



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

MARLON I. BROWN, DPA
ACTING DIRECTOR

January 12, 2024

James Hoerberling
J&W Ventures, Inc.
10686 Wacousta Road
DeWitt, MI 48820

RE: License #: AM190338087
Investigation #: 2024A1029014
A Family Affair

Dear Mr. Hoerberling:

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 (231) 922-5309.

Sincerely,

A handwritten signature in black ink that reads "Jennifer Browning". The signature is written in a cursive, flowing style.

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 #:	AM190338087
Investigation #:	2024A1029014
Complaint Receipt Date:	11/21/2023
Investigation Initiation Date:	11/21/2023
Report Due Date:	01/20/2024
Licensee Name:	J&W Ventures, Inc.
Licensee Address:	10686 Wacousta Road, DeWitt, MI 48820
Licensee Telephone #:	(810) 922-2938
Administrator:	James Hoerberling
Licensee Designee:	James Hoerberling
Name of Facility:	A Family Affair
Facility Address:	8990 E. M-78, Haslett, MI 48840
Facility Telephone #:	(517) 339-8968
Original Issuance Date:	04/09/2013
License Status:	REGULAR
Effective Date:	03/25/2022
Expiration Date:	03/24/2024
Capacity:	12
Program Type:	MENTALLY ILL AGED

II. ALLEGATION(S)

	Violation Established?
There are medication errors at A Family Affair.	Yes
The direct care staff members are not trained to properly administer medications.	No
There is not enough food at A Family Affair.	No
A Family Affair is infested with bed bugs and the residents have scabies.	No

III. METHODOLOGY

11/21/2023	Special Investigation Intake 2024A1029014
11/21/2023	Special Investigation Initiated – Telephone to Cindy Behrens
11/21/2023	Contact - Telephone call made Sarah Bays
12/07/2023	Inspection Completed On-site Contact - Face to Face Sarah Bays, Ann Schultz, Resident A, Resident B, and Resident C
01/09/2024	APS Referral to Centralized Intake
01/09/2024	Contact - Telephone call made NP Jessica McDiarmid, Left message, Tonya Dunham, Licensee designee James Hoerberling, Genoa Healthcare, Pharmacy, Sarah Bays
01/10/2024	Exit conference with licensee designee, James Hoerberling.

ALLEGATION: There are medication errors at A Family Affair.

INVESTIGATION:

On November 21, 2023, a complaint was received via the Bureau of Community and Health Systems online complaint system with concerns there are medication errors at A Family Affair. The complaint allegations did not include what types of medication errors occur.

On December 7, 2023, I completed an unannounced on-site investigation at A Family Affair and interviewed direct care staff member, whose current role is home manager, Sara Bays. Ms. Bays stated there have only been three medication errors since she started in her role and those have been addressed with the direct care staff member involved. Ms. Bays stated if there is a medication error and a resident receives the wrong medication, the physician would be called but stated she did not know she was

supposed to enter the error or makes notes of it on the medication administration record (MAR). Ms. Bays stated there were no medication errors in November 2023.

During the on-site investigation, I reviewed the medication administration record (MAR) for November 2023 for all current residents and found two errors:

1. On November 8, 2023 there were no initials documenting Resident D was administered her Docusate Sodium 500 mg and no notes indicating the medication was not administered.
2. On November 25, 2023 there were no initials showing Resident E was administered her evening (7 PM) medications of Acetaminophen, Gabapentin, Hydroxyzine, Melatonin, Refresh Optive gel, Restasis drops, Vaseline Gel, and Voltaren Gel and no notes indicating these medications were not administered.

On December 7, 2023, I interviewed direct care staff member Ann Schultz. Ms. Schultz stated there are not a lot of medication errors at A Family Affair but knows if it occurs then Ms. Bays would bring it to the direct care staff member's attention with verbal and written warnings. Ms. Schultz stated if there was a medication error when she was administering medications, she would contact call poison control and the hospital to tell then what occurred. Ms. Schultz stated she has never heard of someone contacting the pharmacy or their regular doctor for medication errors but on the MAR it would show as a missed medication which is how they would document it.

