



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

August 11, 2022

Janet Patterson
Advocates for Self Determination, LLC
Suite 102
28237 Orchard Lake Rd.
Farmington Hills, MI 48334

RE: License #: AS630309605
Investigation #: 2022A0612003
Philip AFC

Dear Ms. Patterson:

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 (248) 975-5053.

Sincerely,

A handwritten signature in cursive script that reads "Johnna Cade". The signature is written in black ink and is positioned below the word "Sincerely,".

Johnna Cade, Licensing Consultant
Cadillac Place
3026 W. Grand Blvd. Ste 9-100
Detroit, MI 48202
Phone: 248-302-2409

enclosure

**MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF COMMUNITY AND HEALTH SYSTEMS
SPECIAL INVESTIGATION REPORT
THIS REPORT CONTAINS QUOTED PROFANITY**

I. IDENTIFYING INFORMATION

License #:	AS630309605
Investigation #:	2022A0612003
Complaint Receipt Date:	06/17/2022
Investigation Initiation Date:	06/17/2022
Report Due Date:	08/16/2022
Licensee Name:	Advocates for Self Determination, LLC
Licensee Address:	Suite 102 - 28237 Orchard Lake Rd. Farmington Hills, MI 48334
Licensee Telephone #:	(248) 723-7152
Administrator:	Janet Patterson
Licensee Designee:	Janet Patterson
Name of Facility:	Philip AFC
Facility Address:	23823 Philip Dr. Southfield, MI 48075
Facility Telephone #:	(248) 353-9702
Original Issuance Date:	11/03/2011
License Status:	REGULAR
Effective Date:	12/25/2020
Expiration Date:	12/24/2022
Capacity:	6
Program Type:	PHYSICALLY HANDICAPPED DEVELOPMENTALLY DISABLED MENTALLY ILL AGED

II. ALLEGATION(S)

	Violation Established?
<ul style="list-style-type: none"> Ms. Box and Ms. Burnett have drunk alcohol with Resident A on unknown dates during their shifts. Ms. Box is "leading (Resident A) on" and stated that if Resident A no longer lived in the home, they could date. Resident A has purchased Ms. Box a carton of cigarettes and Ms. Box purchased Resident A cake for his birthday. 	No
Resident A requires 24/7 supervision and staff should be present with him at all times. Ms. Box leaves Resident A inside the home alone while she goes to her car to smoke cigarettes.	No
On unknown dates and times Resident A must babysit Ms. Box's daughter at the home.	No
Ms. Burnett and Ms. Box curse at Resident A. On 6/8/2022, Ms. Box was overheard telling Resident A "I will whup your ass."	Yes

III. METHODOLOGY

06/17/2022	Special Investigation Intake 2022A0612003
06/17/2022	Contact - Telephone call made Call to reporting source, Recipient Rights Specialist Darlita Paulding. No answer. left voicemail requesting a return call
06/17/2022	APS Referral I received a referral from Adult Protective Services (APS). The assigned worker is, Tina Edens
06/21/2022	Contact - Telephone call received I received a call from Recipient Rights Specialist, Darlita Paulding. These allegations will be investigated by Ms. Paulding. Resident A is in Samaritan Center at this time
06/27/2022	Inspection Completed On-site On 06/27/22, I conducted an unannounced onsite inspection with Recipient Rights Specialist, Darlita Paulding. I interviewed home manager, Yolonda Burnett, Resident B, Resident C, Resident D, Resident E and Resident E's guardian.

