



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

ORLENE HAWKS  
DIRECTOR

August 25, 2022

Ira Combs, Jr.  
Christ Centered Homes, Inc.  
327 West Monroe Street  
Jackson, MI 49202

RE: License #: AS380306690  
Investigation #: 2022A0007027  
West Washington Home

Dear Mr. Combs, Jr.:

Attached is the Special Investigation Report for the above referenced facility. Due to the severity of the violations, disciplinary action against your license is recommended. You will be notified in writing of the department's action and your options for resolution of this matter.

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 (313) 456-0380.

Sincerely,

A handwritten signature in cursive script that reads "Mahtina Rubritius".

Mahtina Rubritius, Licensing Consultant  
Bureau of Community and Health Systems  
Cadillac Place  
3026 W. Grand Blvd., Ste. #9-100  
Detroit, MI 48202  
(517) 262-8604  
(517) 763-0211

Enclosures

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

**I. IDENTIFYING INFORMATION**

<b>License #:</b>	AS380306690
<b>Investigation #:</b>	2022A0007027
<b>Complaint Receipt Date:</b>	07/20/2022
<b>Investigation Initiation Date:</b>	07/21/2022
<b>Report Due Date:</b>	09/18/2022
<b>Licensee Name:</b>	Christ Centered Homes, Inc.
<b>Licensee Address:</b>	327 West Monroe Street Jackson, MI 49202
<b>Licensee Telephone #:</b>	(517) 499-6404
<b>Administrator:</b>	Ira Combs, Jr.
<b>Licensee Designee:</b>	Ira Combs, Jr.
<b>Name of Facility:</b>	West Washington Home
<b>Facility Address:</b>	1913 W. Washington St. Jackson, MI 49201
<b>Facility Telephone #:</b>	(517) 250-7937
<b>Original Issuance Date:</b>	08/04/2010
<b>License Status:</b>	1ST PROVISIONAL
<b>Effective Date:</b>	07/06/2022
<b>Expiration Date:</b>	01/05/2023
<b>Capacity:</b>	6
<b>Program Type:</b>	DEVELOPMENTALLY DISABLED MENTALLY ILL

## II. ALLEGATION(S)

	Violation Established?
Allegations that Mark Austin, Direct Care Staff, grabbed and punched Resident A. Mr. Austin was arrested and taken to jail.	Yes
Additional Findings	Yes

## III. METHODOLOGY

07/20/2022	Special Investigation Intake - 2022A0007027
07/20/2022	Contact - Telephone call received - Interview with Ms. Wenman, Home Manager.
07/21/2022	Special Investigation Initiated - On Site
07/21/2022	Contact - Face to Face contact with Captain A at Jackson County Sherriff's Office.
07/21/2022	Contact - Telephone call made to Ms. Griffes, Office of Recipient Rights.
07/26/2022	Contact - Telephone call made to Ms. Howard, Documents requested and received.
08/02/2022	Contact - Face to Face with Mr. Austin and APS Worker #1. Interview.
08/04/2022	Contact - Document Received from APS Worker #1 - She inquired if I received a copy of the police report. I informed her that I had not requested the report yet.
08/04/2022	Contact - Document Sent - Copy of Incident Report (138-13203-22) Requested.
08/04/2022	Contact - Document Sent - Email to APS Worker #1. Update provided.
08/05/2022	Contact - Document Received - Copy of Incident Report (138-13203-22).