On January 9, 2024, I interviewed direct care staff member Tonya Dunham. Ms. Dunham stated they have a verbal discussion for the first medication error and depending on the error, sometimes the direct care staff members are retrained. Ms. Dunham stated if there are three incidents then they are suspended. Ms. Dunham stated Ms. Bays handles the ordering of medication. Ms. Dunham stated she is not aware of Resident E missing medications on November 25, 2023 but they should document in the MAR if they are not given and the reason. Ms. Dunham stated there should not be a time where there are missing initials and no notes in the MAR.

On January 9, 2024, I interviewed direct care staff member Ms. Bays. Ms. Bays stated after the on-site investigation, she followed up regarding Resident D and Resident E's medication errors. Ms. Bays stated she also looked into the medication counts for Resident D and Resident E and both of the blister packs had a date it was administered and the medication count was correct although there was no documentation in the MAR it was administered. Ms. Bays stated the medication arrives in blister packs which are pre-dated from the pharmacy and Ms. Masseau was the one who administered Resident E her medication and did not initial showing she administered the medication. Ms. Bays stated she did give Ms. Masseau a verbal warning for not doing so. Ms. Bays stated she discussed this with Ms. Masseau who stated she did not hit all the screens to document on the electronic MAR and did not notice an alert for a missed medication. Ms. Bays stated she does not know who would have been the direct care staff member was for Resident D when she missed her Docusate Sodium 100 mg on November 8,

2023, however the medication counts were correct indicating the medication was given but not initialed as required. Ms. Bays stated since my on-site investigation on December 7, 2023, she checks the MAR every other week and compares with the medication packs to ensure the medications are all initialed correctly. Ms. Bays stated before she looked at the actual medication counts and bubble packs to ensure it was administered but she did not know how to pull the monthly report until I showed her how to do this during the on-site.

On January 9, 2024, I interviewed licensee designee James Hoerberling. Mr. Hoerberling stated medication errors are documented when they occur and direct care staff member will be retrained on administering medications. Mr. Hoerberling stated he does not receive notice of all the medication errors but he will ask the home manager about what errors have occurred so he is aware. Mr. Hoerberling stated if there was medication given to the wrong resident then they will contact the physician. Mr. Hoerberling stated Ms. Pippin and Ms. Bays order medications and he was not aware of any recent medication errors due to medications not being available. Ms. Hoerberling stated Resident D and Resident E did have their medications as prescribed, however, the MAR was not initialed by the direct care staff member.

APPLICABLE RULE	
R 400.14312	Resident medications.
	<p>(4) When a licensee, administrator, or direct care staff member supervises the taking of medication by a resident, he or she shall comply with all of the following provisions:</p> <p>(b) Complete an individual medication log that contains all of the following information:</p> <p>(v) The initials of the person who administers the medication, which shall be entered at the time the medication is given.</p>

ANALYSIS:	<p>During the on-site investigation, I reviewed the November 2023 MAR for all resident residing at A Family Affair and found two errors.</p> <ol style="list-style-type: none"> 1. On November 8, 2023 there were no initials showing Resident D was administered her Docusate Sodium 500 mg and no notes indicating the medication was not administered. 2. On November 25, 2023 there were no initials showing Resident E was administered her evening (7 PM) medications of Acetaminophen, Gabapentin, Hydroxyzine, Melatonin, Refresh Optive gel, Restasis drops, Vaseline Gel, and Voltaren Gel and no notes indicating these medications were not administered. <p>Licensee designee Mr. Hoerberling and direct care staff member Ms. Bays stated after reviewing the blister packs and medication counts, she was able to confirm Resident D and Resident E did receive their medications as prescribed but the direct care staff member failed to initial the MAR as required.</p>
CONCLUSION:	VIOLATION ESTABLISHED

ALLEGATION: The direct care staff members are not trained to properly administer medications.

