



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

ORLENE HAWKS  
DIRECTOR

November 29, 2022

Todd Dockerty  
The Heritage Assisted Living Community  
14420 S. Helmer Road  
Battle Creek, MI 49015

RE: License #: AH130403563  
Investigation #: 2023A1028009  
The Heritage Assisted Living Community

Dear Mr. Dockerty:

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.
- Indicate how continuing compliance will be maintained once compliance is achieved.
- Be signed and dated.

Please review the enclosed documentation for accuracy and contact me with any questions. In the event I am not available, and you need to speak to someone immediately, please contact the local office at (616) 356-0100.

Sincerely,

A handwritten signature in cursive script that reads "Julie Viviano".

Julie Viviano, Licensing Staff  
Bureau of Community and Health Systems  
Unit 13, 7th Floor  
350 Ottawa, N.W.  
Grand Rapids, MI 49503  
Cell (616) 204-4300

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

**I. IDENTIFYING INFORMATION**

<b>License #:</b>	AH130403563
<b>Investigation #:</b>	2023A1028009
<b>Complaint Receipt Date:</b>	11/17/2022
<b>Investigation Initiation Date:</b>	11/17/2022
<b>Report Due Date:</b>	01/17/2023
<b>Licensee Name:</b>	Battle Creek Assisted Living Operator, LLC
<b>Licensee Address:</b>	111 W. Ferry St. #1 Berrien Springs, MI 49103
<b>Licensee Telephone #:</b>	(574) 261-1124
<b>Administrator:</b>	Jonathan Zima
<b>Authorized Representative:</b>	Todd Dockerty
<b>Name of Facility:</b>	The Heritage Assisted Living Community
<b>Facility Address:</b>	14420 S. Helmer Road Battle Creek, MI 49015
<b>Facility Telephone #:</b>	(269) 969-4000
<b>Original Issuance Date:</b>	12/10/2020
<b>License Status:</b>	REGULAR
<b>Effective Date:</b>	06/10/2022
<b>Expiration Date:</b>	06/09/2023
<b>Capacity:</b>	78
<b>Program Type:</b>	AGED

## II. ALLEGATION(S)

	<b>Violation Established?</b>
Staff are living in unoccupied licensed resident rooms.	Yes
Additional Findings	No

## III. METHODOLOGY

11/17/2022	Special Investigation Intake 2023A1028009
11/17/2022	Special Investigation Initiated - Letter
11/17/2022	APS Referral Made APS referral to Centralized Intake.
11/17/2022	Contact - Face to Face Interviewed ED/Carolyn Reed at the facility.
11/17/2022	Inspection Completed On-site On-site inspection completed due to special investigation.
11/21/2022	Contact - Telephone call made Telephone call made to Admin/Jonathan Zima to interview.
11/29/2022	Exit – LVM for AR/Todd Dockerty about violation and requesting return phone call if needed. SIR sent to AR/Todd Dockerty and Admin/Jonathan Zima.

### **ALLEGATION:**

**Staff are living in unoccupied licensed resident rooms.**

### **INVESTIGATION:**

On 11/17/2022, an investigation was opened with the Bureau due to on-site discovery of staff residing in unoccupied licensed resident rooms.

On 11/17/2022, I interviewed executive director, Carolyn Reed, at the facility who reported fourteen employees were living in unoccupied licensed resident rooms until appropriate housing could be found. Ms. Reed reported the employees were from

Saipan and Palou and have been employed by the facility for the past few months. Ms. Reed reported the employees have resided in the unoccupied licensed resident rooms for two to three months because the facility resident census is currently low and the facility had the room to accommodate the employees until more permanent housing was located. Ms. Reed reported the facility is actively assisting the employees to find more permanent housing.

On 11/17/2022, I completed an inspection of the facility which revealed the following:

- Two employees were living in room 111.
- Two employees were living in room 112.
- Two employees were living in room 113.
- Two employees were living in room 115.
- One employee was living in room 126.
- Two employees were living in room 128.
- Two employees were living in room 210.
- One employee was living in room 203, the model room.

During the inspection, the employee's beds, clothing, televisions, futons/couches, and other personal items were noted in each of the rooms.

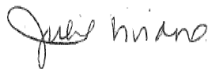
On 11/21/2022, I interviewed facility administrator, Jonathan Zima, by telephone who confirmed fourteen employees were living in unoccupied licensed resident rooms. The facility is actively assisting the employees in obtaining permanent housing.

<b>APPLICABLE RULE</b>	
<b>R 325.1922</b>	<b>Admission and retention of residents.</b>
	<b>(2) The admission policy shall specify all of the following: (b) That a home shall not accept an individual seeking admission unless the individual's needs can be adequately and appropriately met within the scope of the home's program statement.</b>

<b>ANALYSIS:</b>	On 11/117/2022, employees were discovered living in unoccupied licensed resident rooms at the facility. A home shall not admit an individual unless the individual's needs can be met. Employees cannot be considered for admission to the home and are not considered as residents and therefore cannot reside in licensed resident rooms. Therefore, the facility is in violation of this rule for allowing fourteen employees to reside in unoccupied licensed resident rooms.
<b>CONCLUSION:</b>	<b>VIOLATION ESTABLISHED</b>

**IV. RECOMMENDATION**

Contingent upon an approved corrective action plan, I recommend the status of this license remain unchanged.



11/23/2022

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Julie Viviano  
Licensing Staff

Date

Approved By:



11/28/2022

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Andrea L. Moore, Manager  
Long-Term-Care State Licensing Section

Date