teeth one day a week and he's unsure as to why he doesn't brush them more. Resident A stated that Ms. Shipley does encourage him to brush his teeth.

Resident A stated that he spends a lot of time in his room watching TV and denied that anyone makes him sad. Resident A was adamant that he feels safe in the home and feels that he can talk to anyone in the home, including Ms. Shipley. Resident A also shared that he feels supported by his guardian. I observed Resident A to have a scab on his forehead. Resident A acknowledged that he picks at his scab although he doesn't know why. Resident A stated that the scab is due to an ingrown hair and nothing in particular causes him to pick at his scabs.

APS worker, Mr. Allen and I spoke to Ms. Shipley in the downstairs office area. Ms. Shipley stated that things are going well in the home. I explained that allegations were received regarding Resident A and B. Ms. Shipley confirmed that Resident A's guardian, Donna Gable was at the home recently. While there, Ms. Gable wanted her to look at Resident A's mouth, to which she did. Ms. Shipley noticed that Resident A's mouth was bleeding. Ms. Gable reportedly told Ms. Shipley that Resident A's mouth was unacceptable, to which she agreed. Ms. Shipley reportedly notified Mr. Visel as requested by Ms. Gable. Resident A was taken to the ER at the request of Ms. Gable.

Resident A returned home from the ER with 2 prescriptions, which were an oral antibiotic and mouthwash. Resident A also had a dentist appointment the following Monday (5/2/22). Since attending his appointment, it was recommended that Resident A soak his gauze in mouth wash and allow it to sit on his gums for 10 seconds, followed by brushing his teeth twice a day. Resident A is supposed to use a new toothbrush daily for 7 days and Ms. Shipley stated she is following the doctor's recommendations.

Ms. Shipley stated that Resident A usually goes to brush his teeth after breakfast. Prior to observing his mouth bleeding, Ms. Shipley stated that she had no indication that Resident A's oral hygiene was bad. Ms. Shipley confirmed that Resident A had a lot of decay in his teeth/mouth when the doctor saw him. Ms. Shipley stated that Resident A's plan of care, or Individualized Plan of Care (IPOS) through Network 180 mentions one hygiene goal, which is for staff to remind him to wash his hair. She was adamant that his plan of care did not mention anything related to his oral hygiene. Ms. Shipley showed me Resident A's IPOS, which confirmed that AFC staff are to prompt him 90% of time with washing and rinsing his hair when showering. There was no mention of oral hygiene. However, I observed Resident A's assessment plan, signed on 7/6/21 by Ms. Gable. The assessment plan indicates that Resident A needs help with bathing, grooming, and personal hygiene.

Regarding Resident A picking at his skin, Ms. Shipley confirmed that he does this. Ms. Shipley stated that Resident A is working with his psychiatrist on changing his medications as this has been an ongoing issue for him. Resident A told Ms. Shipley that he picks at his skin due to an ingrown hair.

On 5/6/22, I spoke to the facility administrator, Ben Visel via phone regarding Resident A's oral hygiene. He admitted that Resident A's dental hygiene was something that was let go and he didn't supervise this enough. Mr. Visel stated that during the pandemic, it was difficult to get people into the dentist and he "dropped the ball" with Resident A. Mr. Visel stated that Resident A struggled with gingivitis prior to this recent issue. Resident A had a dentist appointment this week and had his teeth cleaned and mouth washed. Since going to his dentist appointment, Mr. Visel stated that Resident A's gums and teeth have recovered. Mr. Visel stated that Resident A is scheduled for another cleaning in September with his dentist. Resident A is also on a call back list to be seen sooner if able. Mr. Visel stated that this incident with Resident A was "definitely a wake-up call." Mr. Visel stated that verbal prompts were adequate with Resident A but it's become increasingly aware that prompting is not enough, including with showering as it was determined that he would go in the bathroom and turn the water on for only 30 to 40 seconds. Mr. Visel stated that Resident A was previously involved with MOKA and that stopped due to the covid-19 pandemic. Mr. Visel stated that he has talked to Resident A's case manager about getting him back into Day Program. Mr. Visel feels that Resident A losing Day Program has made him lose interest in taking the initiative with things, especially his hygiene. Mr. Visel again shared that verbal prompts are no longer enough with Resident A and there needs to be very specific CLS goals outlined that

Ms. Shipley can assist with. Mr. Visel stated that Ms. Shipley is following instructions from Resident A's dentist and will continue to do so.

