



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

March 1, 2023

Patricia Thomas
Quest, Inc
36141 Schoolcraft Road
Livonia, MI 48150-1216

RE: License #: AS500015318
Investigation #: 2023A0604007
Fisher Estates Clf

Dear Mrs. Thomas:

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.

A six-month provisional license is recommended. If you do not contest the issuance of a provisional license, you must indicate so in writing; this may be included in your corrective action plan or in a separate document. If you contest the issuance of a provisional license, you must notify this office in writing and an administrative hearing will be scheduled. Even if you contest the issuance of a provisional license, you must still submit an acceptable corrective action plan.

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.

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 (248) 975-5053.

Sincerely,

A handwritten signature in cursive script that reads "Kristine Cilluffo".

Kristine Cilluffo, Licensing Consultant
Bureau of Community and Health Systems
Cadillac Place
3026 West Grand Blvd Ste 9-100
Detroit, MI 48202
(248) 285-1703

enclosure

**MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
 BUREAU OF COMMUNITY AND HEALTH SYSTEMS
 SPECIAL INVESTIGATION REPORT
 THIS REPORT CONTAINS QUOTED PROFANITY**

I. IDENTIFYING INFORMATION

License #:	AS500015318
Investigation #:	2023A0604007
Complaint Receipt Date:	01/03/2023
Investigation Initiation Date:	01/03/2023
Report Due Date:	03/04/2023
Licensee Name:	Quest, Inc
Licensee Address:	36141 Schoolcraft Road Livonia, MI 48150-1216
Licensee Telephone #:	(734) 838-3400
Administrator:	Nicole Hagood
Licensee Designee:	Patricia Thomas
Name of Facility:	Fisher Estates Cif
Facility Address:	4464 Fisher Estates Lane Romeo, MI 48065
Facility Telephone #:	(586) 752-1583
Original Issuance Date:	04/01/1994
License Status:	REGULAR
Effective Date:	11/04/2022
Expiration Date:	11/03/2024
Capacity:	6
Program Type:	PHYSICALLY HANDICAPPED DEVELOPMENTALLY DISABLED

II. ALLEGATION(S)

	Violation Established?
Home Manager dropped Resident E and left him on floor for 10 minutes. She then shoved food in the resident's mouth while feeding him.	Yes

III. METHODOLOGY

01/03/2023	Special Investigation Intake 2023A0604007
01/03/2023	Special Investigation Initiated - Letter Email to and from Nicole Hagood re: email and incident report regarding home manager's treatment of resident. Received email with picture of the injury. Opened special investigate on based on incident report.
01/04/2023	Inspection Completed On-site Completed unannounced onsite investigation. Interviewed Staff, Edith Bakewell and observed residents.
01/04/2023	Contact - Document Sent Email to and from Nicole Hagood. Received incident report.
01/05/2023	Contact - Document Sent Email to Nicole Hagood
01/12/2023	Contact - Document Received Received intake #192650. Dismissed as intake already open for incident.
01/12/2023	Contact - Document Sent Email to and from Adult Protective Services (APS) Worker, Emily Poley
02/21/2023	Contact - Document Received Email from Nicole Hagood
02/22/2023	Contact - Document Sent Email to Nicole Hagood. Received return email. Received Resident A's hospital discharge papers by email.

02/22/2023	Contact - Document Sent Email to Emily Poley. Received return email
02/23/2023	Contact- Document Sent Email to Emily Poley. Received return email. APS has substantiated complaint.
02/23/2023	Contact- Document Sent Email to Nicole Hagood
02/23/2023	Contact- Telephone call made Left message for Cherie Hurt. Received return call.
02/23/2023	Contact- Telephone call made TC to Staff, Jared Vernatter
02/23/2023	Contact- Telephone call made TC to Staff, Johnathan Pyleski. Unable to leave message.
03/01/2023	Contact- Document Received Received incident report by email from Nicole Hagood with copy of letter from Prosecutor's office.
03/01/2023	Exit Conference Completed exit conference by phone with Administrator, Nicole Hagood.

ALLEGATION:

Home Manager dropped Resident E and left him on floor for 10 minutes. She then shoved food in resident's mouth while feeding him.