06/29/2022	Contact - Telephone call made I conducted a telephone interview with assistant home manager, Shanessa Box, CNS worker Racquel Roney, and Resident A
06/29/2022	Contact - Document Received Recipient Right Specialist, Darlita Paulding emailed a copy of Resident A's Individual Plan of Service (IPOS)
07/26/2022	Exit Conference Held with Clinical Director, Shannon Patterson
08/26/2022	Exit Conference Held with Licensee, Janet Patterson

ALLEGATION:

- **Ms. Box and Ms. Burnett have drunk alcohol with Resident A on unknown dates during their shifts.**
- **Ms. Box is "leading (Resident A) on" and stated that if Resident A no longer lived in the home, they could date.**
- **Resident A has purchased Ms. Box a carton of cigarettes and Ms. Box purchased Resident A a cake for his birthday.**

INVESTIGATION:

On 06/17/22, I received a complaint from Adult Protective Services (APS) that indicated, home manager, Yolanda Burnett and assistant home manager, Shanessa Box have children at the home. On unknown dates and times, Resident A must babysit Ms. Box's daughter at the home. Resident A requires 24/7 supervision and staff should be present with him at all times. Ms. Box leaves Resident A inside the home alone while she goes to her car to smoke cigarettes. Ms. Burnett and Ms. Box curse at Resident A. On 6/8/2022, Ms. Box was overheard telling Resident A "I will whup your ass." Ms. Box and Ms. Burnett have drunk alcohol with Resident A on unknown dates during their shifts. Ms. Box is "leading (Resident A) on" and stated that if Resident A no longer lived in the home, they could date. Resident A has purchased Ms. Box a carton of cigarettes and Ms. Box has purchased Resident A a cake for his birthday. Ms. Box rejected Resident A and he threw liquor in her face.

On 06/27/22, I conducted an unannounced onsite inspection with Recipient Rights Specialist, Darlita Paulding. I interviewed home manager, Yolonda Burnett, Resident B, Resident C, Resident D, Resident E and Resident E's guardian.

On 06/27/22, I interviewed, Resident B. Resident B stated his memory is "not that good." Resident B stated assistant home manager, Shanessa Box does her job really well and he likes her a lot. Resident B stated Ms. Box and Resident A are close.

Resident B does not believe that Resident A and Ms. Box exchange gifts. Ms. Box treats all the residents professionally. Resident B stated, Resident A may think that his relationship with Ms. Box is something more, but Resident B does not believe that it is. Resident B has never seen any staff drinking alcohol at the home. Resident B stated Resident A goes out with his friends and drinks alcohol. He has not seen Resident A drinking alcohol at home or with staff.

On 06/27/22, I interviewed Resident C. Resident C stated he does not know the relationship between Resident A and Ms. Box, but he does not believe the two were romantically involved. Resident C remarked, Ms. Box is a nice lady. Two weeks ago, on an unknown date, Resident A poured pop in Ms. Box's face. This occurred outside, at night. Resident C stated Ms. Box did not engage with Resident A she just came inside the house and kept working. Resident C stated Resident A is always arguing with Ms. Box, but she does not argue back. Resident C stated Ms. Box's buys all the residents' gifts for their birthdays and Christmas. He does not believe Ms. Box buys Resident A gifts outside of these occasions. Resident C stated he does not buy any staff gifts. Resident C remarked, Resident A treats women poorly. Resident A was terminated from his past job at Dollar General for an issue involving a female employee.

On 06/27/22, I interviewed Resident D. Resident D stated he has never seen Resident A drink alcohol at the home. Resident A may go out and drink with his friends, but he has not seen Resident A drink with staff. Resident D stated Ms. Box gives all the resident's gifts on Christmas and on their birthdays. He has not seen Ms. Box and Resident A exchange gifts outside of those occasions.

On 06/27/22, I interviewed Resident E. Resident E stated he has not seen or smelled alcohol in the home. Resident E stated he has not received gifts from staff, and he does not purchase gifts for staff. He does not believe Resident A has received and/or purchased gifts for staff. Resident E stated he does not believe that Resident A is romantically involved with Ms. Box.

On 06/27/22, I interviewed Resident E's guardian. Resident E's guardian stated Resident E moved into the Philip AFC home in February 2022. Resident E's guardian has no concerns about the care Ms. Box and/or Ms. Burnett provide to the residents.