INVESTIGATION:

On November 21, 2023, a complaint was received via the Bureau of Community and Health Systems online complaint system with concerns the direct care staff members have not received training to administer medications.

On December 7, 2023, I completed an unannounced on-site investigation at A Family Affair and met with Ms. Bays. Ms. Bays stated all the current direct care staff members are trained to administer medications. Ms. Bays stated all direct care staff members who are trained to administer medications have been trained by herself for three days and then shadow the new direct care staff member when while they administer medications to ensure they are comfortable and know the proper steps. Ms. Bays stated they also have regular direct care staff member meetings which include refresher trainings about medication administration.

Ms. Bays was able to produce employee records which I reviewed and I was able to verify all current direct care staff members were trained for medication administration. Also in the training records was A Family Affair-Training Course Attendance Sheet for a training titled “Administering Meds Through a PICC Line” which was instructed by the ProMedica nurse on October 14, 2023 and the attendees listed are Ms. Dunham, Ms. Schultz, Ms. Bays, Ms. VanWormer, and Ms. Pippin.

On December 7, 2023, I interviewed direct care staff member Ann Schultz. Ms. Schultz stated she completed training to administer medications and because she had prior experience, she felt comfortable after two days of training to administer medications. Ms. Schultz stated there is also a separate training to show how to give insulin shots and to administer medications using a PICC line.

On January 9, 2024, I interviewed licensee designee James Hoeberling. Mr. Hoeberling stated before direct care staff members are allowed to administer medications, they complete training with Ms. Bays. Mr. Hoeberling stated when direct care staff members are ready to administer medications they will still do this while they are shadowed by another direct care staff member in order to ensure there are no errors.

APPLICABLE RULE	
R 400.14312	Resident medications.
	(4) When a licensee, administrator, or direct care staff member supervises the taking of medication by a resident, he or she shall comply with all of the following provisions: (a) Be trained in the proper handling and administration of medication.
ANALYSIS:	Based on interviews with direct care staff members Ms. Bays, Ms. Dunham, and licensee designee Mr. Hoeberling as well as review of the employee training records, it can be determined all current direct care staff members are trained in medication administration and that there is a training protocol in place. Ms. Hays stated there are also discussions in staff meetings regarding medications so direct care staff members are receiving ongoing medication administration training.
CONCLUSION:	VIOLATION NOT ESTABLISHED

ALLEGATION: There is not enough food at A Family Affair.

INVESTIGATION:

On November 21, 2023, a complaint was received via the Bureau of Community and Health Systems online complaint system with concerns the facility did not have adequate food to serve meals to the residents.

On December 7, 2023, I completed an unannounced on-site investigation at A Family Affair and interviewed direct care staff member Ms. Bays. Ms. Bays denied there were ever concerns regarding a lack of food at A Family Affair and stated there is always enough food on-site. During the on-site investigation, I reviewed the menus for November and December 2023 and looked in the refrigerator, freezer, and cupboards to verify there was more than enough food to prepare what was listed on the menus and to serve a variety of foods to the residents.

On December 7, 2023, I interviewed Resident A, Resident B, and Resident C. Resident A stated sometimes the potatoes in the soup are hard but for lunch they had potato soup which was filling and really good. Resident B stated there is always enough food and if she wants seconds or something additional, the direct care staff members will always make her a sandwich or give her what she requests. All three residents reported they have enough to eat on a regular basis.

On December 7, 2023, I interviewed direct care staff member Ann Schultz who stated there was plenty of food at A Family Affair and they complete a grocery order each week. Ms. Schultz stated they follow a menu and the majority of food is prepared by third shift direct care staff members at night unless it is something that cannot be made ahead of time. Ms. Schultz stated there are some residents who do not like certain items and they will make them a sandwich or they will make them something else to eat. Ms. Schultz stated she has always been able to follow the menu and there is always food available to do so.

On January 9, 2024, I interviewed direct care staff member Tonya Dunham. Ms. Dunham stated sometimes the residents will complain and they will want more than a second helping but there is always enough food in the home. Ms. Dunham stated there is always enough groceries to follow the menu.