On 05/23/22, I conducted an exit conference with AFC administrator, Ben Visel. He was informed of the investigative findings and agreed to complete a corrective action plan.

APPLICABLE RULE	
R 400.14303	Resident care; licensee responsibilities.
	(2) A licensee shall provide supervision, protection, and personal care as defined in the act and as specified in the resident's written assessment plan.
ANALYSIS:	<p>Resident A stated that Ms. Shipley encourages him to brush his teeth. Despite this, Resident A's teeth/mouth was bleeding on 4/27/22. He was sent to the ER and diagnosed with severe gingivitis. Resident A was prescribed an oral antibiotic and mouthwash.</p> <p>Resident A's assessment plan indicates that he needs help with bathing, grooming, and personal hygiene. Ms. Shipley had no indication that Resident A's oral hygiene was bad prior to being sent to the ER.</p> <p>Mr. Visel acknowledged that Resident A's hygiene was "something that was let go" as he didn't supervise this enough. Resident A has been seen by his dentist and Ms. Shipley is now following all recommendations regarding his oral hygiene. Therefore, there is a preponderance of evidence to support the allegation.</p>
CONCLUSION:	VIOLATION ESTABLISHED

ALLEGATION: Ms. Shipley yells at residents and is not treating them with respect.

INVESTIGATION: On 5/4/22, I received a BCAL online complaint listing concerns regarding Ms. Shipley's behavior towards Resident B, where it states that Ms. Shipley is emotionally and verbally abusive towards him by calling him and other residents "dumb little babies" and "retarded people." Ms. Shipley reportedly yells at the residents almost daily and can't manage her emotions, even admitting that she is bi-polar. The residents are afraid of Ms. Shipley because she does not treat them with respect. Ms. Shipley told Resident B that her only job is to give the residents

food and their medication. Ms. Shipley goes to her room in the basement around 5:00 pm and tells the residents not to bother her unless it is a life-or-death situation.

On 5/4/22, I received an email from Donna Gable, guardian of Resident A and B stating that she would like to speak to me. Ms. Gable stated that it would also be beneficial to speak to Kerry Cox, a previous staff member of the facility. The guardian stated that Ms. Cox made multiple complaints to Ben Visel, administrator of the facility about how Ms. Shipley treats and talks to the residents. Ms. Cox reportedly told Ms. Gable that Ms. Shipley doesn't treat residents with respect and feels she abuses and neglects them.

On 5/5/22, I spoke to Donna Gable via phone. Ms. Gable confirmed the allegations listed above regarding Resident A and B. Ms. Gable confirmed that both Resident A and B are able to communicate, despite their diagnosis. Ms. Gable stated that it is her observation that Resident A is scared of Ms. Shipley. Regarding Resident B, Ms. Gable stated that Ms. Shipley has talked to him about sex. As mentioned above, Resident B is verbal. Although he has deficits, Ms. Gable stated that Resident B's deficits are not as defined as Resident A's. Ms. Gable stated that Resident B has told her that he's scared and that Ms. Shipley has come to him in an attempt to pry information from him. Resident B told Ms. Gable that when Ms. Shipley is downstairs, the residents are happy. Ms. Gable explained that she may likely begin to seek placement elsewhere for Resident A and B due to her concerns. I explained to Ms. Gable that I understand it is her job to advocate for her clients and if she feels placing them elsewhere would be beneficial to their well-being, then I encouraged her to do so.

On 5/5/22, I spoke to APS worker, Rodney Allen via email. We agreed to meet at facility tomorrow at 10:00 am.

On 5/6/22, Mr. Allen and I made an unannounced onsite investigation at the facility. Upon arrival, entry was made into the home and I interviewed Resident A in his room. I asked Resident A if anyone has ever called him stupid, dumb, or any other derogatory or degrading names and he stated no. Resident A was adamant that Ms. Shipley gives him his food and medication on time. Resident A denied any concerns within the home and denied that anyone told him not to tell me anything. During this interview, Resident A was observed smiling and appeared to be in a good mood.