On 06/27/22, I interviewed home manager, Yolanda Burnett. Ms. Burnett stated she has worked at the Philip AFC home for one year. Ms. Burnett stated Resident A's guardian has suggested that Resident A and Ms. Box have a romantic relationship because Ms. Box bought gifts for Resident A. Ms. Burnett explained, Resident A smokes a lot of cigarettes. When he runs out, sometimes his guardian will refuse to bring more over. As such, she and/or Ms. Box have bought cigarettes for Resident A. In addition, on Resident A's birthday Ms. Box bought a birthday cake for Resident A. Ms. Box buys all the residents' gifts on their birthday. Resident A has not received special attention or gifts. Ms. Burnett stated Resident A has expressed that he wants a girlfriend and has further expressed romantic interest in Ms. Box. Ms. Burnett stated Ms. Box maintained a professional relationship with Resident A and told Resident A that "it's not that type of

party” which means she does not have a romantic interest in Resident A. Resident A started calling Ms. Box “poo.” Ms. Box redirected Resident A and asked him not to call her that. Resident A asked Ms. Box if she liked him and she explained to him that she is a staff, he is a resident, and she has a job to do. Ms. Burnett stated she has heard Ms. Box on numerous occasions tell Resident A that she does not like him romantically and she explained to him that their relationship is professional. Ms. Burnett stated Resident A got fired from his previous job at Dollar General for a similar issue with a female employee. Resident A also had a “crush” on another staff, Tonya Spears. Ms. Spears also “shot him down” which upset Resident A so he would verbally attack Ms. Spears. Ms. Burnett stated Resident A misunderstands relationships and when women are nice to him, he thinks they are interested in him romantically.

Ms. Burnett stated on an unknown date Resident A told her and Ms. Box that he was going to buy them a Mother’s Day gift. Sometime after Mother’s Day, Resident A walked into the kitchen and placed a brown grocery bag on the table in front of Ms. Box. Ms. Burnett stated she could see two packs of cigarettes in the bag, there was something else in the bag too, but she could not see what it was. Ms. Burnett stated Resident A did not get her a gift. Ms. Box did not acknowledge the gift or show her what was inside of the bag. When Ms. Box left her shift, she took the bag with her. Ms. Burnett stated she later asked Ms. Box to return the gift to Resident A. Ms. Box brought the bag back and it was returned to Resident A. When Ms. Box gave Resident A back the gift, he told her that he got Ms. Box cigarettes to pay her back for all the cigarettes she has purchased for him in the past. Ms. Burnett stated she does not believe Resident A and Ms. Box were involved in a romantic relationship of any kind.

Ms. Burnett stated on two occasions Resident A has come back to the home intoxicated. Ms. Burnett stated Resident A does not consume alcohol in the home or with staff. Ms. Burnett denied ever drinking alcohol with Resident A. Ms. Burnett stated on an unknown date, Ms. Box arrived early for her scheduled shift and was sitting in her car in the driveway talking on the phone. Resident A arrived home in a Lyft, and he heard Ms. Box in her car, on the phone, laughing. Resident A thought Ms. Box was laughing at him. Resident A approached Ms. Box’s car and poured liquor on her through the sunroof of her car. Ms. Burnett stated that Ms. Box called her and told her she needed to come to the home. Ms. Burnett arrived at the home and spoke to Resident A. Resident A said he poured liquor on Ms. Box because he thought Ms. Box was laughing at him.

On 06/29/22, I conducted a telephone interview with Resident A. Resident A is currently a patient at the Samaritan Center. Resident A stated he and Ms. Box are friends with limits because she is a staff and he is a resident. Resident A stated he was never romantically and/or sexually involved with Ms. Box. Resident A remarked, “I liked her, but she did not like me.” Resident A stated that he does not know why his mom/guardian made these allegations. Resident A further stated, “my mom is bat shit crazy. If a girl gets too close to me, she gets between it. She’s obsessed with me.” Resident A stated on an unknown date, he poured alcohol on Ms. Box. Resident A stated it was wrong and inappropriate of him to do this. Resident A was upset because he felt like he

and Ms. Box were friends and she told him they had to keep their relationship professional. Resident A stated Ms. Box has never suggested that they could date under any circumstances.