08/05/2022	Contact - Document Sent - Email to APS Worker #1.
08/08/2022	Contact - Telephone call received - Discussion with APS Worker #1.
08/10/2022	Contact - Document Received - Email from APS Worker #1 regarding contacting Employee #2.
08/10/2022	Contact - Telephone call made - Interview with Employee #2.
08/10/2022	Contact - Telephone call made - Discussion with APS Worker #1.
08/11/2022	Contact - Document Received - Email from APS Worker #1.
08/12/2022	Contact - Document Received - Email from APS Worker #1.
08/16/2022	Inspection Completed On-site - Unannounced - Face to face contact with Employee #3, Resident A, Resident B, and Resident D.
08/16/2022	Contact - Telephone call made to Guardian A. Message left. I requested a returned phone call.
08/16/2022	Contact - Telephone call made to Employee #1. Message left. I requested a returned phone call.
08/16/2022	Contact - Telephone call made to Jackson County Guardian, no answer. Email sent requesting a returned phone call.
08/16/2022	Contact - Telephone call made to Mr. Austin. Message left. I requested a returned phone call as I had some follow-up questions.
08/16/2022	Contact - Document Sent - Email to Ms. Walker, Office of Recipient Rights. Status update.
08/16/2022	Contact - Telephone call received from Jackson County Guardian. She is the guardian for Resident C and Resident D. She was not aware of the pending investigation. Case update provided.
08/16/2022	Contact - Document Received - Email from Ms. Walker, Office of Recipient Rights.

08/16/2022	Contact - Document Sent to Ms. Walker, Office of Recipient Rights. I requested a copy of the report.
08/19/2022	Contact - Telephone call received from Ms. Walker. A copy of the report will be provided once the written corrective action plan has been received.
08/19/2022	Contact - Telephone call received from Guardian A.
08/19/2022	Contact - Telephone call made - Staff contact information obtained.
08/19/2022	Contact - Document Sent Email to the main office - Contact information requested for staff.
08/24/2022	Contact - Telephone call made to Mr. Combs, Licensee Designee, no answer.
08/24/2022	Contact – Document Sent – Email to Mr. Combs, Licensee Designee. I requested a returned phone call to conduct the exit conference.
08/24/2022	Contact - Telephone message from Mr. Combs, Licensee Designee.
08/25/2022	Contact – Telephone made to Mr. Combs, Licensee Designee, message left.
08/25/2022	Contact – Telephone made Mr. Combs, Licensee Designee. I left another message regarding the exit conference.
08/25/2022	Exit Conference conducted with Mr. Combs, Licensee Designee.

#### **ALLEGATIONS:**

**Allegations that Mark Austin, Direct Care Staff, grabbed and punched Resident A. Mr. Austin was arrested and taken to jail.**

#### **INVESTIGATION:**

It should be noted that this facility is currently on a Provisional License. Please see SIR #2022A0007019 for additional information.

On July 20, 2022, I interviewed Ms. Wenman, Home Manager. Ms. Wenman stated that on Sunday, July 17, 2022, she called off work and Mr. Austin, Direct Care Staff, and Employee #1, Direct Care Staff, were working. Employee #1 took Resident B to get ice cream. The home was quiet, and everyone was resting when Employee #1 and Resident B left the home. When Employee #1 left the home, she did not see Resident A. Employee #2 was the next direct care staff to arrive at the home. He took Resident B and Resident C out in the community to play basketball. Once they returned to the home, the residents were sitting at the table and Employee #2 noticed that something was not right with Resident A. Resident A was sitting at the table and his hair was covering part of his face. Employee #2 asked Resident A to flip his hair back, and that is when he observed the mark on Resident A's eye. Mr. Austin was not at the facility at that time, as he had to quickly run home. Around 5:30 p.m., Employee #2 and Resident A contacted 911 to file a complaint. Mr. Austin was gone until about 8:30 p.m. The police arrived at the facility around 10:00 p.m. Ms. Wenman stated that she did not tell Mr. Austin that the police had been contacted because she wanted him to go to jail for what he had done. Once the police arrived, they interviewed the residents regarding the incident. Resident A's roommate (Resident D) witnessed the incident and Resident C heard the incident.

Regarding the incident, Mr. Austin was being aggressive, and told Resident A to go sit down after he asked for a cigarette. Resident C walked down the back hallway and stated to Resident A, "Let's just go to our rooms." However, Resident A went back out to the common areas of the home. Mr. Austin came up behind Resident A, grabbing him. Resident A fell to the floor, they were between the two bathrooms when this happened. Mr. Austin then picked Resident A up by his shirt. Resident C told her (Ms. Wenman) that Mr. Austin hit Resident A once or twice. Once Resident A was in his bedroom, Resident D said that Mr. Austin threw Resident A on the bed. Resident D told her that Mr. Austin punched Resident A two times in the eyes. Resident C and Resident D both reported that Resident A was in his room yelling for help. Resident D reported that Mr. Austin then walked out of the room and slammed the door.

