



STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

GRETCHEN WHITMER
GOVERNOR

ORLENE HAWKS
DIRECTOR

May 10, 2023

Mounirah Abuaita
A & M Inc.
11328 N. Bray Rd.
Clio, MI 48420

RE: License #:	AM250298908
Investigation #:	2023A0872031
	A & M Inc.

Dear Ms. Abuaita:

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 "Susan Hutchinson".

Susan Hutchinson, Licensing Consultant
Bureau of Community and Health Systems
611 W. Ottawa Street
P.O. Box 30664
Lansing, MI 48909
(989) 293-5222

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AM250298908
Investigation #:	2023A0872031
Complaint Receipt Date:	03/20/2023
Investigation Initiation Date:	03/21/2023
Report Due Date:	05/19/2023
Licensee Name:	A & M Inc.
Licensee Address:	11328 N. Bray Rd. Clio, MI 48420
Licensee Telephone #:	(810) 247-2343
Administrator:	Mounirah Abuaita
Licensee Designee:	Mounirah Abuaita
Name of Facility:	A & M Inc.
Facility Address:	11328 N. Bray Rd. Clio, MI 48420
Facility Telephone #:	(810) 247-2343
Original Issuance Date:	12/13/2011
License Status:	REGULAR
Effective Date:	08/06/2022
Expiration Date:	08/05/2024
Capacity:	12
Program Type:	PHYSICALLY HANDICAPPED AGED

II. ALLEGATION(S)

	Violation Established?
In December 2022, employee Haylee Ninness was caught on video “smacking” Resident A in the face several times. She also called Resident A an “old hag” and pulled on her foot.	Yes
Several months ago, staff stole medications from the residents.	No
Home Manager, Mary Osborn tells staff to feed the residents expired food and small plates.	No
Additional Findings	Yes

III. METHODOLOGY

03/20/2023	Special Investigation Intake 2023A0872031
03/21/2023	Special Investigation Initiated - Letter I exchanged emails with APS Supervisor, Kathryn Dennis
03/21/2023	APS Referral This complaint was assigned to APS Worker, Samantha Belanger
03/22/2023	Inspection Completed On-site Unannounced
03/28/2023	Contact - Document Received I exchanged emails with APS Worker, Rebbeca Schalow
03/30/2023	Contact - Telephone call received I spoke to Genesee County Sheriff's Deputy Bowman
04/06/2023	Contact - Document Sent I emailed the facility manager, Jordan Abuaita, requesting information about this complaint
04/10/2023	Contact - Document Received I redeived AFC documentation regarding this complaint
04/12/2023	Contact - Document Received I received an email from the licensee designee, Mary Abuaita
04/18/2023	Contact - Telephone call made

	I interviewed the licensee designee, Mary Abuaita
04/25/2023	Contact - Telephone call made I spoke to APS Worker, Samantha Belanger
04/25/2023	Contact - Telephone call made I spoke to Lt. Nickelsen from the Genesee County Sheriff's Dept
04/27/2023	Inspection Completed On-site Unannounced
05/03/2023	Contact – Telephone call made I spoke to Deputy Bowman
05/03/2023	Inspection Completed-BCAL Sub. Compliance
05/10/2023	Exit Conference I conducted an exit conference with the licensee designee, Mary Abuaita
05/10/2023	Inspection Completed – BCAL Sub. Compliance

ALLEGATION: In December 2022, employee Haylee Ninness was caught on video “smacking” Resident A in the face several times. She also called Resident A an “old hag” and pulled on her foot.

INVESTIGATION: On 03/22/23, I conducted an unannounced onsite inspection of A & M Inc. Adult Foster Care facility. I interviewed the facility manager, Jordan Abuaita, home manager Mary Osborn and Residents A, B, and C.

I reviewed the allegations with Mr. Abuaita and Ms. Osborn, and they denied all allegations. Ms. Osborn said that the facility did employ a staff named Haylee Ninness but she is no longer employed. Ms. Osborn said that Ms. Ninness was pregnant and as her pregnancy progressed, she could no longer do the work. Ms. Osborn told me that at no time was she shown a video of Ms. Ninness or any of the other staff physically abusing or treating any of the residents inappropriately. Ms. Osborn and Mr. Abuaita said that neither of them has received any allegations of staff being abusive or inappropriate with any of the residents.

I asked Resident A if any of the staff has ever hit her, called her names, or said anything to make her uncomfortable. She said no. I asked her if any of the staff has ever slapped her and she said, “Yes, once in the back.” She said she does not remember when this happened and does not know which staff it was. Resident A then changed the topic and began talking about moving blocks.

I met with Resident B who was resting in a recliner in one of the sitting areas. I attempted to interview her but due to her dementia, she was not able to answer any of my questions.