Resident A stated on unknown dates he drank Bacardi and Hennessy with Ms. Box, in her car, while she was on shift. Resident A stated he purchased the alcohol that they consumed. Resident A stated he has bought Ms. Box gifts in the past, but these gifts were "professional and nothing inappropriate." Resident A bought Ms. Box a bear and a purse. Ms. Box bought him wireless speakers and cigarettes.

On 06/29/22, I conducted a telephone interview with assistant home manager, Shanessa Box. Ms. Box stated she has been employed at the Philip AFC home since 2019, she works on all shifts. Ms. Box stated she is being targeted by Resident A's guardian. Ms. Box stated she and Resident A are the same age. Resident A compares himself to her. Resident A says he wants a family and wants to be loved. Ms. Box stated she spends over 40 hours a week at the Philip home and Resident A does not understand that she is there to work. Resident A has told her that he likes her and that he wants to be around her. Ms. Box explained to Resident A that they have a client and staff relationship, and they can only talk about client and staff related things. This upset Resident A. Ms. Box has never told Resident A that they could date under any circumstances.

Ms. Box stated on Mother's Day, Resident A gave her a gift. She put the gift in her car and did not look at it. Ms. Box stated, Ms. Burnett asked her to return the gift to Resident A. Ms. Box gave the bag to Ms. Burnett who told her there were two packs of cigarettes in the bag. Resident A also got her a gift for Christmas. Ms. Box stated she is unsure what the gift was as she did not look at it. She donated the gift as she does whenever she receives anything from a resident. Ms. Box stated the gift may have been a bag or a purse. Ms. Box stated she has purchased Resident A gifts on Christmas and for his birthday. These gifts include an outfit and Axe body spray. Ms. Box stated she gives gifts to all the residents on their birthdays and on Christmas.

Ms. Box stated on an unknown date she arrived early for her shift. She was sitting in her car talking on the phone. Resident A pulled up in a different car. Resident A walked to the porch then walked back to her car and poured alcohol in the sunroof of her car and said, "that's what you get bitch." Ms. Box could not believe what happened, she called Ms. Burnett and asked her to come to the home. Ms. Box stated she has never seen Resident A drink alcohol in the home. Ms. Box denied drinking alcohol with Resident A on any occasion. Ms. Box has never witnessed Ms. Burnett drinking alcohol with Resident A.

On 06/29/22, I interviewed CNS case manager, Racquel Roney. Ms. Roney stated Resident A's guardian is a poor source of information and often changes her story. Ms. Roney stated Resident A's guardian did not report the alleged incidents to her in real time. Ms. Roney stated Resident A is currently at the Semaritan Center, he was

petitioned by his guardian. Resident A was found guilty of attacking state police officers and is awaiting sentencing. Resident A never informed her of any issues involving Ms. Burnett and/or Ms. Box. Resident A told Ms. Roney that he poured alcohol on Ms. Box because he thought she was laughing at him. When this incident occurred, Resident A did not say that he had drank alcohol with Ms. Box.

On 07/06/22, I interviewed Recipient Rights Specialist, Darlita Paulding. Ms. Paulding stated on 06/17/22, she interviewed Resident A's guardian. Resident A's guardian alleged that staff drink alcohol with Resident A. Ms. Box has bought Resident A gifts that include cigarettes, designer purses, a cake, a sweat suit, and speakers. Ms. Box told Resident A when he no longer lives in the home, they could date. Then, Ms. Box rejected Resident A. Resident A threw liquor in her face because Ms. Box was laughing at him and rejecting him.