After the incident, Resident A complained that his back was sore, and his stomach was hurting. Ms. Wenman stated that Resident A was taken to the Walk-In Clinic and examined. As a result of the incident, Resident A had a black eye. There were no other physical injuries noted.

Ms. Wenman stated that the residents were very worried that Mr. Austin would return. She assured them that they were safe, and he would not be returning to the home. Ms. Wenman stated that the residents needed a lot of reassurance.

Ms. Wenman also informed me that Ms. Walker, Office of Recipient Rights Officer, and APS Worker #1 had been out to the home and were conducting investigations. Ms. Wenman stated that Ms. Howard, Administrative Staff, has the incident report and the incident number for the police report.

On July 21, 2022, I conducted an unannounced on-site investigation, and made face to face contact with Ms. Wenman, Resident A, Resident B, and Resident C. I interviewed Resident A and Resident C. Resident B stated he was going to take a nap and did not want to be interviewed at that time. Resident D was taking a nap.

I interviewed Resident A. Resident A informed me that he has been a resident at this home for over three years. I inquired about his black eye and Resident A replied, "Well, I got beat up recently by one of the staff members." Resident A informed me that Mr. Austin kept coming in his room and beating him up. This lasted for 25 minutes and was not witnessed by anyone. Resident A stated, "He wanted me to stay in my room." Resident A stated that Mr. Austin beat him up and "man handled" him. While in his bedroom, Resident A reported that Mr. Austin kicked him while he was on the floor. This was because Mr. Austin did not want him to come out in the common areas of the home. Resident A informed me that this was not the first time that he had gotten beat-up by Mr. Austin. Resident A stated, "I want him prosecuted." With permission, I took a picture of Resident A's black eye, documenting the injury. I observed Resident A's left eye to be bruised.

I interviewed Resident C. Resident C stated they were having lunch and Mr. Austin said he would call the guys for the next cigarette. Resident C stated that he went into Resident A's bedroom and told him to lay down and Mr. Austin would call him when it was time for his next cigarette. Resident A came out of his room. Resident C stated, "I heard a scuffle." Mr. Austin was pushing Resident A back towards his room. This occurred three times; Resident C stated that the second time, he heard Mr. Austin slap Resident A, and the third time, Mr. Austin punched Resident A. Resident C stated that Resident A was screaming for help. Resident C stated, "I felt sorry for him." Resident C informed that he laid in his bed and that he wished he could see what was going on, but his bedroom door was closed. Resident C stated that he heard Resident D say that he saw Mr. Austin push Resident A on the bed and that he tried to break his neck. According to Resident C, Resident D was in the room when this incident occurred. I inquired if this has ever happened before, and Resident C stated, Mr. Austin "has beat me up several times; he's choked me for stupid stuff." Resident C stated that Mr. Austin also choked Resident B the other day, while out in the garage.

On July 21, 2022, I went to the Jackson County Office of the Sheriff and made face to face contact with Captain A. He informed me that Mr. Austin had been arrested for assault and battery and that he was released from jail on July 19, 2022.

On July 21, 2022, I spoke with Ms. Griffes, Office of Recipient Rights, and she informed me that Ms. Walker was assigned this investigation.

On August 2, 2022, APS Worker #1 and I went to the home of Mr. Austin and interviewed him. Mr. Austin informed that this was his third shift he was working that day, as he was filling in for someone else. Mr. Austin stated that he was falsely accused. He stated that he was the only staff member in the home and that