On January 9, 2024, I interviewed licensee designee, James Hoerberling. Mr. Hoerberling stated the food is ordered weekly after a direct care staff member sends them a weekly grocery order. Mr. Hoerberling stated he does not buy in bulk but rather orders weekly. Mr. Hoerberling stated the direct care staff members do a good job of following a menu.

APPLICABLE RULE	
R 400.14313	Resident nutrition.
	(1) A licensee shall provide a minimum of 3 regular, nutritious meals daily. Meals shall be of proper form, consistency, and temperature. Not more than 14 hours shall elapse between the evening and morning meal.
ANALYSIS:	During the onsite investigation on December 7, 2023 there was plenty of food available at A Family Affair. I was able to observe a full refrigerator, freezer, and cabinets with a variety of food. I also reviewed the menus which showed a variety of meals served to the residents. Resident A, Resident B, and Resident C all stated the food was well prepared and had no concerns of not having enough food to eat.
CONCLUSION:	VIOLATION NOT ESTABLISHED

ALLEGATION: A Family Affair is infested with bed bugs and the residents have scabies.

INVESTIGATION:

On November 21, 2023, a complaint was received via the Bureau of Community and Health Systems online complaint system with concerns the facility was severely infected with bed bugs and residents have contracted scabies.

On December 7, 2023, I completed an unannounced on-site investigation at A Family Affair and found the facility to be clean and free of clutter, bugs, or any safety hazards. I checked the mattresses on five random beds and they all had clean sheets, mattress protector, and were free of bed bugs. Ms. Bays stated there are no residents who have scabies and she has never observed any of the residents to have bites on them. Ms. Bays stated there is pest control program through Terminix who comes out to the home regularly to ensure they do not have insects in the facility.

On December 7, 2023, I interviewed Resident A, Resident B, and Resident C. None of the residents reported seeing any bugs in the facility, bed bugs on their bed, or having sores on them. Resident A stated they clean the facility with a deep clean at least once a week and are always cleaning throughout the day. None of the residents reported having any bites on their body and they did not have any visible signs of a rash or bite.

On December 7, 2023, I interviewed direct care staff member Ann Schultz who has worked at A Family Affair since January 2019. Ms. Schultz stated she has observed ants in the resident bedrooms but they have Terminix to address these issues. She stated they come out every few months to make sure there are no issues. Ms. Schultz stated she has not observed bed bugs or cockroaches. Ms. Schultz stated none of the residents have scabies or any bites on them.

On January 9, 2024, I interviewed direct care staff member Tonya Dunham who has worked there a little over a year. Ms. Dunham stated she has never had concerns about bed bugs in the facility. They have a pest service who comes out regularly to make sure there are no issues.

On January 9, 2024, I interviewed licensee designee James Hoerberling. They have Terminix scheduled quarterly as a preventative measure against spiders, mice, and seasonal concerns because he has this set up for all his licensed homes. Mr. Hoerberling denied seeing bed bugs in the home or any bites on the residents to indicate there was a concern with bed bugs.

APPLICABLE RULE	
R 400.14403	Maintenance of premises.
	(1) A home shall be constructed, arranged, and maintained to provide adequately for the health, safety, and well-being of occupants.
ANALYSIS:	During the onsite investigation on December 7, 2023, there was no evidence of bed bugs or any other pests at A Family Affair. Residents A, B, and C all denied having any bites on them or visible signs of scabies. Ms. Bays stated there are no residents who have been diagnosed with scabies. Licensee designee Mr. Hoerberling and direct care staff member Ms. Bays both stated they have Terminix that will treat the facility on a regular basis as a preventative measure.
CONCLUSION:	VIOLATION NOT ESTABLISHED

IV. RECOMMENDATION

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

Jennifer Browning

Jennifer Browning
Licensing Consultant

01/10/2024

Date

Approved By:

Dawn Timm

01/12/2024

Dawn N. Timm
Area Manager

Date