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:	Based on the information gathered through my investigation, there is insufficient information to conclude that home manager, Yolanda Burnett and/or assistant home manager, Shanessa Box were not suitable to meet the physical, emotional, intellectual, and social needs Resident A. Resident A and Ms. Box denied being involved in a romantic relationship with one another. It was consistently reported that Ms. Box has purchased gifts for all residents this includes but is not limited to Resident A. Resident A stated he has purchased gifts for Ms. Box, he understands that these gifts were given to Ms. Box platonically. Ms. Box returned the gift. Although Resident A reports he consumed alcohol with Ms. Box. Ms. Box denied the allegation. There were no other reports of Ms. Box consuming alcohol on shift and/or with Resident A.
CONCLUSION:	VIOLATION NOT ESTABLISHED

ALLEGATION:

Resident A requires 24/7 supervision and staff should be present with him at all times. Ms. Box leaves Resident A inside the home alone while she goes to her car to smoke cigarettes.

INVESTIGATION:

On 06/27/22, I interviewed, Resident B. Resident B stated that there are always staff at the home. Staff may go on the porch to smoke, but there is always someone available.

On 06/27/22, I interviewed Resident C. Resident C stated staff go outside to smoke, but they are always on the premises.

On 06/27/22, I interviewed Resident D. Resident D stated staff do not leave him and his housemates' home alone. Staff do sit in their cars and smoke leaving them unattended. Resident D stated there is always staff available in his home.

On 06/27/22, I interviewed Resident E. Resident E stated staff do not leave him alone inside of the home while they smoke in their cars.

On 06/27/22, I interviewed Resident E's guardian. Resident E's guardian stated Resident E moved into the Philip AFC home February 2022. He visits the home two to three times a week to pick up Resident E. Resident E's guardian stated he has never found Resident E alone in the house while the staff were outside.

On 06/27/22, I interviewed home manager, Yolanda Burnett. Ms. Burnett stated the home has two staff on shift during the morning and evening shift. There is one staff on midnight shift. Ms. Burnett stated staff do not leave residents unattended while taking smoke breaks.

On 06/29/22, I conducted a telephone interview with assistant home manager, Shanessa Box. Ms. Box stated while on shift, she sometimes takes a three-to-five-minute smoke break. She smokes outside in the smoking area or in her car. Ms. Box stated if she smokes in her car, there is always another staff inside of the house with the residents.

On 06/29/22, I conducted a telephone interview with Resident A. Resident A stated, on unknown dates staff go outside to their cars to smoke cigarettes. Resident A sometimes goes with the staff outside to smoke and other times he stays inside of the home or on the front porch. Resident A stated, he is "fine" when staff go to their cars to smoke. There are no issues.

On 07/06/22, I interviewed Recipient Rights Specialist, Darlita Paulding. Ms. Paulding stated on 06/17/22, she interviewed Resident A's guardian. Resident A's guardian alleged that staff leave the residents in the home and go smoke in their car. However, since the initiation of this investigation everyone has been on their best behavior. There are no kids at the home and staff are smoking on the back porch in the smoking area.

On 07/22/22, I reviewed Resident A's Individual Plan of Service (IPOS) dated 09/13/21. Resident A has independent community accesses. Resident A's IPOS does not

specifically state that he requires 24/7 supervision, and he cannot be unsupervised at home.

On 08/02/22, I reviewed the staff scheduled dated 06/12/22 – 06/25/22. The shifts are as follows: 8:00 am – 4:00 pm, 12:00 pm – 8:00 pm, 4:00 pm – 12:00 am and 12:00 am – 8:00 am. There are two staff scheduled on shift daily from 12:00 pm - 8:00 pm.

APPLICABLE RULE	
R 400.14206	Staffing requirements.
	(2) A licensee shall have sufficient direct care staff on duty at all times for the supervision, personal care, and protection of residents and to provide the services specified in the resident's resident care agreement and assessment plan.
ANALYSIS:	Based on the information gathered through my investigation, there is insufficient information to conclude that there is not sufficient direct care staff on duty at all times for the supervision, personal care, and protection of Resident A. Resident A's Individual Plan of Service (IPOS) dated 09/13/21, indicates Resident A has independent community accesses. Resident A's IPOS does not specifically state that he requires 24/7 supervision, and he cannot be unsupervised at home. Other than Resident A's statement, there were no reports that Ms. Box has left Resident A or any resident inside the home alone while she has gone to smoke in her car. Per the staff schedule dated 06/12/22 – 06/25/22, there are two staff scheduled on shift daily from 12:00 pm - 8:00 pm.
CONCLUSION:	VIOLATION NOT ESTABLISHED

ALLEGATION:

On unknown dates and times Resident A must babysit Ms. Box's daughter at the home.