INVESTIGATION:

On 01/03/2023, I reviewed an incident report and email sent by Administrator, Nicole Hagood on 12/23/2023. It was alleged that Staff, Edith Bakewell, reported that Home Manager, Jessica O'Berry let Resident E fall to the floor and left him there for 10 minutes. He hit his head and his head bounced off the floor. She then picked him up and placed her hand on his neck and applied pressure. Resident E was shaking his head to try and get away. Later, Ms. Bakewell got Resident E to the table for dinner. Resident E was trying to shove food in his mouth. Jessica O'Berry said she would feed him, and he would not open his mouth. Ms. O'Berry then took a handful of food and smashed it in Resident E's face and said, "now you're going to fucking eat". Another

resident was scraping his plate and Ms. O'Berry took his food and smashed it and said now you're done and threw his food away. Ms. Bakewell contacted manager and informed them what happened on shift with Ms. O'Berry. The Home Manager, Cherie Hurt, from the Weyer Home was contacted and instructed to relieve Ms. O'Berry at Fisher Estates pending Ms. O'Berry's suspension. Ms. O'Berry was contacted and told she was being relieved by Cherie Hurt and that she was suspended until further notice. Ms. O'Berry went on asking questions about what she did wrong. She was instructed to leave the home. The Michigan State Police, 911, MOGI and Licensee Designee, Patricia Thomas were contacted. Resident E was seen at Henry Ford Macomb Hospital and was given a CT scan. The hospital gave resident the 'all clear'.

On 01/03/2023, I received an email from Nicole Hagood with picture of Resident E's neck. The picture showed two scratches that appeared to be about a 1/2 inch and one inch in length on the left side of Resident E's neck. The scratches appeared to be red with dried blood. The photo did not include date it was taken.

On 01/04/2023, I completed an unannounced onsite investigation at Fisher Estates. I interviewed Staff, Edith Bakewell. She stated that she was working with Home Manager, Jessica O'Berry on 12/22/2022. Ms. Bakewell stated that she was giving Resident E a shower and he said his legs were not working. While trying to hold him up, she hurt her back so she put Resident E in his wheelchair. Ms. O'Berry went over to move Resident E and she dropped him and let him fall to floor. Ms. O'Berry screamed at him and left him on floor for ten minutes. She then got him in chair and started to push on his neck with her hands. Ms. Bakewell did not see marks on Resident E's neck at that time. Ms. Bakewell stated that Ms. O'Berry made dinner for residents at 3:30 pm. Resident E was shoving food in his mouth. Ms. O'Berry then took a handful of food and smashed it in his face and said "now you're going to fucking eat it". Resident F was scraping the last bit of food off his plate. Ms. O'Berry smashed his food and said now you are done too and threw his dinner away. Ms. Bakewell stated that Resident F is currently in the hospital. He was hospitalized on 01/03/2023 due to a scheduled prostate surgery. Ms. Bakewell stated that she left her shift and contacted her boss. Another Home Manager, Cherie Hurt, was sent to the home to replace Ms. O'Berry. When Ms. Hurt arrived, she found the scratches on Resident E's neck that were still bleeding. Ms. Bakewell stated that she has not observed Ms. O'Berry be physically aggressive with residents before, however, has seen her yelling at residents and she has seen scratches on residents. Ms. O'Berry has also said to staff that she would like to set Resident B outside and let coyotes eat him. She did not say this to Resident B. Ms. Bakewell stated that the workshop the residents attend contacted Ms. O'Berry after the incident and she told them to "go to hell".

On 01/04/2023, I observed Resident E. Resident E has limited verbal ability and was unable to answer questions regarding incident. I did not observe any marks or bruises on Resident E. The marks were no longer visible on his neck and appeared to have healed.

On 01/04/2023, I received an incident report from Administrator, Nicole Hagood. The incident report indicated that she received a call on 12/30/2022 from a police officer. Officer Quitter stated that he talked to Jessica O'Berry. Ms. O'Berry stated that she helped Resident E to the floor and did not say if he hit his head or not. Ms. O'Berry stated that the marks on Resident E's neck were there days prior to alleged incident, however, Officer Quitter felt that was untrue due to blood on the marks. Officer Quitter asked how Edith and Jessica got along. Ms. Hagood indicated that as far as she knew they worked together great, and Jessica always would say that Edith was her "right hand girl". Officer asked if there would be documentation if marks were there prior and he was told that an incident report would absolutely be completed. Officer indicated that he was finishing his report and would be forwarding it to the Prosecutor. The crime against a vulnerable adult is a two-year misdemeanor.

On 02/21/2023, I received an email from Administrator, Nicole Hagood. Ms. Hagood stated that she was contacted by the Macomb County Prosecutors office today. They informed her that a bench warrant has been approved and Jessica O'Berry was notified of it last week. As of today, she has not turned herself in. The bench warrant will remain open until she turns herself in, is pulled over or arrested. Ms. Hagood stated that Ms. O'Berry remains suspended with Quest, Inc. until all open investigations are completed.

On 02/22/2023, I received a copy of Resident E's discharge papers from Henry Ford Hospital. Resident E was seen for a fall on 12/22/2022. Resident E was found to have high blood pressure and was advised to follow up with Internal Medicine doctor.