Employee #1 was supposed to be there. Mr. Austin recalled that it was him, Resident A, and Resident B in the front of the home. Mr. Austin and Resident B were watching television. Mr. Austin informed that Resident A smokes. Mr. Austin described that Resident A kept pacing, walking from the living room to his bedroom, doing a circle, then returning to the living room. Mr. Austin stated that Resident A did this about seven times. Mr. Austin stated that he said, "[Resident A] what is your problem? Just sit down. Maybe you need to rest." Mr. Austin explained that after the second time that Resident A came out of his room, Mr. Austin stated, "[Resident A] this is enough, go lay down." Mr. Austin stated, "I directed him back to his room." Mr. Austin told Resident A "go to your room, just go back to your room." Mr. Austin informed that at first, Resident A was returning to his room calmly. Mr. Austin demonstrated how he walked behind Resident A, with his hands on his shoulder and upper back area. Mr. Austin stated that Resident A tried to fight him. Mr. Austin recalled that while he was redirecting Resident A to his room, Resident A turned around, putting his arms up to his (Mr. Austin's) neck. Mr. Austin stated, "I trip, and we fall on the floor." Mr. Austin stated that he fell on top of Resident A. Mr. Austin fell on Resident A's back. According to Mr. Austin, their legs got tangled and this is what caused them to fall. Mr. Austin stated that he got Resident A back on to his bed. He stated that he did not know he (Resident A) had a bruise.

Mr. Austin stated that Ms. Wenman said it was alright for him to leave the facility and go home to check on his house. Later, when he returned, Ms. Wenman was there at the facility, waiting in her van. Mr. Austin stated that she never said anything to him. Then the police showed up. He was interviewed by the police. They looked at his hands and mentioned that he did not have any cuts or injuries. Mr. Austin stated that he did not tell the police about the fall. He stated that Resident D was in the room when he told Resident A, in a loud voice, to stay in his room. Mr. Austin denied punching Resident A. Mr. Austin expressed that he was scared and had never been in a situation like this before. At the end of the interview, Mr. Austin stated that Ms. Wenman would lie to protect her job. He also mentioned that Resident D was in the room and thought he was fighting Resident A. He stated he has never been in trouble and never had any problems.

On August 8, 2022, I spoke with APS Worker #1, and she provided a case update. She informed me that she saw Resident A on Friday and asked follow-up questions after interviewing Mr. Austin. APS Worker #1 asked Resident A if he fell on the floor with Mr. Austin and he confirmed he did. Resident A stated to her (APS Worker #1), "Yeah, he pushed me." Resident A pointed out where they fell in the bedroom (which was between the two beds).

On August 10, 2022, I interviewed Employee #2, via telephone. He stated that on the day in question, he arrived at work at 2:00 p.m. Around 4:00 p.m. he asked Ms. Wenman if he could take Resident B and Resident C on a community outing. They returned to the facility around 5:30 p.m. as dinner would be served at 6:00 p.m. The residents were sitting at the table and Mr. Austin was passing meals. Employee #2 was at the table across from Resident A. Resident A's hair was covering his face.



When Employee #2 noticed something different, he asked Resident A to move his hair out of his face. Employee #2 then observed Resident A's eye to be swollen and purple in color. Employee #2 contacted Ms. Wenman, via video call. Employee #2 inquired if Ms. Wenman knew anything about Resident A's injury to his eye. Resident A was put on the phone, and he told Ms. Wenman what happened. I inquired about what Resident A told Ms. Wenman, and Employee #2 stated "that Mark had assaulted him." The police were contacted regarding this incident.

As a part of this investigation, I reviewed the police incident report (138-13203-22), authored by Deputy Breijak, and the following was noted:

Deputy Breijak documented that he was dispatched to the facility address for an assault report. Deputy Breijak interviewed the individuals involved. During the interview with Mr. Austin, he advised nothing had taken place and he did not know why Deputy Breijak was talking to him. Mr. Austin stated Resident A came out of his room trying to watch television in the living room and he redirected him back to his room several times. Mr. Austin stated he did not touch Resident A.

During the interview with Resident A, he advised that he was in his room when he got up to go into the living room and watch television, because it was difficult to stay in his room all day. Resident A stated he walked out to the living room and Mr. Austin came up to him and pushed him back into his room. Resident A advised that Mr. Austin pushed him onto his bed and hit him several times in the head and on his body. Resident A did not say if the strikes were a slap or a closed fist.