INVESTIGATION:

On 06/27/22, I interviewed, Resident B. Resident B stated his memory is "not that good." Resident B stated assistant home manager, Shanessa Box does her job really well and he likes her a lot. Once in a while, Ms. Box brings her two children ages five and three to work with her. He enjoys having the kids at the home and stated Ms. Box never leaves her kids alone or unattended. Resident B stated he nor any of his housemates have babysit Ms. Box's children. While Ms. Box cooks dinner, Resident A has volunteered to entertain the kids so she can cook. Resident A and the kids watch

movies together. Resident B stated he has never heard Ms. Box ask Resident A to watch the kids for her. Resident B has never seen home manager, Yolanda Burnett's children in the home.

On 06/27/22, I interviewed Resident C. Resident C stated he moved into the Philip AFC home in February 2022. Resident C works Monday – Wednesday 9:00 am-5:00 pm and he regularly spends time at this brother's house in Auburn Hills, Michigan. Working and spending time with family puts him out of the home often. Resident C stated he has never seen and/or heard of staff bringing their kids to the home. Resident C stated he has never been asked to babysit any of the staff's kids.

On 06/27/22, I interviewed Resident D. Resident D has lived in the Philip AFC home for three years. Resident D stated, he regularly spends times at his mother's house thus, being out of the home often. Resident D has never seen and/or heard about staff bringing their kids to the house.

On 06/27/22, I interviewed Resident E. Resident E stated he has never seen any staff's kids in the home.

On 06/27/22, I interviewed Resident E's guardian. Resident E's guardian stated Resident E moved into the Philip AFC home February 2022. He visits the home two to three times a week to pick up Resident E. Resident E's guardian stated he has seen kids outside in a car in the driveway, but he has never seen the kids inside of the house. He is not sure who's children they were.

On 06/27/22, I interviewed home manager, Yolanda Burnett. Ms. Burnett stated around the holidays and once in the summer she has brought three of her grandchildren (ages nine and ten) to the Philip AFC home. During the holidays, Ms. Box also brought her two kids (ages eight and twelve) to the home. Ms. Burnett stated none of the residents were asked to babysit her or Ms. Box's children.

On 06/29/22, I conducted a telephone interview with assistant home manager, Shanessa Box. Ms. Box stated on Christmas and Thanksgiving she has brought her daughter (age six) and her son (age eleven) to the home. Ms. Box stated she has never asked Resident A to watch her children.

On 06/29/22, I conducted a telephone interview with Resident A. Resident A stated on unknown dates Ms. Box and direct care worker, Latoya Spears would bring their kids to the Philip AFC home. Resident A stated Ms. Box had two kids and Ms. Spears had a "whole daycare." Resident A loves having the kids at his house and said, "they are my buddies." When the kids are over Resident A said he "looked out for them," they watch movies, play X-box, and eat candy. Resident A stated he was never asked to babysit any staff persons kids.

On 07/06/22, I interviewed Recipient Rights Specialist, Darlita Paulding. Ms. Paulding stated on 06/17/22, she interviewed Resident A's guardian. Resident A's guardian

stated three months ago she saw direct care worker, Shanessa Box's daughter in the home. Resident A has babysat Ms. Box's daughter. Home manager, Yolanda Burnett has also had her grandchildren in the home.

On 07/22/22, I reviewed Resident A's Individual Plan of Service (IPOS) dated 09/13/21. Resident A's IPOS does not indicate that he is currently employed.