On 02/23/2023, I interviewed Home Manager, Cherie Hurt, by phone. Ms. Hurt indicated that on 12/22/2022 she was asked to relieve Ms. O'Berry at Fisher Estates. She got to the home at about 8:30 pm and the residents were in bed. Ms. O'Berry was leaving as she was entering the home. She stated that Ms. O'Berry was acting like she did not know what was going on. Upon arrival, she checked on Resident E immediately. She noticed scratches on his neck that looked like nail marks. The marks appeared to be fresh and not more than an hour old. Ms. O'Berry was gone when she found the marks, so she did not ask what happened. She contacted her manager, Nicole Hagood, and was instructed to call 911, contact guardian and Resident E was sent to the hospital. Ms. Hurt stated that Ms. O'Berry can be very mouthy but she has never heard of Ms. O'Berry causing any physical injury to residents prior to this incident.

On 02/23/2023, I interviewed staff, Jared Vernatter, by phone. He stated that he was not working the day the alleged incident occurred. He stated that Ms. O’Berry could be loud, aggressive, and obnoxious, however, he has never seen her be physically aggressive with residents. He stated that if residents would not listen, she would get louder. Mr. Vernatter stated that he did not see anything concerning, however, Ms. O’Berry worked alone a lot. He stated that the residents are older so they bump and bruise easily. He has not seen any injuries on residents that caused concern. He was never told about any concerns regarding Ms. O’Berry.

On 02/23/2023, I attempted to interview staff, Johnathan Pytleski, by phone. I was unable to leave message as voicemail was not set up.

On 02/23/2023, I received an email from APS Worker, Emily Poley. Ms. Poley indicated that APS substantiated the complaint.

On 03/01/2023, I received an incident report by email from Nicole Hagood. The incident report included a letter from Macomb County Prosecutor’s Office. The letter indicates that as a result of incident on 12/22/2022, Jessica O’Berry, was charged with Third Degree Vulnerable Adult Abuse. The letter was sent to Resident E to notify him of his rights under the Crime Victim’s Rights Act. The incident report indicates that Resident E’s guardian has been notified of the letter and stated he would contact the Prosecutor’s office.

I completed an exit conference by phone with Administrator, Nicole Hagood, on 03/01/2023. I informed her of the violations found and recommendation for provisional license. I also informed her that a copy of the special investigation report would be mailed once approved and a corrective action plan would be requested.

APPLICABLE RULE	
R 400.14305	Resident protection.
	(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.

ANALYSIS:	Resident E was not provided with protection and safety. On 12/22/2022, Resident E was placed in his wheelchair by Staff, Edith Bakewell, after a shower. Ms. Bakewell stated that Home Manager, Jessica O’Berry, went over to move Resident E and she dropped him and let him fall to floor. Ms. Bakewell stated that Ms. O’Berry screamed at him and left him on the floor for 10 minutes. She believes that Ms. O’Berry dropped him intentionally. Ms. Bakewell then observed Ms. O’Berry put her hands on Resident E’s neck. Resident E was later observed to have bleeding scratches on his neck when Home Manager, Cherie Hurt, arrived at the home to relieve Ms. O’Berry. A warrant has been issued for Ms. O’Berry’s arrest. She has been charged with Third Degree Vulnerable Adult Abuse.
CONCLUSION:	REPEAT VIOLATION ESTABLISHED Reference special investigation report (SIR) #2021A0604016 dated 11/02/2021, CAP dated 11/10/2021

APPLICABLE RULE	
R 400.14308	Resident behavior interventions prohibitions.
	<p>(2) A licensee, direct care staff, the administrator, members of the household, volunteers who are under the direction of the licensee, employees, or any person who lives in the home shall not do any of the following:</p> <ul style="list-style-type: none"> (a) Use any form of punishment. (b) Use any form of physical force other than physical restraint as defined in these rules. (f) Subject a resident to any of the following: <ul style="list-style-type: none"> (i) Mental or emotional cruelty. (iv) Threats.
ANALYSIS:	<p>Physical force was used on Resident E causing injury to his neck. On 12/22/2022, Resident E was dropped on the floor by Ms. O’Berry. Staff, Edith Bakewell, then observed Ms. O’Berry placing her hands on his neck. Resident E was later found to have bleeding scratches on his neck. Home Manager, Cherie Hurt, indicated that Resident E appeared to have nail marks on his neck when she arrived at the home.</p> <p>Also, on 12/22/2022 Edith Bakewell indicated that she observed Ms. O’Berry smash food in Resident E’s face and say, “now you’re going to fucking eat it”. She also indicated that Resident F was scraping the last bit of food off his plate and Ms. O’Berry</p>

	smashed his food and said now you are done too and threw his dinner away.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

Contingent upon receipt of an acceptable corrective action plan, I recommend issuance of a provisional license.

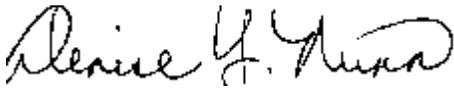


03/01/2023

Kristine Cilluffo
Licensing Consultant

Date

Approved By:



03/01/2023

Denise Y. Nunn
Area Manager

Date