



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

September 12, 2022

Lorinda Anderson
Community Living Options
626 Reed Street
Kalamazoo, MI 49001

RE: License #: AS390250889
Investigation #: 2022A1024045
Transitions of Kalamazoo

Dear Ms. Anderson:

Attached is the Special Investigation Report for the above referenced facility. No substantial violations were found.

Please review the enclosed documentation for accuracy and contact me with any questions. In the event that I am not available and you need to speak to someone immediately, please contact the local office at (616) 356-0183.

Sincerely,

A handwritten signature in cursive script that reads "Ondrea Johnson".

Ondrea Johnson, Licensing Consultant
Bureau of Community and Health Systems
427 East Alcott
Kalamazoo, MI 49001

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AS390250889
Investigation #:	2022A1024045
Complaint Receipt Date:	07/21/2022
Investigation Initiation Date:	07/22/2022
Report Due Date:	09/19/2022
Licensee Name:	Community Living Options
Licensee Address:	626 Reed Street Kalamazoo, MI 49001
Licensee Telephone #:	(126) 934-3635
Administrator:	Lorinda Anderson
Licensee Designee:	Lorinda Anderson
Name of Facility:	Transitions of Kalamazoo
Facility Address:	1353 Oakland Drive Kalamazoo, MI 49008
Facility Telephone #:	(269) 743-2248
Original Issuance Date:	10/23/2002
License Status:	REGULAR
Effective Date:	08/22/2020
Expiration Date:	08/21/2022
Capacity:	6
Program Type:	DEVELOPMENTALLY DISABLED MENTALLY ILL

II. ALLEGATION(S)

	Violation Established?
Direct care staff grabbed Resident A's shirt and shook him while providing personal care assistance.	No

III. METHODOLOGY

07/21/2022	Special Investigation Intake 2022A1024045
07/22/2022	Special Investigation Initiated – Telephone with ORR Michelle Schiebel
08/03/2022	Contact - Telephone call made with direct care staff members Tracy Harris, Mohamadou Dialo, Eric Conklin, home manager Codi Zamora
08/11/2022	Inspection Completed On-site with direct care staff member Shantanique Harden and Resident A.
09/06/2022	Contact-Document Received- Resident A's <i>Behavioral Support Plan</i>
09/06/2022	APS Referral
09/07/2022	Exit Conference with licensee designee Lori Anderson

ALLEGATION: Direct care staff grabbed Resident A's shirt and shook him while providing personal care assistance.

INVESTIGATION:

On 7/21/2022, I received this complaint through the Bureau of Community and Health Systems (BCHS) online complaint system. The complaint also alleged a staff member was sleeping on shift; however, this was investigated in SIR #2022A1024052.

On 7/22/2022, I conducted an interview with Michele Schiebel from the Office of Recipient Rights who stated Resident A calls her every other day and makes complaints about staff members. Ms. Schiebel stated recently, Resident A informed her direct care staff member Mohamadou Dialo shook him by the collar while changing his colostomy bag. Ms. Schiebel stated Resident A tends to make false

complaints against staff members and as of recently Resident A seems to be very dysregulated which has resulted in him getting more upset with staff members. Ms. Schiebel stated she is familiar with direct care staff member Mohamadou Dialo, who has been a longtime employee at the home, and she does not believe Mr. Dialo would mistreat Resident A or any resident in the home.

On 8/3/2022, I conducted interviews with home manager Codi Zamora, direct care staff members Tracy Harris, Mohamadou Dialo, and Eric Conklin. Ms. Zamora stated she was made aware Resident A reported Mr. Dialo shook him while changing his colostomy bag. Ms. Zamora stated she has ongoing issues with Resident A making false complaints against staff members in the home when he gets upset with them. Ms. Zamora stated she works regularly with Mr. Dialo and she believes he is a good staff member who responds well to Resident A when Resident A gets escalated. Ms. Zamora stated she has never seen Mr. Dialo mistreat or be inappropriate to any resident in the home.

Ms. Harris stated Resident A tends to target specific staff members by being verbally aggressive towards them and making false complaints against them. Ms. Harris stated she has witnessed Resident A call his mother and falsely report to her that staff called him “crazy” when she was the only staff member working with him. Ms. Harris denied ever saying inappropriate statements towards him. Ms. Harris stated she has also heard Resident A falsely report to his case manager that staff members will not change his colostomy bag. Ms. Harris stated Resident A will get upset if staff does not change his colostomy bag immediately upon request as sometimes Resident A will make this request when staff members are passing medications for other residents in the home. Ms. Harris stated there has been times Resident A has waited “two minutes” to have his colostomy bag changed however staff is usually able to change Resident A’s colostomy bag right away. Ms. Harris stated there has also been times, Resident A will rip his colostomy when he is upset with staff members or will make threats of ripping his colostomy bag when he does not get his way. Ms. Harris stated she has never seen Mr. Dialo, or any other staff member mistreat Resident A and believes Mr. Dialo is a good, quality staff member who treats the residents with dignity and respect. Ms. Harris further stated Resident A calls and makes false complaints daily against staff members.