After speaking to Resident A, Mr. Allen and I spoke to Resident B. Resident B stated that he has lived at the home for approximately 15 months. During his time at the home, Resident B stated that Ms. Shipley has called the residents "dumb as a bunch of fishes." Resident B stated that everyone (all residents) except himself is intimidated by Ms. Shipley and that he "just doesn't want to fight with her." Resident B stated that Ms. Shipley "has a mean disposition and she makes us feel like little dummies." Resident B stated that Ms. Shipley has told him that she's only here to give him breakfast, lunch, and dinner and that "I'm not here to be your friend."

Resident B stated that approximately 5 months ago, a resident who no longer resides in the home fell on the floor and peed himself. The resident was unable to get up on his own and he was on the floor for 3 hours or more. Resident B stated that he yelled downstairs to Ms. Shipley due to this emergency and she did not respond. Resident B stated that Ms. Shipley goes downstairs around 8:45 pm/9:00 pm and he usually goes to bed around 11:00 pm. Resident B stated that Ms. Shipley thinks he and other residents are children. Although Ms. Shipley has used choice words to describe the residents, Resident B denied that she has ever called anyone "retarded." Resident B stated, "my favorite time of the day is when she (Ms. Shipley) goes downstairs and away from us." I asked Resident B about Ms. Shipley reportedly having personal conversations with him. Specifically, related to her mental health and/or romantic life. Resident B initially stated, "I have to live here. She can make my life a living hell." Resident B went on to say that Ms. Shipley told him directly that she is bipolar. Resident B remained adamant on not discussing Ms. Shipley's romantic life in fear of retaliation and being placed elsewhere.

Resident B was asked about speaking to Ben Visel, administrator if he has concerns regarding Ms. Shipley. Resident B stated that he can't talk to Mr. Visel because he's busy. Therefore, everything must go through Ms. Shipley. Resident B stated that Mr. Visel told him directly to speak to Ms. Shipley first and she will relay his message or concerns to him. Resident B also expressed concerns for the heat during the winter months, stating that the temperature has been set to 66 degrees in the past. Resident B stated that Ms. Shipley yells at the residents 24/7. Resident B stated that the previous staff member, who is believed to be Ms. Cox, saw how Ms. Shipley treated the residents. Resident B added that approximately 2.5 months ago, Ms. Shipley told him to go to his room for 15 minutes due to "saying something to her." As a response to his statement, Ms. Shipley reportedly told Resident B to "shut up." Resident B went on to say that Ms. Shipley "can be really mean."

After speaking to Resident B, Mr. Allen and I spoke to Resident C. Resident C stated that he has been in the home since February 2022. I asked Resident C how things were going in the home and he stated, "it could be better." Resident C was asked to elaborate on his statement and he stated, "it's hard to live with the girl downstairs," referring to Ms. Shipley. Resident C stated that "she (Ms. Shipley) wants to treat us like kids." Resident C gave an example of residents making a mess in the home and Ms. Shipley yelling at a residents that didn't make the mess. Resident C stated that Ms. Shipley "yells and screams a lot." Resident C stated that Ms. Shipley has called him stupid on more than one occasion and he's heard her say the same thing to other residents in the home. Resident C stated that he now ignores Ms. Shipley when she calls him names. To avoid further issues with Ms. Shipley, Resident C stated, "when she gets in her mood, I come in here and hide," referring to his bedroom.

Resident C stated that Mr. Visel is usually not around so he is unable to tell him his concerns. However, Resident C stated that he has relayed his concerns to his case manager, who has reportedly relayed the concerns to Mr. Visel. Resident C stated

that there have been times that residents have been served “just lettuce” for dinner. Resident C was unable to give a specific date other than “recently.” Resident C stated that Ms. Shipley stated that the meal was a salad, but he was adamant that it was just lettuce with no meat. Resident C stated that this has occurred 4 to 5 times since he’s lived at the home. Resident C added that he had a BLT this past Monday and the sandwich only had 1 piece of bacon. Due to the food options, Resident C stated that he spent his own money to get the food he wants.

