



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

May 1, 2023

Bethany Mays
Resident Advancement, Inc.
PO Box 555
Fenton, MI 48430

RE: License #: AS250285695
Investigation #: 2023A0779032
Lin-Hill

Dear Ms. Mays:

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 (517) 643-7960.

Sincerely,

A handwritten signature in cursive script that reads "Christopher A. Holvey".

Christopher Holvey, Licensing Consultant
Bureau of Community and Health Systems
611 W. Ottawa Street
P.O. Box 30664
Lansing, MI 48909
(517) 899-5659

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AS250285695
Investigation #:	2023A0779032Licensee
Complaint Receipt Date:	03/21/2023
Investigation Initiation Date:	03/21/2023
Report Due Date:	05/20/2023
Licensee Name:	Resident Advancement, Inc.
Licensee Address:	411 S. Leroy, PO Box 555 Fenton, MI 48430
Telephone #:	(810) 750-0382
Administrator:	Danielle Davis
Licensee Designee:	Bethany Mays
Name of Facility:	Lin-Hill
Facility Address:	6104 Linden Swartz Creek, MI 48473
Facility Telephone #:	(810) 655-6731
Original Issuance Date:	11/22/2006
License Status:	REGULAR
Effective Date:	07/05/2021
Expiration Date:	07/04/2023
Capacity:	6
Program Type:	DEVELOPMENTALLY DISABLED MENTALLY ILL

II. ALLEGATION(S)

	Violation Established?
Staff person, Stephanie Hart, has used Resident A's personal credit card to purchase things for herself.	Yes
Additional Findings	Yes

III. METHODOLOGY

03/21/2023	Special Investigation Intake 2023A0779032
03/21/2023	Special Investigation Initiated - Telephone Spoke to administrator, Daniele Davis.
03/21/2023	APS Referral Complaint was referred to APS centralized intake.
03/21/2023	Contact - Telephone call made Interview conducted with home manager, Amanda Durant.
03/22/2023	Inspection Completed On-site
03/22/2023	Contact - Telephone call made Interview conducted with staff person, Stephanie Hart.
03/29/2023	Contact - Telephone call made Spoke to recipient rights investigator, Michelle Salem.
04/17/2023	Contact - Telephone call made Spoke to administrator, Danielle Davis.
04/17/2023	Exit Conference Held with licensee designee, Beth Mays.
04/20/2023	Contact - Telephone call made Spoke to administrator.
04/24/2023	Inspection Completed On-site
04/24/2023	Exit Conference Held with licensee designee, Beth Mays.

ALLEGATION:

Staff person, Stephanie Hart, has used Resident A's personal credit card to purchase things for herself.

INVESTIGATION:

On 3/21/23, a phone conversation took place with administrator, Danielle Davis. She stated that they have found that staff person, Stephanie Hart, used Resident A's personal credit card to buy food and gas for herself on 3/17/23. Ms. Davis reported that Ms. Hart took her personal car to go pick Resident A up from his work and purchased gas for her car and went through Arby's drive-thru and purchased food for herself. Ms. Davis stated that Resident A claims that he was in the car when they went through Arby's but that he did not get any food, only Ms. Hart. She stated that Resident A's guardian has provided credit card statements that show the unauthorized purchases 3/17/23.

On 3/21/23, a phone interview was conducted with home manager, Amanda Durant, who confirmed that Ms. Hart used her own car to transport Resident A on 3/17/23. She stated that Ms. Hart had Resident A's credit card with her when she left to go pick Resident A up and then they stopped at the dollar store and Arby's on the way home. Ms. Durant reported that Resident A is saying that he did buy some things at the dollar store, but that he did not get food at Arby's. She stated that Ms. Hart provided only one receipt from the dollar store but there were two transactions made there with Resident A's card on 3/17/23. Ms. Durant stated that a complaint was made to law enforcement.

The home provided a copy of Resident A's credit card statement. The statement confirmed that the card was used on 3/17/23 to make two separate transactions at Dollar Tree. One for \$4.03 and one for \$2.50. It confirmed that one transaction was made at a Speedway gas station for \$23.91 and one at Arby's for \$15.15.