Resident C said that staff is not inappropriate with her, and she has never seen or heard staff say or do anything inappropriate to any of the other residents.

On 04/06/23, I received four videos from APS Worker, Samantha Belanger. The videos showed staff being physically and verbally inappropriate and abusive to Resident A. Staff was pulling on Resident A's leg in one of the videos and was talking harshly to her in another video while making grabbing motions at her. In the other videos, staff was slapping Resident A on the sides of her face while she was lying in bed. Staff was heard saying, "You're going to jail you old hag. Oh, come on, citizen's arrest, bitch, let's go. Come on, I'm taking your ass to jail. How do you like it? Getting smacked up in the face?" while she was slapping Resident A's face.

On 04/12/23, I received an Incident/Accident Report (IR) from the facility manager, Jordan Abuaita. The IR was dated 04/07/23 at 3:00pm. According to the IR, "Received a call from [Resident A's] daughter that she received videos of [Resident A] being abused. I asked [her] to please send videos asap." The action taken by staff was, "Contacted Sheriff's Dept. and APS immediately to send videos."

On 04/18/23, I interviewed the licensee designee, Mary Abuaita via telephone. Ms. Abuaita said that she received copies of the videos. Ms. Abuaita verified that the person in the video is former staff, Haylee Ninness. Ms. Abuaita told me that she met with Resident A's family and discussed the incident. She said that she and the facility manager, Jordan Abuaita have also been cooperating with the Genesee County Sheriff's Department regarding this investigation. Ms. Abuaita told me that Haylee Ninness has not worked at this facility for several months and she will not be allowed back.

On 04/25/23, I spoke to Deputy Bowman and Lieutenant Nickleson from the Genesee County Sheriff's Department. Lt. Nickleson said that they conducted their investigation and will be submitting the information to the prosecutor's office.

On 04/27/23, I conducted another unannounced onsite inspection at A & M Inc. AFC. I interviewed the home manager, Mary Osborn and staff Emily Lawson and Amanda Horton. I also interviewed Residents D and E.

I showed a brief clip of the video to Ms. Osborn, and she verified that the person in the video is former staff, Haylee Ninness. Ms. Osborn said that up until learning about this video, she did not have any concerns about any of the staff physically abusing or otherwise being inappropriate with any of the residents.

Staff Emily Lawson and Amanda Horton said that they have never been inappropriate with any of the residents, they have never had suspicions that any of the other staff

have physically abused or been inappropriate with the residents, and none of the residents have ever disclosed that they have been treated inappropriately by any of the staff.

Resident D said that none of the staff has ever been physically inappropriate with her and she has never seen or heard staff being inappropriate with any of the other residents.

Resident E said that staff is “good” to her, and she has no concerns. She said that she has never seen or heard staff being inappropriate with any of the other residents.

On 05/03/23, I spoke to Deputy Bowman via telephone. He stated that Lt. Nickleson submitted the information to the prosecutor’s office, and they are waiting to hear back.

APPLICABLE RULE	
R 400.14204	Direct care staff; qualifications and training.
	(2) Direct care staff shall possess all of the following qualifications: (a) Be suitable to meet the physical, emotional, intellectual, and social needs of each resident.
ANALYSIS:	<p>On 04/06/23, I received four videos from APS Worker, Samantha Belanger. The videos showed staff being physically and verbally inappropriate and abusive to Resident A. Staff was pulling on Resident A’s leg in one of the videos and was talking harshly to her in another video while making grabbing motions at her. In the other videos, staff was slapping Resident A on the sides of her face while she was lying in bed. Staff was heard saying, “You’re going to jail you old hag. Oh, come on, citizen’s arrest, bitch, let’s go. Come on, I’m taking your ass to jail. How do you like it? Getting smacked up in the face?” while she was slapping Resident A’s face.</p> <p>According to staff Jordan Abuaita, Mary Abuaita, and Mary Osborn, the staff person in the video is former staff Haylee Ninness.</p> <p>I conclude that there is sufficient evidence to substantiate this rule violation.</p>
CONCLUSION:	VIOLATION ESTABLISHED

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:	<p>On 04/06/23, I received four videos from APS Worker, Samantha Belanger. The videos showed staff being physically and verbally inappropriate and abusive to Resident A. Staff was pulling on Resident A's leg in one of the videos and was talking harshly to her in another video while making grabbing motions at her. In the other videos, staff was slapping Resident A on the sides of her face while she was lying in bed. Staff was heard saying, "You're going to jail you old hag. Oh, come on, citizen's arrest, bitch, let's go. Come on, I'm taking your ass to jail. How do you like it? Getting smacked up in the face?" while she was slapping Resident A's face.</p> <p>According to staff Jordan Abuaita, Mary Abuaita, and Mary Osborn, the staff person in the video is former staff Haylee Ninness.</p> <p>I conclude that there is sufficient evidence to substantiate this rule violation.</p>
CONCLUSION:	VIOLATION ESTABLISHED

ALLEGATION: Several months ago, staff stole medications from the residents.

