



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

November 29, 2022

Rhoda Byler
Kindy Care Center, Inc.
2041 Freeland Rd
Freeland, MI 48623

RE: License #: AL560007264
Investigation #: 2023A0790003
Rhoda's House

Dear Ms. Byler:

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.



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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 (517) 284-9730.

Sincerely,

A handwritten signature in cursive script that reads "Rodney Gill".

Rodney Gill, Licensing Consultant
Bureau of Community and Health Systems
611 W. Ottawa Street
P.O. Box 30664
Lansing, MI 48909

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AL560007264
Investigation #:	2023A0790003
Complaint Receipt Date:	10/27/2022
Investigation Initiation Date:	10/27/2022
Report Due Date:	12/26/2022
Licensee Name:	Kindy Care Center, Inc.
Licensee Address:	2041 Freeland Rd Freeland, MI 48623
Licensee Telephone #:	(989) 631-4406
Administrator:	Rhoda Byler
Licensee Designee:	Rhoda Byler
Name of Facility:	Rhoda's House
Facility Address:	2576 Brooks Rd Freeland, MI 48623
Facility Telephone #:	(989) 832-9748
Original Issuance Date:	05/15/1992
License Status:	REGULAR
Effective Date:	02/27/2021
Expiration Date:	02/26/2023
Capacity:	13
Program Type:	PHYSICALLY HANDICAPPED DEVELOPMENTALLY DISABLED MENTALLY ILL

	AGED
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II. ALLEGATION(S)

	Violation Established?
This facility was determined to be in substantial non-compliance with fire safety rules.	Yes

III. METHODOLOGY

10/27/2022	Special Investigation Intake 2023A0790003
10/27/2022	Special Investigation Initiated - On Site
11/07/2022	Contact - Telephone call made to direct care staff member (DCSM) Carrie Saber who functions as house manager requesting additional supporting documentation.
11/08/2022	Contact – Documents Received from DCSM Carrie Saber.
11/09/2022	Exit Conference with licensee designee Rhoda Marie Byler.
10/27/2022	Inspection Completed-BCAL Sub. Compliance
11/30/2022	Exit Conference with licensee designee Rhoda Marie Byler.
11/30/2022	Corrective Action Plan Requested and Due on 12/14/2022.
11/30/2022	Special Investigation Report Sent

ALLEGATION: This facility was determined to be in substantial non-compliance with fire safety rules.

INVESTIGATION:

On 10/25/2022, the Bureau of Fire Services attempted to schedule the annual onsite inspection of this AFC facility with the licensee, however according to the *Inspection Report*:

“Contact with the owner was made this date [sic] for scheduling the annual inspection. Per the owner, the facility will be closing and requested that no inspection be performed. This facility therefore has a fire safety disapproval until an annual inspection can be completed.”

I initiated this investigation by conducting an unannounced onsite investigation on 10/27/2022. I interviewed licensee designee Rhoda Byler who explained residents were discharged from Rhoda's House and admitted to her other licensed AFC facility around June 2021 because she could not find direct care staff members (DCSMs) to care for the residents.

Ms. Byler said the decision to close Rhoda's House has been emotionally difficult for her, but it is her current plan for the facility. She stated it has also been physically challenging for her, her family, and the DCSMs working at Kindy Care to maintain two facilities with low staffing numbers and she cannot keep it going any longer so will move forward with her decision to close this AFC facility.

I reviewed fire safety documentation from the facility and found an *Adult Foster Care Fire Safety Log* documenting fire drills were conducted up until 06/2021. I also reviewed the facility's *Fire Drill Evacuation Forms*, *Fire Drill Charts*, and Summit Companies Service Call Forms showing the fire extinguishers continued to be serviced while residents were living in the home.

I walked through the facility with Ms. Byler and observed the residents' furniture and belongings were no longer in the home. The resident rooms were all vacant and the rest of the home was relatively empty with only a few pieces of furniture remaining. Much of the home appeared to be under renovation. Ms. Byler explained she has been pulling up flooring, painting, and updating the home when she can find time with plans of selling the AFC facility in the future.

The home is large and boasts a commercial kitchen and fire alarm system. The tag on the commercial fire alarm system was punched showing it was last serviced in 05/2022. The tags on the fire extinguishers were punched showing they were last serviced in 12/2021. There were no obstacles observed at any of the emergency exits and written emergency procedure and evacuation plans to be followed in case of fire, medical, or weather emergencies were prominently posted in several locations throughout the home. Ms. Byler set off the fire alarms while I was at the facility and they were operating as required.

Although licensee designee Rhoda Byler stated she planned to close this AFC facility no written statement has been received directing this consultant to close the facility as of the date of this report nor has Ms. Byler scheduled the required annual Bureau of Fire Services inspection to assure the facility is in full compliance with applicable fire safety rules.

APPLICABLE RULE	
R 400.15403	Maintenance of premises.
	(1) A home shall be constructed, arranged, and maintained to provide adequately for the health, safety, and well-being of occupants.
ANALYSIS:	On 10/25/2022, licensee designee Rhoda Byler did not allow the Bureau of Fire Services to schedule the annual inspection of the AFC facility as she stated she planned to close the facility. To date, no written statement has been received to close the facility nor has Ms. Byler completed the annual required Bureau of Fire Services inspection. The facility remains in substantial non-compliance with fire safety rules as the facility has not been inspected to assure compliance.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

Upon the receipt of an acceptable corrective action plan, it is recommended that the status of the license remains unchanged.



11/09/2022

Rodney Gill
Licensing Consultant

Date

Approved By:



11/30/2022

Dawn N. Timm
Area Manager

Date