On 3/22/23, an on-site inspection was conducted, and Resident A was interviewed. He confirmed that Ms. Hart picked him up from work and that they went to the dollar store, where bought himself toothpaste and a beverage. Resident A stated that Ms. Hart had his card and used it to buy his items. He reported that at no time did he have possession of his credit card and stated that he is not sure if Ms. Hart used his card to buy herself anything at the dollar store. Resident A stated that they then went to Arby's and Ms. Hart bought herself food. He stated that he kept asking Ms. Hart if he could get something to eat, but she ignored him and did not get him anything.

Resident A's Resident Funds II form for February and March 2023 were reviewed. The home uses this form to document any transactions that are made using the cash that the home keeps for safekeeping for Resident A. There did not appear to be any evidence of suspicious spending of Resident A's cash funds. The home does not use

this form or any form to document the transactions that take place using Resident A's credit card (this issue is addressed later in this report). The home does not currently keep bank cards for any other residents.

On 3/22/23, a phone interview was conducted with staff person, Stephanie Hart, who confirmed that she drove her personal car to transport Resident A on 3/17/23. She admitted that she stopped and put gas in her car at a Sunoco gas station, before picking Resident A up. She stated that she took Resident A's credit card with her because she knew that Resident A's wanted to get things from the dollar store. Ms. Hart claims that she had Resident A's credit card in the same pocket with her own personal card and that she thought she used her own card to purchase the gas. Ms. Hart confirmed that she took Resident A to Dollar Tree for him to buy a few things and that she used his card for him to make those purchases. Ms. Hart stated that she was not aware of Resident A's card being used for any second transaction and denied that she used it to purchase any items for herself. Ms. Hart reported that she did go through Arby's but claims that she used Resident A's credit card to buy him food and did not buy any food for herself. Ms. Hart stated that she would never intentionally steal from a resident and that if she did accidentally use Resident A's card to purchase her gas, she would pay him back.

On 3/29/23, a phone conversation took place with recipient rights investigator, Michelle Salem. She stated that it has been discovered that Ms. Hart not only made those unauthorized purchases on 3/17/23, but also used Resident A's credit card to purchase herself gas and personal items at Dollar Tree on 3/15/23 as well. Ms. Salem stated that during her interview with Ms. Hart, she acknowledged that she used Resident A's credit card to make all four unauthorized transactions at the Dollar Tree and gas station. Ms. Salem reported that Ms. Hart is claiming that she used Resident A's card by accident. Ms. Salem stated that Resident A does not seem to have a good memory, but that he is adamant that he did not eat any Arby's.

On 4/17/23, administrator, Ms. Davis, confirmed that Ms. Hart admitted to using Resident A's card to make purchases of gas and at the Dollar Tree on both 3/15/23 and 3/17/23. She stated that Ms. Hart's employment has been terminated.

On 4/20/23, another phone conversation took place with administrator, Ms. Davis, to clarify the records kept for the purchases on Resident A's credit card. She stated that the credit card account is actually under Resident A's guardian, that the guardian uses the account to make her own personal purchases and just has a card for that account in Resident A's name. Ms. Davis reported that they do not record transactions made using that card and provide all receipts to the guardian. Ms. Davis stated that Resident A works, has his own money/cash, that the home keeps for him and documents those transactions. She stated that they have asked the guardian to take the credit card home with her and only have her use it to purchase large items for Resident A.

APPLICABLE RULE	
R 400.14315	Handling of resident funds and valuables.
	(10) A licensee, administrator, direct care staff, other employees, volunteers under the direction of the licensee, and members of their families shall not accept, take, or borrow money or valuables from a resident, even with the consent of the resident.
ANALYSIS:	It was confirmed that staff person, Stephanie Hart, used Resident A's credit card to make personal purchases for herself. Ms. Hart initially only admitted to using the card to purchase gas for her own vehicle and stated that it was an accident, but later admitted to using Resident A's credit card to make unauthorized purchases on both 3/15/23 and 3/17/23. Credit Card statements have confirmed that the unauthorized purchases were made on those dates and when the card was in Ms. Hart's possession. There was sufficient evidence found to validate a violation of this rule.
CONCLUSION:	VIOLATION ESTABLISHED

ADDITIONAL FINDINGS:

INVESTIGATION:

On 4/24/23, an on-site inspection was conducted. It was found that this home had a signed Resident Care Agreement for Resident A, but that the form was not completed fully. None of the required check boxes on this form were checked to explain and/or clarify what certain services were to be provided and those related to the safekeeping and management of Resident A's funds and financial transactions.