Resident A stated during the assault Mr. Austin yelled at him that he needed to stay in his room. Resident A advised the assault lasted for approximately 20 minutes. Resident A stated Mr. Austin eventually stopped and left the room for several minutes. Mr. Austin then came back into the room and assaulted him again. Resident A advised this happened multiple times but was unsure about the exact number of times, it happened. Resident A stated this occurred sometime after lunch.

Deputy Breijak noted that he did observe Resident A with a black eye on the left side of his face. Resident A advised he wanted to press charges. Resident A denied any medical treatment.

During his on-site investigation, Deputy Breijak also interviewed Ms. Wenman, Employee #2, Resident C and Resident D.

Deputy Breijak noted that he followed up with Mr. Austin outside the home and asked him (Mr. Austin) how Resident A got his black eye. Mr. Austin advised he did not know. Deputy Breijak then asked Mr. Austin to show him (Deputy Breijak) his hands. Mr. Austin showed Deputy Breijak his hands and he saw no marks or scratches on either side of Mr. Austin's hands.

Deputy Breijak documented that through his investigation, he found a subject had assaulted another subject. Mr. Austin was arrested. During the car ride to the jail, Mr. Austin stated that he “messed up.” Mark Austin was lodged for Vulnerable Adult Abuse 3rd Degree and Simple Assault.

On August 12, 2022, APS Worker #1 informed me that she substantiated the physical abuse case against Mr. Austin.

On August 16, 2022, I conducted an unannounced on-site investigation and made face to face contact with Employee #3, Resident A, Resident B, and Resident D.

I interviewed Resident D. I inquired about the incident and Resident D replied, “Yeah, I saw it. He [Mr. Austin] punched [Resident A] all over his body.” According to Resident D, Mr. Austin hit Resident A about five times. Resident D informed me that this occurred in their (Resident A and Resident D’s) bedroom. Resident D stated that Resident A “was on his back against the wall.” Resident D stated that he thought Mr. Austin would go after him next. I asked if Resident A was saying anything during the incident and Resident D stated that “[Resident A] said, no, no, stop it, stop it!” Resident D described Mr. Austin as “going crazy.”

Resident D stated, “He did that to me too. He tried to break my neck.” I asked when this happened, and he informed me that it was about two years ago. Resident D stated that Mr. Austin hit Resident B too. I attempted to gather additional information regarding this matter, but no additional details were provided. Resident D informed me that Mr. Austin was very aggressive and that he was afraid of him.

I interviewed Resident B. I inquired how he was treated by Mr. Austin and Resident B replied, “Mark treated me alright.” Resident B recalled that Mr. Austin told him to go to his room. Resident B stated that as he was going to his room, he fell. Resident B stated, “He clipped me (tripping him).” Resident B stated that Mr. Austin helped him back up. Resident B did not confirm that he has ever been hit or choked by Mr. Austin. Resident B stated that he had seen Mr. Austin hit Resident C. Resident B also stated that he heard Mr. Austin and Resident A fighting and Resident A ended up with a black eye. Resident B stated that he felt sorry for Resident A.

While at the facility, I spoke with Resident A. His eye appeared to be healing, as it was no longer purple in color.

On August 16, 2022, I received an email from Ms. Walker, Office of Recipient Rights, and she informed me that she investigated the complaint, the allegations were substantiated, and she was waiting for a written corrective action plan. I requested a copy of the report.

On August 17, 2022, I made face to face contact with Mr. Austin at the Jackson County Courthouse, as he was there for the pre-trial hearing. Mr. Austin denied that he choked or roughed-up Resident B and Resident C.

While I was at the courthouse, the clerk informed me that the hearing was going to be adjourned until September 7, 2022, at 1:00 p.m.

On August 19, 2022, Guardian A returned my phone call. She was aware of the incident and confirmed that Resident A received medical treatment for the injury. Prior to this incident, Resident A had not reported any concerns to her regarding being hit by staff or Mr. Austin.

