



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

Cavel Young
Comfort Living Home L.L.C.#3
2111 North Drake
Kalamazoo, MI 49006

March 1, 2023

RE: License #: AM140409800
Investigation #: 2023A1030025
Comfort Living Home L.L.C. #3

Dear Ms. Young:

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 (616) 356-0183.

Sincerely,

Nile Khabeiry, LMSW

Nile Khabeiry, Licensing Consultant
Bureau of Community and Health Systems
Unit 13, 7th Floor
350 Ottawa, N.W.
Grand Rapids, MI 49503

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AM140409800
Investigation #:	2023A1030025
Complaint Receipt Date:	02/09/2023
Investigation Initiation Date:	02/11/2023
Report Due Date:	04/10/2023
Licensee Name:	Comfort Living Home L.L.C.#3
Licensee Address:	2111 North Drake Kalamazoo, MI 49006
Licensee Telephone #:	(269) 760-1182
Administrator:	Cavel Young, Designee
Licensee Designee:	Cavel Young, Designee
Name of Facility:	Comfort Living Home L.L.C. #3
Facility Address:	50253 M-51 N Dowagiac, MI 49047
Facility Telephone #:	(269) 760-1182
Original Issuance Date:	02/02/2022
License Status:	REGULAR
Effective Date:	08/02/2022
Expiration Date:	08/01/2024
Capacity:	10
Program Type:	PHYSICALLY HANDICAPPED DEVELOPMENTALLY DISABLED MENTALLY ILL ALZHEIMERS AGED TRAUMATICALLY BRAIN INJURED

II ALLEGATION(S)

	Violation Established?
The home is not sufficiently staffed to care for the residents.	No
Additional Findings	Yes

II. METHODOLOGY

02/09/2023	Special Investigation Intake 2023A1030025
02/11/2023	Special Investigation Initiated - Telephone Interview with complainant
02/11/2023	Contact - Document Received Reviewed original licensing study report
02/13/2023	Contact - Face to Face Interview with Resident A
02/13/2023	Contact - Face to Face Interview with Dorah Elias
02/13/2023	Contact - Telephone call made Interview with Cavel Young
02/24/2023	Contact - Face to Face Interview with Cavel Young
02/24/2023	Exit Conference Exit conference in person

ALLEGATION:

The home was not sufficiently staffed to care for the residents.

INVESTIGATION:

On 2/11/23, I interviewed the complainant by phone. Complainant reported concerns that the residents do not have supervision at night as several professionals visit the home on different days and at different times and there is only one direct care staff member (DCSM) named Dorah working. The complainant reported there is only one resident that is verbal, and he reported there is only one DCSM at the home.

On 2/11/23, I reviewed the original licensing study report dated 1/24/22 and noted staffing pattern indicates "all staff will be awake during resident sleeping hours."

On 2/13/23, I interviewed Resident A at the home. Resident A reported he has lived at the home for six or seven months. Resident A reported he does not like it at the home because he has to "keep his bedroom door open." Resident A further reported he has been told by the homeowner and direct care staff member Dorah Elias that he is not allowed to close his door. I informed Resident A that he is allowed privacy and private communications according to adult foster care licensing rules and that I would speak with the staff. Resident A reported Ms. Elias is the only staff member lately and thinks she works 24 hours a day. Resident A reported he has witnessed her sleeping on the couch. Resident A reported there have been other staff members working at the home but cannot remember their names. Resident A reported the homeowner, Cavel Young comes to the home occasionally to work evening shifts and worked last night. I toured the home and noted the home was neat and clean and there were three other residents who were in their bedrooms and appeared to be well cared for by the staff.

On 2/13/22, I interviewed DCSM Dorah Elias at the home. Ms. Elias was informed of the rules regarding resident privacy and that she is not allowed to make Resident A keep his bedroom door open. Ms. Elias denied making Resident A keep his door open but expressed understanding of the licensing rule. Ms. Elias reported she is a "volunteer" and does not get paid to work at the home. Ms. Elias reported she enjoys caring for people and works some days shifts and some evening shifts but does not live at the home. Ms. Elias also denied sleeping while at work. Ms. Elias was asked her address but indicated she "does not know the address" but lives with a friend names Isaack Nicolao who provides her transportation to and from work.

Ms. Elias reported she has been in the United States for one month and has worked at the home for two weeks. Ms. Elias reported she works with Ms. Young and there is another DCSM named "Millicent" who works at the home. Ms. Elias reported there is a not a schedule that I could review and that she gets her schedule from Ms. Young. Ms. Elias reported she knows Ms. Young through a friend and that is how she knew about the home. Ms. Elias was asked again if she lives in the home and works seven days per week. Ms. Elias reported she works five days per week and has weekends off.

On 2/14/23, I received a reviewed staff files and the work schedule for January and February 2023 by email. I noted that some of the documents were blurry and contacted Ms. Young to set up a face-to-face meeting so I could review the files in person. I also provided Ms. Young with Technical Assistance regarding privacy rights of the residents at the home. Ms. Young reported she and her staff have never denied privacy to the residents.

On 2/24/23, I met with Cavel Young at the Kalamazoo County MDHHS office. Ms. Young provided staff files for Dorah Elias, Millicent Marston, Debra Richardson and the staff schedule for January and February 2023. According to the scheduled Ms. Elias works various shifts however does not have any sleep shifts documented on the schedule. Ms. Young reported Ms. Elias does not live or sleep at the home and provided an address for her in Berrien Springs. The schedule also documented that Ms. Young, Ms. Marston and Ms. Richardson all work at the home. I informed Ms. Young that the license does not provide for any sleep shifts and there must be one staff awake at all times.

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:	It was alleged the home was not sufficiently staffed to care for the residents. Based on interviews with staff and review of the staff schedule this violation will not be established. According to the staff schedule there are three direct care staff members (DCSM) and the homeowner who work at the home covering all three shifts. The ratio of direct care staff to residents is currently one DSCM to four residents which meets the staff requirements for a medium size group home.
CONCLUSION:	VIOLATION NOT ESTABLISHED

ADDITIONAL FINDINGS:

INVESTIGATION:

Dorah Elias did not have a Workforce background Check Employability notice within her employee file. Ms. Young reported she thought that since she was a “volunteer” and not a full-time employee she only needed a ICHAT background check. I informed Ms. Young that a volunteer has the same requirements as a paid employee if they are providing direct care especially since she is the only staff on duty at times. Ms. Young apologized for the misunderstanding and indicated she would work on getting Ms. Elias a Workforce background check. I informed Ms. Young that she needs to remove Ms. Elias from the schedule until she has a full background check. Ms. Young expressed understanding and that she would remove her as of today. The staff files for Ms. Richardson and Ms. Marston were also reviewed and had all appropriate documents including workforce background checks.

APPLICABLE RULE	
MCL 400.734	Criminal History Check
	(2) Except as otherwise provided in subsection (6), an adult foster care facility shall not employ or independently contract with an individual who has direct access to residents after April 1, 2006 until the adult foster care facility conducts a criminal history check in compliance with subsections (4) and (5)
ANALYSIS:	I reviewed staff files and found DCSM Dorah Elias was not fingerprinted nor had a workforce background check employability notice. Ms. Elias was taken off the schedule until she completes the necessary background checks to be employed as a DCSM.
CONCLUSION:	VIOLATION ESTABLISHED

III. RECOMMENDATION

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

Nile Khabeiry, LMSW

3/1/23

Nile Khabeiry
Licensing Consultant

Date

Approved By:

Russell Misiak

3/1/23

Russell B. Misiak
Area Manager

Date