Resident C stated, “kind of” when asked if he feels safe in the home. Resident C is concerned that Ms. Shipley plays video games online and talks to strangers about how much money she has in her bank account. Resident C reportedly overheard Ms. Shipley telling someone on her video game that she has \$5,000 in her bank account. This causes concern for Resident C as he worries that someone may come to the house to get the money. Resident C stated that approximately 1 month ago, Ms. Shipley told him and Resident B that she put nude pictures on her TikTok account. Resident C stated that he didn’t know how to respond to her when she made this statement. Resident C stated that Ms. Shipley also had a guy at the home approximately 6-8 weeks ago, which was scary to him although he did not come upstairs where residents are.

After speaking to Resident C, Mr. Allen and I spoke to Resident D. Resident D has lived at the home for a couple of years and stated that he has a guardian and case manager. Resident D was asked how he feels about the home, and he stated, “not too good.” Resident D then denied any concerns with Ms. Shipley. Resident D then acknowledged that he’s concerned about what will happen if he talks to myself and APS. Resident D stated that he has talked to his guardian and case manager about his concerns. Resident D stated that he gets enough to eat during mealtime and reported that he feels safe in the home. Due to Resident D not wanting to discuss things further, this interview concluded.

After speaking to Resident D, APS worker Mr. Allen and I spoke to Ms. Shipley in the downstairs office area. I explained to her that residents have stated that she has called them “dumb as a bunch of fishes and stupid,” and other demeaning/degrading words. Ms. Shipley stated, “I definitely don’t think I said anything like that.” Ms. Shipley stated that if she did make comments of that nature, she is willing to apologize to everyone. Ms. Shipley stated that it has been brought to her attention that she can be short with residents. Ms. Shipley stated that Mr. Visel brought this to her attention and she has been working on this. Ms. Shipley stated that she has never tried to yell at the residents. Ms. Shipley stated “if short is demeaning, then yes I have been.”

Although Ms. Shipley denies making said statements, she stated that if residents feel that she made those statements, “I will apologize.” I then explained to Ms. Shipley that a resident said she told them that she’s only there to give them breakfast, lunch, and dinner. Ms. Shipley stated that she told them that her main goals are to keep them safe, feed them, and give their medications, amongst other

things. Ms. Shipley stated that residents know that they can talk to her when needed.

Ms. Shipley acknowledged that she told Resident B and C personal things such as being diagnosed with bipolar disorder. Ms. Shipley stated that she told this to Resident B because he was having a bad day and she wanted him to know that she could relate to him. Ms. Shipley also acknowledged that she talked to residents about her social media application, TikTok but she denied that she has posted or told residents that she posted nude photos. Ms. Shipley acknowledged that some of the information, such as her mental health should not be shared with residents. Ms. Shipley doesn't recall telling Resident B to shut up at any time but she stated she has asked him to calm down. Regarding Ms. Shipley trying to send Resident A to his room during a past incident between the two, Ms. Shipley stated that "when a resident is heated, I ask them to step away or go into their room" in an attempt to deescalate the situation. When asked about talking to residents about her dating life, Ms. Shipley acknowledged that she may have discussed this as a joke. She did not expand on this further. Ms. Shipley denied telling Resident C that he's stupid. Ms. Shipley stated that maybe residents are misunderstanding her when she tells them things. When she tells residents things, Ms. Shipley believes that residents may think she's yelling at them or nagging. Ms. Shipley also denied the residents being fed only lettuce as a meal.

Ms. Shipley stated that she wonders how much the residents overhear when she is downstairs in the basement talking to people because she doesn't recall telling them how much money she has in her bank account. She did acknowledge that she had a visitor at the home a few weeks ago but she was adamant that he never made his way upstairs.

On 5/6/22, I spoke to the facility administrator, Ben Visel via phone. Mr. Visel explained that there were previous concerns at the home that ranged from the home reportedly not being clean and a resident not being shaved enough. Mr. Visel stated that there was a substantiated complaint by Recipient Rights this year due to residents not getting up in time to have breakfast and missing their bus to attend Day Program. Mr. Visel stated that Donna Gable reached out to him about an incident between Resident B and Ms. Shipley. Ms. Shipley reportedly drove Resident B to another visit so he could visit his niece. Resident B reportedly got out of the car and fell directly next to it. Ms. Shipley reportedly did not help Resident B after his fall and Ms. Gable reportedly felt that it showed a lack of compassion on Ms. Shipley's part. Mr. Visel spoke to Resident B about this incident, and he stated that he fell down the steps of the home, and not next to the car. Resident B told Mr. Visel that Ms. Shipley was on her phone when he fell. Ms. Shipley told Mr. Visel that she did not witness Resident B fall and he thinks that she would have helped him if she did witness it. Mr. Visel stated that Resident B was only upset about having his time cut short with his niece due to having to take a covid test and wait 20 minutes for the results prior to spending time with his niece.