On August 25, 2022, I conducted the exit conference with Mr. Combs, Licensee Designee. We discussed the investigation and my recommendations for revocation. Mr. Combs stated that they took appropriate actions by contacting law enforcement and terminating Mr. Austin. Mr. Combs stated that they do not condone staff assaulting residents, and they had no way of knowing it would happen. They completed the required record clearances and background checks for Mr. Austin. Mr. Combs stated that this situation was out of their control.

<b>APPLICABLE RULE</b>	
<b>R 400.14308</b>	<b>Resident behavior interventions prohibitions.</b>
	<b>(1) A licensee shall not mistreat a resident and shall not permit the administrator, direct care staff, employees, volunteers who are under the direction of the licensee, visitors, or other occupants of the home to mistreat a resident. Mistreatment includes any intentional action or omission which exposes a resident to a serious risk or physical or emotional harm or the deliberate infliction of pain by any means.</b>

<b>ANALYSIS:</b>	<p>During the interview, I inquired about his black eye and Resident A replied, "Well, I got beat up recently by one of the staff members." Resident A reported that Mr. Austin kept coming in his room and beating him up. Resident A stated, "He wanted me to stay in my room." Resident A stated that Mr. Austin beat him up and "man handled" him. While in his bedroom, Resident A reported that Mr. Austin kicked him while he was on the floor. This was because Mr. Austin did not want him to come out in the common areas of the home. Resident A informed me that this was not the first time that he had gotten beat-up by Mr. Austin. I observed Resident A's left eye to be bruised.</p> <p>Resident C and Resident D both reported that Mr. Austin physically assaulted Resident A, including slapping and punching him. Resident A was screaming for help.</p> <p>On July 17, 2022, Deputy Breijak responded to the facility, investigated the complaint, and arrested Mr. Austin for Vulnerable Adult Abuse 3rd Degree and Simple Assault.</p> <p>APS Worker #1 and I interviewed Mr. Austin, and he denied punching Resident A.</p> <p>Based on the information gathered during this investigation and provided above, it is concluded that there is a preponderance of the evidence to support the allegations that Mr. Austin was physically aggressive, he mistreated Resident A, and as a result, Resident A sustained a black eye.</p>
<b>CONCLUSION:</b>	<b>VIOLATION ESTABLISHED</b>

## INVESTIGATION:

As a part of this investigation, I reviewed the *Person-Centered Plan* and *Behavior Treatment Plan* for Resident A. The following was noted regarding verbal aggression, elopement attempts, and medication refusals:

If Resident A becomes upset for things not going his way, staff should explain the reasons in a calm, respectful, non-threatening manner, and a solution should be presented. Staff are not to argue with Resident A. Resident A is very sensitive about being "bossed around" by others and all efforts should be made to ensure that he is the person in charge of himself, and not reliant on others. If there is an

activity that would be in his best interest to participate in, Resident A should be asked and not told what to do.

During the interview with Resident A, he informed me that Mr. Austin kept coming in his room and beating him up. This lasted for 25 minutes and was not witnessed by anyone. Resident A stated, "He wanted me to stay in my room." Resident A stated that Mr. Austin beat him up and "man handled" him. While in his bedroom, Resident A reported that Mr. Austin kicked him while he was on the floor. This was because Mr. Austin did not want him to come out in the common areas of the home. Resident A informed me that this was not the first time that he had gotten beat-up by Mr. Austin. Resident A stated, "I want him prosecuted." I observed Resident A's left eye to be bruised.

Resident B stated that he heard Mr. Austin and Resident A fighting and Resident A ended up with a black eye. Resident B stated that he has seen Mr. Austin hit Resident C.

During the interview, Resident C stated that he went into Resident A's bedroom and told him to lay down and Mr. Austin would call him when it was time for his next cigarette. Resident A came out of his room. Resident C stated, "I heard a scuffle." Mr. Austin was pushing Resident A back towards his room. This occurred three times; Resident C stated that the second time, he heard Mr. Austin slap Resident A, and the third time, Mr. Austin punched Resident A. Resident C stated that Resident A was screaming for help. Resident C stated, "I felt sorry for him."