INVESTIGATION: On 03/22/23, I conducted an unannounced onsite inspection of A & M Inc. Adult Foster Care facility. I interviewed the facility manager, Jordan Abuaita, home manager Mary Osborn and Residents A, B, and C. I examined the narcotics and medication logs for the residents.

Ms. Osborn and Mr. Abuaita said that the medication counts have not been off at the facility. Ms. Osborn said that she personally monitors all the medications at the facility and has a special count set up for narcotics. According to Ms. Osborn, when staff pass a narcotic, they date and initial the bubble pack and then complete the online medication administration record (MAR). She showed me the online MAR and explained how staff passes and documents medication. She said that the facility uses Advanced Pharmacy, and a narcotics count is automatically conducted at the end of each shift. In addition, the outgoing and incoming staff conducts narcotics counts at each shift.

According to Ms. Osborn, seven residents take narcotics. I examined the narcotics for all the residents and found them locked in the medication cart. I examined the

medication records for the resident's narcotics and compared the records to the bubble packs of narcotics and did not see any discrepancies. I confirmed that staff initials and dates the bubble pack in addition to documenting the online MAR. I also examined the overflow narcotics which are kept locked in the manager's office and did not find any missing. Ms. Osborn has the only key to the overflow narcotics, and she showed me that she keeps the key on her person.

On 04/18/23, I interviewed the licensee designee, Mary Abuaita via telephone. Ms. Abuaita confirmed that the narcotics counts at the facility have not been off. She said that several months ago, a disgruntled staff told her that narcotics were being stolen so she conducted a thorough investigation. Ms. Abuaita said that she did not find any evidence that the medication counts were off for any of the residents.

APPLICABLE RULE	
R 400.14312	Resident medications.
	(6) A licensee shall take reasonable precautions to ensure that prescription medication is not used by a person other than the resident for whom the medication was prescribed.
ANALYSIS:	<p>On 03/23/23, I examined the narcotics for all the residents and found them locked in the medication cart. I examined the medication records for the resident's narcotics and compared the records to the bubble packs of narcotics and did not see any discrepancies. I confirmed that staff initials and dates the bubble pack in addition to documenting the online MAR. I also examined the overflow narcotics which are kept locked in the manager's office and did not find any missing.</p> <p>According to the home manager, Mary Osborn, the facility manager, Jordan Abuaita, and the licensee designee, Mary Abuaita, the resident medication counts have never been off. Ms. Abuaita conducted an internal investigation and did not find any evidence that the medication counts were off.</p> <p>I conclude that there is insufficient evidence to substantiate this rule violation.</p>
CONCLUSION:	VIOLATION NOT ESTABLISHED

ALLEGATION: Home Manager, Mary Osborn tells staff to feed the residents expired food and small plates.

INVESTIGATION: On 03/22/23, I conducted an unannounced onsite inspection of A & M Inc. Adult Foster Care facility. I interviewed the facility manager, Jordan Abuaita, home manager Mary Osborn and Residents A, B, and C. I also conducted a visual

inspection of the facility. I examined the food in the refrigerator, freezer, and pantry and looked at the menu.

According to Ms. Osborn, she has never instructed the staff to serve expired food or small plates to the residents. She said that the residents get three meals a day plus snacks. The residents are always offered seconds after each meal in case they are still hungry. I inspected the food in the pantry, cupboards, refrigerator, and freezer. I examined random boxed food, canned food, refrigerated food and frozen food and did not find anything expired. I saw ample amounts of food and examined the menu which appeared to contain nutritious meals.

I met with Resident A who was lying in bed, taking a nap. Resident A was clean as was her room, and she was dressed appropriately. Resident A told me that she “eats well” at this facility. She said that staff “tries a lot of different foods” and she always gets enough to eat. Resident A told me that she has lived at this facility for over a year, and she does not have any complaints.

I met with Resident B who was resting in a recliner in one of the sitting areas. I attempted to interview her but due to her dementia, she was not able to answer any of my questions.

I met with Resident C who was taking a nap in her room. She was clean as was her room and was dressed appropriately. She told me that she always gets enough to eat, and the meals are “good” at this facility. She said that she has no complaints about the food.

On 04/27/23, I conducted another unannounced onsite inspection at A & M Inc. AFC. I interviewed staff Emily Lawson and Amanda Horton. I also interviewed Residents D and E.

Ms. Lawson and Ms. Horton said that there is always enough food to feed the residents and they have never been instructed to serve expired food or small plates. Ms. Lawson and Ms. Horton said that the residents are given three meals a day plus snacks. After each meal, the residents are asked if they want more to eat or if they do not like what is being served, staff offers to make them something else.