Mr. Dialo stated Resident A often makes false complaints against staff members and recently Resident A reported a false complaint against him by stating that he grabbed his shirt and shook him. Mr. Dialo stated he routinely changes Resident A’s colostomy bag without incident and on 7/21/2022 Resident A became upset with him because Resident A had to wait a few minutes for his bag to be changed because Mr. Dialo was administering medications to other residents. Mr. Dialo stated after he informed Resident A that he had to wait a few minutes for his bag to be changed while he attended to the other residents, Resident A called his mother and informed her staff members were refusing to change his colostomy bag. Mr. Dialo stated Resident A’s mother then called Mr. Dialo and began yelling on the phone to him about changing Resident A’s colostomy bag. Mr. Dialo stated

Resident A's mother is typically rude to staff members therefore Mr. Dialo politely reassured Resident A's mother that Resident A's colostomy bag was going to be changed as soon as possible. Mr. Dialo stated Resident A had to wait about 5 minutes for his bag to be changed. Mr. Dialo stated while changing Resident A's colostomy bag, Resident A suddenly yelled out "you hit, you hit me." Mr. Dialo stated, he did not respond or acknowledge what Resident A was saying to avoid further escalating Resident A and continued to change his bag. Mr. Dialo stated Resident A continued to yell and make complaints about various topics until he de-escalated on his own. Mr. Dialo stated Mr. Conklin came into the bathroom and witnessed Resident A yell out complaints while Mr. Dialo continued to change Resident A. Mr. Dialo stated although Resident A was yelling with complaints, he followed the usual procedures when staff must change his colostomy bag by holding his shirt up therefore there was no issues with getting Resident A's colostomy's bag changed which took about 15 minutes for the entire process. Mr. Dialo stated he did not grab Resident A's shirt and did not hit or shake him. Mr. Dialo further stated he has never mistreated any of the residents in the home.

Mr. Conklin stated he was working with Mr. Dialo when Resident A accused Mr. Dialo of hitting him while Mr. Dialo was changing his colostomy bag. Mr. Conklin stated he was out in the living room and observed Mr. Dialo go in the bathroom to change Resident A's colostomy bag per Resident A's request. Mr. Conklin stated after minutes in the bathroom, Mr. Conklin heard Resident A yelling and screaming "he hit me, he hit me." Mr. Conklin stated he immediately went to the bathroom and observed Resident A screaming "he hit, he hit me" while Mr. Dialo was calming changing Resident A's colostomy bag. Mr. Conklin stated Resident A then just stopped yelling and started making complaints about other random things not related to Mr. Dialo. Mr. Conklin stated Resident A would not state how Mr. Dialo hit him. Mr. Conklin stated he has observed Mr. Conklin to work well with the residents and Mr. Conklin has never observed Mr. Dialo to mistreat any of the residents in the home.

On 8/11/2022, I conducted an onsite investigation at the facility with direct care staff member Shantanique Harden and Resident A. Ms. Harden stated she works regularly with Mr. Dialo and she has never seen Mr. Dialo be inappropriate or mistreat any of the residents. Ms. Harden stated Resident A has a history of making false complaints against staff members however she has not had any complaints made against her thus far.

Resident A stated on 7/21/2022, he asked Mr. Dialo to change his colostomy bag and when staff refused to drain it, he called his mother to let her know at which time his mother "chewed Mr. Dialo out" for not draining his bag. Resident A stated he had to wait about 5 to 10 minutes for staff to change his bag. Resident A stated while staff was changing his bag, Mr. Dialo grabbed his shirt in a rough manner and Resident A did not like how Mr. Dialo was being rough with him. Resident A stated Mr. Dialo changes his bag regularly and he has never had any issues with Mr. Dialo changing his bag in the past.

On 9/6/2022, I received Resident A's *Behavioral Support Plan (plan)* dated 3/10/2022. According to this plan, Resident A has a history of making false or inaccurate statements about peers, staff and family members with the apparent intent of deliberating getting them "in trouble." Resident A also has a history of not allowing staff to properly clean or check his ostomy bag. Resident A will try to manipulate his schedule or activities to get who he wants to work with him or take him places. The plan also stated Resident A is known to make complaints of malfunctions related to his ostomy bag and allege staff neglect of proper bag cleaning. Resident A has been known to frequently call his mother to complain about the care provided by staff for his ostomy bag, make complaints about individuals in the home, and other physical complaints.

On 9/6/2022, I made a referral to Adult Protective Services (APS).

APPLICABLE RULE	
R 400.14308	Resident behavior interventions prohibitions.
	(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.

ANALYSIS:	Based on my investigation which included interviews with recipient rights officer Michele Schiebel, direct care staff members Tracy Harris, Mohamadou Dialo, Eric Conklin, Shantanique Harden, home manager Codi Zamora, Resident A and review of Resident A's behavioral plan there is no evidence to support the allegation any direct care staff member, including Mr. Dialo, grabbed Resident A's shirt and shook him while providing personal care. Mr. Dialo stated Resident A falsely accused him of hitting him while he was changing his colostomy bag. Mr. Dialo stated he has never hit Resident A and routinely changes Resident A's colostomy bag without incident. According to Resident A's behavioral plan, Resident A has a history of making false or inaccurate statements about peers and staff members. The staff members and home manger stated that Resident A has routinely made false complaints against staff members when he is upset, and they have never witnessed Mr. Dialo mistreat any of the residents. In my interview, Resident A reported that Mr. Dialo grabbed his shirt roughly however Resident A reported to his case manager that Mr. Dialo shook him and reported to Mr. Conklin that Mr. Dialo hit him. Based on the lack of consistent, concrete evidence, I found Resident A was not mistreated.
CONCLUSION:	VIOLATION NOT ESTABLISHED

On 9/7/2022, I conducted an exit conference with licensee designee Lori Anderson. I informed Ms. Anderson of my findings and allowed her an opportunity to ask questions or make comments.

IV. RECOMMENDATION

I recommend the current license status remain unchanged.

Ondrea Johnson

Ondrea Johnson
Licensing Consultant

9/7/2022

Date

Approved By:

Dawn Timm

09/12/2022

Dawn N. Timm
Area Manager

Date