



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

MARLON I. BROWN, DPA
ACTING DIRECTOR

November 8, 2023

Kent Vanderloon
McBride Quality Care Services, Inc.
P.O. Box 387
Mt. Pleasant, MI 48804

RE: License #: AS370088135
Investigation #: 2023A1029062
McBride #2

Dear Mr. Vanderloon:

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.

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 (231) 922-5309.

Sincerely,

A handwritten signature in black ink that reads "Jennifer Browning". The script is cursive and fluid.

Jennifer Browning, Licensing Consultant
Bureau of Community and Health Systems
Browningj1@michigan.gov - (989) 444-9614

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AS370088135
Investigation #:	2023A1029062
Complaint Receipt Date:	09/12/2023
Investigation Initiation Date:	09/13/2023
Report Due Date:	11/11/2023
Licensee Name:	McBride Quality Care Services, Inc.
Licensee Address:	3070 Jen's Way, Mt. Pleasant, MI 48858
Licensee Telephone #:	(989) 772-1261
Administrator:	Kent Vanderloon
Licensee Designee:	Kent Vanderloon
Name of Facility:	McBride #2
Facility Address:	2051 Greencrest, Mount Pleasant, MI 48858
Facility Telephone #:	(989) 773-6299
Original Issuance Date:	04/12/2000
License Status:	REGULAR
Effective Date:	10/12/2022
Expiration Date:	10/11/2024
Capacity:	6
Program Type:	DEVELOPMENTALLY DISABLED MENTALLY ILL

II. ALLEGATION(S)

	Violation Established?
Direct care staff member Starlight Reyes pinched and pulled Resident A's hair in retaliation after Resident A pulled her hair.	Yes

III. METHODOLOGY

09/12/2023	Special Investigation Intake 2023A1029062
09/13/2023	Special Investigation Initiated – Telephone to Katie Hohner ORR
09/18/2023	APS Referral -APS referral assigned to Alison Witucki APS
09/27/2023	Contact - Document Sent -Alison Witucki APS
10/02/2023	Contact - Telephone call made to direct care staff members Cheyenne Christie, Starlight Reyes, Brittany Andres
10/02/2023	Inspection Completed On-site - Face to Face with Jeff Wheeler, Resident A, direct care staff member Starlight Reyes, Resident B, and Resident C at McBride 2
10/26/2023	Contact - Telephone call made to licensee designee Kent Vanderloon
10/26/2023	Exit Conference with licensee designee Kent Vanderloon

ALLEGATION: Direct care staff member Starlight Reyes pinched and pulled Resident A's hair in retaliation after Resident A pulled her hair.

INVESTIGATION:

On September 12, 2023, a complaint was received via the Bureau of Community and Health Systems online complaint system that on September 9, 2023, direct care staff member Starlight Reyes pinched and pulled Resident A's hair because that was what Resident A had done to her. According to the complaint information, Ms. Reyes stated, "I don't tolerate that, I do to her [Resident A] whatever she does to me." These concerns were also under Adult Protective Services (APS) investigation assigned to APS investigator, Alison Witucki and Office of Recipient Rights assigned to advisor, Katie Hohner.

On September 13, 2023, I interviewed Office of Recipient (ORR) advisor, Katie Hohner who she stated Resident A was anxious all morning leading up to an incident where Resident A pinched Ms. Reyes and Ms. Reyes pinched Resident A back. Ms. Hohner stated Ms. Reyes has worked at the facility for about a year.

On September 27, 2023, I received an email from APS Alison Witucki with an update on her investigation. APS Specialist Alison Witucki stated she was going to substantiate for physical abuse because direct care staff member Ms. Reyes admitted she grabbed Resident A's hair but denied pinching her. Ms. Witucki stated she was also concerned because after Ms. Reyes was suspended for a week, she was allowed to come back into the home and continue working with Resident A, even providing 1:1 supervision in the community.

On October 2, 2023, I interviewed direct care staff member, Brittany Andress. Ms. Andress stated she was working with Ms. Reyes and Resident A was in the middle of a behavior which typically includes pulling hair, biting, pinching, kicking at the residents or the direct care staff members working. Ms. Andress stated she was out of the room for a minute and when she came back Resident A had a hold of Ms. Reyes hair and Ms. Reyes had a hold of Resident A's hair and she said, "I'm not letting go until you let go." Ms. Andress stated that after about 30-45 seconds Resident A let go, then she observed Ms. Reyes also let go of Resident A's hair. Ms. Andress stated Resident A sat on the floor and cried after the incident. Ms. Andress stated she has not had concerns in the past but she has only worked with Ms. Reyes a couple times because she works midnights. Ms. Andress stated Ms. Reyes did not say anything to Resident A during this and she does not believe she pinched Resident A, just pulled her hair. Resident A does not seem to be scared of Ms. Reyes or anybody else working there. Ms. Andress stated Ms. Reyes told them she was sorry for doing this. Ms. Andress stated Ms. Reyes was taking her on outings up until last week but after Recipient Rights found out about this was changed.