Resident D told me that she and the other residents, “get more than enough to eat” and said that they are also given snacks. Resident D said that she has no concerns about the food at this facility and staff does a good job with the meals.

Resident E said that she has lived at this facility for almost three years, and she has no concerns about the food. She stated that they are served three meals a day plus snacks and staff always asks them if they want more to eat or something different.

APPLICABLE RULE	
R 400.14402	Food service.
	(1) All food shall be from sources that are approved or considered satisfactory by the department and shall be safe for human consumption, clean, wholesome and free from spoilage, adulteration, and misbranding.
ANALYSIS:	<p>On 03/22/23, I examined the menu for the facility which appears to contain nutritious meals. I inspected the food in the pantry, cupboards, refrigerator, and freezer. I randomly examined boxed food, canned food, refrigerated food and frozen food and did not find anything expired.</p> <p>According to staff Mary Osborn, Jordan Abuaita, Emily Lawson and Amanda Horton, staff does not serve expired food or small plates to the residents. All individuals stated that the residents are served three meals a day plus snacks, and they are offered seconds after each meal.</p> <p>Residents A, C, D, and E all stated that they are served three meals a day plus snacks. They said that there is always enough food to eat, and they have no complaints.</p> <p>I conclude that there is insufficient evidence to substantiate this rule violation.</p>
CONCLUSION:	VIOLATION NOT ESTABLISHED

ADDITIONAL FINDINGS:

INVESTIGATION: On 04/06/23, I received four videos from APS Worker, Samantha Belanger. Resident A is diagnosed with dementia and the videos were obviously taken without her consent. During the videos, staff did not treat Resident A with dignity or respect, and they did not respect her right to privacy. Staff further had not written consent to be making videos of Resident A in her bedroom. It is clear from the video that at least two staff persons were involved in the video, one staff was videoing of another staff person mistreating Resident A.

APPLICABLE RULE	
R 400.14304	Resident rights; licensee responsibilities.
	(1) Upon a resident's admission to the home, a licensee shall inform a resident or the resident's designated representative of, explain to the resident or the resident's designated representative, and provide to the resident or

	<p>the resident’s designated representative, a copy of all of the following resident rights:</p> <p>(o) The right to be treated with consideration and respect, with due recognition of personal dignity, individuality, and the need for privacy.</p>
ANALYSIS:	<p>On 04/06/23, I received four videos from APS Worker, Samantha Belanger. Resident A is diagnosed with dementia and the videos were obviously taken without her consent. During the videos, staff did not treat Resident A with dignity or respect, and they did not respect her right to privacy.</p> <p>I conclude that there is sufficient evidence to substantiate this rule violation.</p>
CONCLUSION:	VIOLATION ESTABLISHED

INVESTIGATION: On 01/16/23, Resident B was taken to the hospital. According to the Incident/Accident Report (IR), staff found Resident B lying face down by her bed. Staff contacted the family and Resident B’s doctor. Resident B’s doctor sent her to the hospital for x-rays of her face and shoulders. The corrective measures taken were, “Told resident it is very important for her safety to try and hit the call button on her neck before getting up by herself.” The facility did not provide me with a copy of this Incident/Accident Report until 03/22/23.

APPLICABLE RULE	
R 400.14311	Investigation and reporting of incidents, accidents, illnesses, absences, and death.
	<p>(1) A licensee shall make a reasonable attempt to contact the resident's designated representative and responsible agency by telephone and shall follow the attempt with a written report to the resident's designated representative, responsible agency, and the adult foster care licensing division within 48 hours of any of the following:</p> <p>(c) Incidents that involve any of the following:</p> <p>(i) Displays of serious hostility.</p> <p>(ii) Hospitalization.</p> <p>(iii) Attempts at self-inflicted harm or harm to others.</p> <p>(iv) Instances of destruction to property.</p>

ANALYSIS:	On 01/16/23, Resident B was sent to the hospital for x-rays of her face and shoulders due to a fall. The facility did not send me an Incident/Accident Report until 03/22/23. I conclude that there is sufficient evidence to substantiate this rule violation.
CONCLUSION:	VIOLATION ESTABLISHED

On 05/10/23, I conducted an exit conference with the licensee designee, Mary Abuaita. I discussed the findings of my investigation and explained which rule violations I am substantiating. Ms. Abuaita agreed to complete and submit a corrective action plan upon the receipt of my investigation report.

IV. RECOMMENDATION

Upon the receipt of an acceptable corrective action plan, I recommend no change in the license status.
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Susan Hutchinson

May 10, 2023

Susan Hutchinson Licensing Consultant	Date
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Approved By:

Mary Holton

May 10, 2023

Mary E. Holton Area Manager	Date
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