



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

MARLON I. BROWN, DPA  
ACTING DIRECTOR

February 23, 2024

Cindy Whaley  
Liberty Living Inc.  
P O Box 1273  
Bay City, MI 48706

RE: License #:	AS090237189
Investigation #:	2024A0123022
	Independence House

Dear Cindy Whaley:

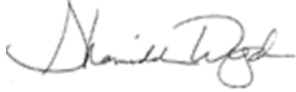
Attached is the Special Investigation Report for the above referenced facility. Due to the violations identified in the report, a written corrective action plan is required. The corrective action plan is due 15 days from the date of this letter and must include the following:

- 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.
- Indicate how continuing compliance will be maintained once compliance is achieved.
- Be signed and dated.

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, appearing to read "Shamidah Wyden".

Shamidah Wyden, Licensing Consultant  
Bureau of Community and Health Systems  
411 Genesee  
P.O. Box 5070  
Saginaw, MI 48607  
989-395-6853

enclosure

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

**I. IDENTIFYING INFORMATION**

<b>License #:</b>	AS090237189
<b>Investigation #:</b>	2024A0123022
<b>Complaint Receipt Date:</b>	02/08/2024
<b>Investigation Initiation Date:</b>	02/09/2024
<b>Report Due Date:</b>	04/08/2024
<b>Licensee Name:</b>	Liberty Living Inc.
<b>Licensee Address:</b>	P O Box 1273 Bay City, MI 48706
<b>Licensee Telephone #:</b>	(989) 892-0247
<b>Administrator:</b>	Cindy Whaley
<b>Licensee Designee:</b>	Cindy Whaley
<b>Name of Facility:</b>	Independence House
<b>Facility Address:</b>	1306 38th Street Bay City, MI 48708
<b>Facility Telephone #:</b>	(989) 893-0856
<b>Original Issuance Date:</b>	06/05/2001
<b>License Status:</b>	REGULAR
<b>Effective Date:</b>	12/05/2023
<b>Expiration Date:</b>	12/04/2025
<b>Capacity:</b>	6
<b>Program Type:</b>	PHYSICALLY HANDICAPPED DEVELOPMENTALLY DISABLED MENTALLY ILL ALZHEIMERS

**II. ALLEGATION(S)**

	<b>Violation Established?</b>
There are about six residents that reside in the home. The home manager leaves the residents with a therapist from an outside agency. The amount of time they are left with no staff is unknown. The therapist is not trained to care for six residents at once. It is unknown if the residents have ever been harmed in the therapist's care.	Yes

**III. METHODOLOGY**

02/08/2024	Special Investigation Intake 2024A0123022
02/08/2024	APS Referral APS information received.
02/09/2024	Special Investigation Initiated - On Site I conducted an unannounced on-site at the facility.
02/09/2024	Contact - Telephone call made I spoke with licensee designee Cindy Whaley via phone.
02/09/2024	Exit Conference I spoke with licensee designee Cindy Whaley via phone.
02/22/2024	Contact - Telephone call made I left a message requesting a return call from Tender Heart social worker Tricia Yurgaites.
02/22/2024	Contact - Telephone call received I received a voicemail from Tricia Yurgaites.
02/22/2024	Contact - Telephone call made I interviewed Tricia Yurgaites via phone.

**ALLEGATION: There are about six residents that reside in the home. The home manager leaves the residents with a therapist from an outside agency. The amount of time they are left with no staff is unknown. The therapist is not trained to care for six residents at once. It is unknown if the residents have ever been harmed in the therapist's care.**

**INVESTIGATION:** On 02/09/2024, I conducted an unannounced on-site at the facility. I interviewed home manager (HM) Jackie Krenselewski. Staff Krenselewski stated that on Tuesday (02/06/2024) a therapist was in the home visiting the residents. Staff Krenselewski stated that she left the home and went to Dollar General. Staff Krenselewski stated that she was gone for maybe 10 to 15 minutes. The residents were left at the facility. Staff Krenselewski stated that the therapist visits every Tuesday, and that every blue moon she (Staff Krenselewski) may leave and go run an errand. Staff Krenselewski stated that she would never do that if she did not think it was okay.

During this on-site, I observed five residents in the home. They all appeared clean and appropriately dressed. No issues were noted.

On 02/09/2024, I made a call to licensee designee Cindy Whaley via phone. I informed her of the allegations. Cindy Whaley denied giving any permission for staff to leave the home and leave the residents in the care of a non-staff person.

On 02/22/2024, I made a return call to social worker Tricia Yurgaites of Tender Heart. Social worker Tricia Yurgaites stated that she does visits regularly at the facility. She stated that she meets with all of the residents that are present, and usually stays for about an hour each visit. Social Worker Yurgaites stated that staff Jackie Krenselewski is always the only staff person there, but there are transportation staff that drop in and out to pick up and drop off residents. Social worker Tricia Yurgaites stated that sometimes the transport staff will ask her where Staff Krenselewski is, but she does not know exactly what Staff Krenselewski does during her visits. Social Worker Tricia Yurgaites stated that Staff Krenselewski always comes back inside the home about 10 to 15 minutes before the visits are done. Tricia Yurgaites stated that she doesn't know for sure if Staff Krenselewski leaves the premises, but that Staff Krenselewski does use that time to go outside. Social Worker Tricia Yurgaites stated that Staff Krenselewski will go outside to smoke and has maybe said that she was going to run an errand or go to another facility around the corner before. Social Worker Tricia Yurgaites stated that she is sure Staff Krenselewski does leave, but she cannot prove it. Social Worker Tricia Yurgaites stated that Staff Krenselewski doesn't really announce what she is going outside to do. Tricia Yurgaites stated that she focuses on what she is there for, but kind of knows that Staff Krenselewski might have left when other staff come by and asks where Staff Krenselewski went off to.

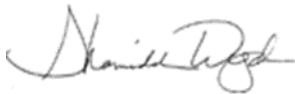
<b>APPLICABLE RULE</b>	
<b>R 400.14206</b>	<b>Staffing requirements.</b>
	<b>(2) A licensee shall have sufficient direct care staff on duty at all times for the supervision, personal care, and protection of residents and to provide the services specified in the resident's resident care agreement and</b>

	<b>assessment plan.</b>
<b>ANALYSIS:</b>	<p>On 02/09/2024, I conducted an unannounced on-site at the facility. I interviewed home manager Jackie Krenselewski. Staff Krenselewski admitted that she does leave the premises of the facility every once in a while to go run an errand while the residents are visiting with Tender Heart staff.</p> <p>Tricia Yurgaites stated that she doesn't know for sure if Staff Krenselewski leaves the premises, but that Staff Krenselewski does use that time to go outside, and other staff that come by sometimes asks where Staff Krenselewski is.</p> <p>There is a preponderance of evidence to substantiate a rule violation in regard to insufficient staffing. Staff Krenselewski admitted to leaving the premises on 02/06/2024, and other times occasionally.</p>
<b>CONCLUSION:</b>	<b>VIOLATION ESTABLISHED</b>

On 02/09/2024, I conducted an exit conference with licensee designee Cindy Whaley via phone. I informed Cindy Whaley of the findings and conclusion.

#### IV. RECOMMENDATION

Contingent upon the receipt of an acceptable corrective action plan, I recommend continuation of the AFC small group home license (capacity 1-6).

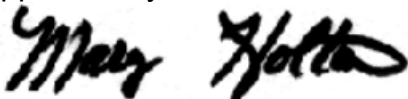


02/22/2024

Shamidah Wyden  
Licensing Consultant

Date

Approved By:



02/23/2024

Mary E. Holton  
Area Manager

Date