APPLICABLE RULE	
R 400.14305	Resident protection.
	(2) All work that is performed by a resident shall be in accordance with the written assessment plan.
ANALYSIS:	Based on the information gathered through my investigation, there is insufficient information to conclude that Resident A performed worked that is not in accordance with his written assessment plan. Resident A's IPOS does not indicate that he is currently employed. Resident A denies being made to and/or asked to babysit any staff person's children. Resident A stated, he loves having the children in the home and chooses to "look after them" by playing video games and watching movies.
CONCLUSION:	VIOLATION NOT ESTABLISHED

ALLEGATION:

Ms. Burnett and Ms. Box curse at Resident A. On 6/8/2022, Ms. Box was overheard telling Resident A "I will whup your ass."

INVESTIGATION:

On 06/27/22, I interviewed, Resident B. Resident B stated he has never heard Ms. Box use profanity. Resident B remarked, "she speaks to us with the upmost respect." Resident B denied ever hearing home manager, Ms. Burnett use profanity and/or say to Resident A that she would "whoop his ass" or any variation of this phrase.

On 06/27/22, I interviewed Resident C. Resident C stated the staff all treat him well, prepare good food, and do not use profanity around him. Resident C stated, "I don't like (Resident A) he was always cutting up." Resident C stated, Resident A caused a lot of confusion, and he is glad that he is not at the home right now.

On 06/27/22, I interviewed Resident D. Resident D stated staff do not use profanity towards him and/or the other residents.

On 06/27/22, I interviewed Resident E. Resident E stated all the staff speak to him kindly and do not use profanity.

On 06/27/22, I interviewed home manager, Yolanda Burnett. Ms. Burnett stated she does not use profanity towards any residents however remarks, on an unknown date when Resident A was “acting silly” she may have said, “calm your ass down.” Ms. Burnett stated she has never heard Ms. Box use profanity towards any resident. Ms. Burnett stated two to three weeks ago, Resident A’s guardian told her that she has heard Ms. Box tell Resident A that she was going to “whoop his ass.” Ms. Burnett stated she did not hear Ms. Box make this comment.

On 06/29/22, I conducted a telephone interview with assistant home manager, Shanessa Box. Ms. Box stated she has not used profanity while speaking to Resident A. Ms. Box stated she has not heard Ms. Burnett use profanity while speaking to Resident A. Ms. Box stated when Resident A is upset, he swears a lot. Resident A has told her, “I’ll whoop your ass.” Ms. Box stated she verbally redirects Resident A when he makes comments such as this to her.

On 06/29/22, I conducted a telephone interview with Resident A. Resident A stated when Ms. Burnett is upset, she uses profanity towards him. Resident A remarked on an unknown date, Ms. Burnett told him to “sit my ass down.” Resident A stated no staff has said to him “I will whup your ass” or any variation of this phrase. Resident A remarked, “I don’t play that.”

On 07/06/22, I interviewed Recipient Rights Specialist, Darlita Paulding. Ms. Paulding stated on 06/17/22, she interviewed Resident A’s guardian. Resident A’s guardian stated Ms. Burnett would curse at Resident A. Resident A’s guardian further stated she heard Ms. Box say to Resident A, “I will whop your ass.”

On 07/26/2022, I held an exit conference with Clinical Director, Shannon Patterson. I informed Ms. Patterson of the investigative findings and recommendations documented in this report.

On 08/03/2022, I held a second exit conference with the licensee, Janet Patterson. I informed Ms. Patterson of the investigative findings and recommendations documented in this report. Ms. Patterson stated she would complete the recommended corrective action plan and address home manager, Yolanda Burnett regarding the violation that involves her.

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: (ii) Verbal abuse.
ANALYSIS:	Based on the information gathered through my investigation, there is sufficient information to conclude home manager, Yolanda Burnett was verbally abusive towards Resident A. Ms. Burnett admitted on an unknown date she used profanity towards Resident A telling him to "calm your ass down." Although it was reported that Ms. Box told Resident A "I will whup your ass," Resident A denies the allegation. There were no further reports of Ms. Box using profanity towards Resident A.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

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




08/03/2022

Johnna Cade
Licensing Consultant

Date

Approved By:



08/11/2022

Denise Y. Nunn
Area Manager

Date