APPLICABLE RULE	
R 400.14301	Resident admission criteria; resident assessment plan; emergency admission; resident care agreement; physician's instructions; health care appraisal.
	(6) At the time of a resident's admission, a licensee shall complete a written resident care agreement. A resident care agreement is the document which is established between the resident or the resident's designated representative, the responsible agency, if applicable, and the licensee and which specifies the responsibilities of each party. A resident care agreement shall include all of the following:

	<p>(a) An agreement to provide care, supervision, and protection, and to assure transportation services to the resident as indicated in the resident's written assessment plan and health care appraisal.</p> <p>(b) A description of services to be provided and the fee for the service.</p> <p>(c) A description of additional costs in addition to the basic fee that is charged.</p> <p>(d) A description of the transportation services that are provided for the basic fee that is charged and the transportation services that are provided at an extra cost.</p> <p>(e) An agreement by the resident or the resident's designated representative or responsible agency to provide necessary intake information to the licensee, including health-related information at the time of admission.</p> <p>(f) An agreement by the resident or the resident's designated representative to provide a current health care appraisal as required by subrule (10) of this rule.</p> <p>(g) An agreement by the resident to follow the house rules that are provided to him or her.</p> <p>(h) An agreement by the licensee to respect and safeguard the resident's rights and to provide a written copy of these rights to the resident.</p> <p>(i) An agreement between the licensee and the resident or the resident's designated representative to follow the home's discharge policy and procedures.</p> <p>(j) A statement of the home's refund policy. The home's refund policy shall meet the requirements of R 400.14315.</p> <p>(k) A description of how a resident's funds and valuables will be handled and how the incidental needs of the resident will be met.</p> <p>(l) A statement by the licensee that the home is licensed by the department to provide foster care to adults.</p>
ANALYSIS:	<p>On 4/24/23, this home did not have for review a completed Resident Care Agreement for Resident A. There was a Resident Care Agreement dated 11/15/2022, but this form did not have any of the required check boxes checked to explain and/or clarify what certain services were to be provided and those related to the safekeeping and management of Resident A's funds and financial transactions.</p>
CONCLUSION:	VIOLATION ESTABLISHED

ADDITIONAL FINDINGS:

INVESTIGATION:

On 4/20/23, a phone conversation took place with administrator, Ms. Davis, to clarify the records kept for the purchases on Resident A’s credit card. She stated that the credit card account is under Resident A’s guardian, that the guardian uses the account to make her own personal purchases and just has a card for that account in Resident A’s name. Ms. Davis reported that they do not record transactions made using that card and provide all receipts regarding that card to the guardian. She stated this card is kept inside the resident funds book, which is kept in the locked medication closet until Resident A needs it. Ms. Davis stated that the policy is for staff to get the card and give it to Resident A for him to make his own purchases.

During the on-site inspection that took place on 4/24/23, there was no copy available of the Resident Funds Part I form for Resident A. Administrator, Ms. Davis stated that it appears that this form was not completed upon Resident A’s admission into this home. There was also no Resident Funds Part II form available for review pertaining to any and all transactions that were made using Resident A’s credit card.

APPLICABLE RULE	
R 400.14315	Handling of resident funds and valuables.
	(3) A licensee shall have a resident's funds and valuables transaction form completed and on file for each resident. A department form shall be used unless prior authorization for a substitute form has been granted, in writing, by the department.
ANALYSIS:	On 4/24/23, there was no copy available of the Resident Funds Part I form for Resident A, as it appears this form was not completed upon Resident A’s admission to this home. Administrator, Danielle Davis confirmed that the home was keeping Resident A’s card locked away for safekeeping until he needed it and that the home did not record transactions made using that card. There was no Resident Funds Part II form available for review pertaining to any and all transactions that were made using Resident A’s credit card.
CONCLUSION:	VIOLATION ESTABLISHED

On 4/17/23, an exit conference was held with licensee designee, Bethany Mays. She was informed of the above rule violation and that a corrective action plan is required.

On 4/24/23, a second exit conference was held with licensee designee, Bethany Mays. She was informed of the rule violations and that a corrective action plan is required.

IV. RECOMMENDATION

Upon receipt of an approved written corrective action plan, it is recommended that the status of this home's license remain unchanged.



5/1/2023

Christopher Holvey
Licensing Consultant

Date

Approved By:



5/1/2023

Mary E. Holton
Area Manager

Date