On October 2, 2023, I completed an unannounced on-site investigation at McBride 2 and met with direct care staff member whose current role is home manager, Jeff Wheeler. Mr. Wheeler stated he was not there for the incident and he has never had concerns with Ms. Reyes before since she began her employment on July 10, 2020. Mr. Wheeler stated Resident A had a death in the family earlier in the year and is generally volatile with the direct care staff members. Mr. Wheeler stated there is a *Behavior Treatment Plan* in place for Resident A which may be modified due to an increase in behaviors.

Mr. Wheeler provided a copy of the *Coach and Counsel* that was completed on September 14, 2023 by Jackie Brown regarding the incident:

"Identify the behavior: Staff pulled consumers hair in retaliatory response due to consumer grabbing staff's hair.

Show how the behavior has a legitimate business concern: We as a company are contracted by the State of Michigan to provide a safe environment and general being to the consumers we serve. By retaliating against a consumer for their actions using verbal abuse or threat to consumer, not treating them with dignity or respect, not maintaining the confidentiality of consumers, physical abuse, or threat to consumer you put the company out of compliance with the state agencies and at risk of losing the contract / license to operate the home.

Manager comments: Staff is to follow guidelines that were put forth to diffuse any future situations that might arise with our consumers and remove themselves from said situations and allow another staff to step in and take over if staff is not able to effectively handle the situation should or when it arises. Any further company violations could result in your suspension or termination. Abuse 2. Completed and passed Recipient Rights test.

During the on-site inspection, I reviewed Resident A's resident record and her Community Mental Health *Person Centered Plan*. According to her *Person Centered Plan*:

"When [Resident A] is irritated or angry, she has bitten, hit, grabbed, pinch and kicked herself and others. She will grab it staff's hair when they help her adjust the temperature in the shower. Because of these behaviors, she requires supervision and redirection from home staff. If [Resident A] becomes physically aggressive, staff will firmly prompt to stop. Staff will remind her that violence is not the answer and they want to help while prompting her to stop. Staff will direct away from others. Staff will also prompt [Resident A] peers to walk away and give her space and time to calm down."

I also reviewed Resident A's *Assessment Plan for AFC Residents* which included under section I: Controls Aggressive Behavior: "[Resident A] has a history of being aggressive at times toward staff and housemates. Gets along with others: For the most part she does. At times will pinch, touch, or pull their hair."

On October 2, 2023 I attempted to interview Resident A but she was unable to answer specific questions regarding the incident however, Resident A denied she was afraid of anyone working in the home. I also observed Resident B and Resident C who were sitting on the porch however, they were also unable to complete an interview. Both residents appeared to be free from visible marks or bruises.

On October 2, 2023, I interviewed direct care staff member Ms. Reyes. Ms. Reyes stated when she arrived to work her shift Ms. Christie and Ms. Andress told her “thank God you are here” because she had already pulled the direct care staff members’ hair and was having behaviors. Ms. Reyes stated she told Resident A she needed to relax but the next thing she knew Resident A was grabbing her hair. Ms. Reyes stated she then grabbed Resident A’s hair. Ms. Reyes stated they held each other’s hair for about 3-5 minutes before letting go. Ms. Reyes stated hair pulling is a baseline behavior for Resident A so she told Resident A she needed to relax and calm down. Ms. Reyes denied pinching Resident A or that Resident A pinched her. Ms. Reyes stated she should have moved away from the situation but she didn’t have a chance. Ms. Reyes stated she should have tried to redirect her more and agreed she did not handle the situation the best she could.

On October 26, 2023, I interviewed licensee designee Kent Vanderloon. Mr. Vanderloon stated he has never had any concerns with Ms. Reyes prior to this incident. Mr. Vanderloon stated in the past, they taught a hair release technique through CPI but they are not allowed to do this any longer. Mr. Vanderloon stated Resident A has a long history of being aggressive and they will continue to train Ms. Reyes and the other direct care staff members so they can better handle these behaviors.

APPLICABLE RULE	
R 400.14308	Resident behavior interventions prohibitions.
	(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: (b) Use any form of physical force other than physical restraint as defined in these rules
ANALYSIS:	Ms. Reyes used physical force toward Resident A because she pulled Resident A’s hair in retaliation after Resident A pulled her hair during a behavioral incident. Ms. Reyes received a <i>Coach and Counsel</i> regarding the incident on September 14, 2023 and completed an additional Recipient Rights test. Resident A’s <i>Person Centered Plan</i> and her <i>Assessment Plan for AFC Residents</i> both include information regarding her behaviors informing direct care staff members she may pull hair and the directions to diffuse the situation were not followed by Ms. Reyes choosing to pull Resident A’s hair in retaliation.
CONCLUSION:	VIOLATION ESTABLISHED

IV.

V. **RECOMMENDATION**

Upon receipt of a corrective action plan, I recommend no change in the license status.

Jennifer Browning

10/26/2023

Jennifer Browning
Licensing Consultant

Date

Approved By:

Dawn Timm

11/08/2023

Dawn N. Timm
Area Manager

Date