Mr. Visel mentioned that Ms. Cox, a previous employee at the facility, stated that she was not offended by things that Ms. Shipley said to her directly because the two were friends. However, Ms. Cox told Mr. Visel that Ms. Shipley was sharing information to her that should have been private while in the presence of the residents. Mr. Visel addressed this with Ms. Shipley and told her not to have personal conversations around the residents.

With regard to Ms. Shipley and her social media accounts, Mr. Visel stated that he knows residents have phones and are aware that anyone can follow you on social media. Therefore, he told Ms. Shipley to protect herself and be aware of what she's putting on social media. Ms. Shipley admitted to Mr. Visel that she would post things on gaming forums, which included swearing. Mr. Visel did not delve into the specifics of what Ms. Shipley was posting as he didn't think he needed to with it being personal.

I then explained to Mr. Visel that residents expressed that Ms. Shipley has insulted them with choice words. Mr. Visel stated that he had no knowledge of the reported insults by Ms. Shipley directly to the residents. Mr. Visel stated that he's checked in with residents often without Ms. Shipley's presence so they could speak to him about anything. During his time speaking to residents privately, Mr. Visel stated that none of them expressed concern about the language used towards them. Mr. Visel stated that it has been brought to his attention that Ms. Shipley has told residents not to bother her downstairs unless it's an emergency. Mr. Visel gave an example of residents telling her the salt was empty while she's in the basement and she responded by stating "that's not an emergency." Mr. Visel addressed this issue with Ms. Shipley and explained to her that she can communicate things to residents in a better way. Mr. Visel stated that how Ms. Shipley responds to the residents is just as important as the response. Mr. Visel stated that he talked to Ms. Shipley about making regular visits upstairs too.

Mr. Visel stated that he does not have any concerns that Ms. Shipley is threatening residents in the home. Mr. Visel stated that he's in the home multiple times per week and doesn't see this. Prior to licensing and APS coming to the home, Mr. Visel stated that Ms. Shipley reassured all residents to speak freely and honest. In addition to this, Mr. Visel denied telling residents that they can't speak to him. Mr. Visel reiterated that he's in the home often and available to talk, as well as residents being able to tell Ms. Shipley that they want to speak with him. Mr. Visel acknowledged that he has told residents to share their needs with Ms. Shipley. However, if they have concerns about Ms. Shipley, they can talk to him directly.

On 5/20/22, I spoke to Kerry Cox via phone. Ms. Cox is an ex-employee of the AFC home. Ms. Cox stated that she worked in the home for approximately a year and-a-half between October 20, 2022 and April 15th, 2022. Ms. Cox was a relief staff member and primarily worked two days a week for 6 to 7 hours. Ms. Cox stated that part of the reason she resigned from the AFC home was due to "not being able to deal with how Ms. Shipley treats the residents." Ms. Cox expanded on her statement

by saying that when residents would ask Ms. Shipley for help, she would yell at them saying "I told you we're not doing that right now, you repeatedly ask me the same things, or can't you see I'm making dinner right now?" In addition to Ms. Shipley yelling at residents, she would complain about one resident while in the presence of another, which Ms. Cox stated was inappropriate.

Ms. Cox stated that Ms. Shipley told her that she was recently diagnosed with bipolar disorder. Ms. Cox stated that Ms. Shipley's diagnosis, in addition to her being unhappy in general, was causing her to yell at the residents. Ms. Cox stated that she made the home administrator, Ben Visel aware of her concerns and he reportedly talked to her about being more patient with the residents.

Ms. Cox stated that Resident B told her that Ms. Shipley said personal things in his presence or directly to him, such as how much money she makes. Ms. Cox stated that Ms. Shipley told her that she asked Resident B and C if the response she received from a guy she was talking to online was a "normal guy response" in an attempt to have a male's opinion.