I interviewed Resident D. I inquired about the incident and Resident D replied, "Yeah, I saw it. He [Mr. Austin] punched [Resident A] all over his body." According to Resident D, Mr. Austin hit Resident A about five times. Resident D informed me that this occurred in their (Resident A and Resident D's) bedroom. Resident D stated that Resident A "was on his back against the wall." Resident D stated that he thought Mr. Austin would go after him next. I asked if Resident A was saying anything during the incident and Resident D stated that, "[Resident A] said, no, no, stop it, stop it!" Resident D described Mr. Austin as "going crazy."

Resident D stated, "He did that to me too. He tried to break my neck." I asked when this happened, and he informed me that it was about two years ago. Resident D stated that Mr. Austin hit Resident B too. I attempted to gather additional information regarding this matter, but no additional details were provided. Resident D informed me that Mr. Austin was very aggressive and that he was afraid of him.

Ms. Wenman stated that the residents were very worried that Mr. Austin would return. She assured them that they were safe, and he would not be returning to the home. Ms. Wenman stated that the residents needed a lot of reassurance.

Mr. Austin denied punching Resident A. He also denied that he choked or roughed up Resident B and Resident C.

Deputy Breijak documented that through his investigation, he found a subject had assaulted another subject. Mr. Austin was arrested. During the car ride to the jail, Mr. Austin stated that he “messed up.” Mark Austin was lodged for Vulnerable Adult Abuse 3rd Degree and Simple Assault.

<b>APPLICABLE RULE</b>	
<b>R 400.14305</b>	<b>Resident protection.</b>
	<b>(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.</b>

<p><b>ANALYSIS:</b></p>	<p>Resident A reported that Mr. Austin physically assaulted him and that he wanted to press charges. Resident A was observed to have a black eye (left side).</p> <p>Resident B stated that he heard Mr. Austin and Resident A fighting and Resident A ended up with a black eye. Resident B stated that he has seen Mr. Austin hit Resident C.</p> <p>Resident C and Resident D both reported that Mr. Austin physically assaulted Resident A, including slapping and punching him. Resident A was screaming for help.</p> <p>Resident C stated, Mr. Austin “has beat me up several times; he’s choked me for stupid stuff.”</p> <p>Resident D stated, “He did that to me too. He tried to break my neck.” According to Resident D, Mr. Austin punched Resident A all over his body. Resident D informed me that Mr. Austin was very aggressive and that he was afraid of him.</p> <p>Ms. Wenman stated that the residents were very worried that Mr. Austin would return. She assured them that they were safe, and he would not be returning to the home. Ms. Wenman stated that the residents needed a lot of reassurance.</p> <p>Mr. Austin denied punching Resident A. He also denied that he choked or roughed up Resident B and Resident C.</p> <p>On July 17, 2022, Mr. Austin was arrested and lodged in jail for Vulnerable Adult Abuse 3rd Degree and Simple Assault.</p> <p>Based on the information gathered during this investigation and provided above, it is concluded that there is a preponderance of the evidence to support the allegations that Mr. Austin was physically aggressive towards Resident A and Resident C; additionally, that Resident A, Resident B, Resident C, and Resident D witnessed the physical aggression and were not treated with dignity and their personal needs, including protection and safety, were not attended to at all times in accordance with the provisions of the act.</p>
<p><b>CONCLUSION:</b></p>	<p><b>VIOLATION ESTABLISHED</b></p> <p><b>This is a REPEAT VIOLATION:</b> Please see the following Special Investigation Reports for additional Information:</p>

	<ul style="list-style-type: none"> <li>• 2017A0007036 - 05/31/2017</li> <li>• 2018A0007024 - 06/18/2018</li> <li>• 2022A0007019 - 04/07/2022</li> </ul>
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#### IV. RECOMMENDATION

The facility is currently on a Provisional License due to quality-of-care deficiencies.  
I recommend revocation of the license.

*Mahtina Rubritius*

08/25/2022

Mahtina Rubritius  
Licensing Consultant

Date

Approved By:

*A. Hunter*

08/25/2022

Ardra Hunter  
Area Manager

Date