Ms. Cox stated that Resident B complained to her about the food quality and quantity as he felt like he did not receive enough. Resident B told Ms. Cox that when Ms. Shipley cooked, none of the residents were full. When she (Ms. Cox) cooked, the residents told her that they were full. Ms. Cox stated that she expressed this concern to Mr. Visel as well and as a result, he made Ms. Shipley send him pictures of the meals she made, which caused her to be upset. Ms. Cox stated that the quality of the food was due to Ms. Shipley rushing to cook it as she wanted to "get out of there," referring to going back in the basement to be away from the residents. Ms. Cox stated that she felt bad leaving the residents at the home with Ms. Shipley because the residents have told her that Ms. Shipley does not care about them.

Ms. Cox stated that Ms. Shipley's attitude, yelling, and shortness with residents was consistent throughout the home and not directed towards one particular person. Despite Ms. Shipley yelling at residents and being short with them, Ms. Cox denied that she has ever heard or witnessed Ms. Shipley call any of the residents "dumb, stupid or retarded" or any other degrading or derogatory names.

On 5/16/22, I spoke to Mr. Visel via phone. He stated that he did have a house meeting with all of the residents, as well as Leone Swanberg (owner/designee). Mr. Visel felt it was important to have Ms. Swanberg present to have another person to speak on how the meeting went. Mr. Visel stated that the house meeting went well and Ms. Shipley apologized to residents for sharing too much information with them or in their presence. Ms. Shipley also apologized for any negative tone she may have used and/or for insulting them with her words.

Mr. Visel also stated that there was an incident a couple days after I left the home. He stated that Resident B was making coffee and Ms. Shipley asked him if he was using the house coffee supply or his own. Resident B reportedly snapped back at Ms. Shipley by telling her to stay out of his business and that he will call APS on her

again. Mr. Visel stated that this concerned Ms. Shipley. Mr. Visel then explained that residents can make complaints to APS or other agencies whenever they want. However, they don't need to notify staff when they do. Mr. Visel mentioned this as he stated he hopes the residents and Ms. Shipley can all be on the same page and have a clean slate moving forward. Except for this incident, Mr. Visel stated that Ms. Shipley is getting along well with the residents. Mr. Visel stated that he had a private conversation with Resident B and assured him that he's not going to give him a discharge notice. However, if Resident B wants to leave on his own will, he is able to do so. Resident B reportedly told Mr. Visel that he doesn't want to leave and that he is happy in the home.

On 05/23/22, I conducted an exit conference with AFC administrator, Ben Visel. He was informed of the investigative findings and agreed to complete a corrective action plan.

APPLICABLE RULE	
R 400.14305	Resident protection.
	(3) A resident shall be treated with dignity and his or her personal needs, including protection and safety, shall be attended to at all times in accordance with the provisions of the act.
ANALYSIS:	<p>Resident B stated that Ms. Shipley has called residents dumb, and told him to shut up.</p> <p>Resident C stated that Ms. Shipley treats the residents like kids and yells and screams often. Resident C stated that Ms. Shipley called him stupid on more than one occasion and heard her say the same thing to other residents. Resident C stated that Ms. Shipley told him and Resident B that she posted nude pictures on TikTok.</p> <p>Ms. Cox previously worked in the home for a year-and-a-half and acknowledged that she has witnessed Ms. Shipley yelling at residents.</p> <p>Ms. Shipley denied calling residents names but did acknowledge that she has been short with them.</p> <p>Mr. Visel stated he was aware that Ms. Shipley was reportedly having personal conversations with Ms. Cox in the presence of residents, to which he told her to stop. Mr. Visel stated he was unaware of Ms. Shipley insulting residents directly as he has spoken to residents and they have never disclosed this information to him.</p>

	Based on two residents and a previous staff member stating that Ms. Shipley yells at the residents, there is a preponderance of evidence to support the allegation. It is also concerning Ms. Shipley was sharing personal information with residents.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

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

Anthony Mullins

05/23/2022

 Anthony Mullins
 Licensing Consultant

 Date

Approved By:

Jerry Hendrick

05/23/2022

 Jerry Hendrick
 Area Manager

 Date