



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

MARLON I. BROWN, DPA
DIRECTOR

April 9, 2024

Jason Schmidt
New Life Services Inc
36022 Five Mile Road
Livonia, MI 48154

RE: License #: AS630012681
Investigation #: 2024A0605017
McGinnis

Dear Jason Schmidt:

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 (248) 975-5053.

Sincerely,

Frodet Dawisha, Licensing Consultant
Bureau of Community and Health Systems
3026 W. Grand Blvd
Cadillac Place, Ste 9-100
Detroit, MI 48202
(248) 303-6348

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AS630012681
Investigation #:	2024A0605017
Complaint Receipt Date:	02/16/2024
Investigation Initiation Date:	02/20/2024
Report Due Date:	04/16/2024
Licensee Name:	New Life Services Inc
Licensee Address:	36022 Five Mile Road Livonia, MI 48154
Licensee Telephone #:	(734) 744-7334
Administrator/ Licensee Designee:	Jason Schmidt
Name of Facility:	McGinnis
Facility Address:	4473 McGinnis Holly, MI 48442-0204
Facility Telephone #:	(248) 634-1499
Original Issuance Date:	02/13/1991
License Status:	REGULAR
Effective Date:	01/19/2023
Expiration Date:	01/18/2025
Capacity:	5
Program Type:	PHYSICALLY HANDICAPPED DEVELOPMENTALLY DISABLED

II. ALLEGATION(S)

	Violation Established?
On 02/13/2024, direct care staff (DCS) Lois Givens was being "disrespectful" towards Resident A. Resident A slapped Lois and Lois grabbed Resident A to prevent Resident A from slapping her again.	Yes

III. METHODOLOGY

02/16/2024	Special Investigation Intake 2024A0605017
02/20/2024	Special Investigation Initiated – Letter Email to Oakland County Office of Recipient Rights (ORR) worker Katie Garcia
02/20/2024	Contact - Telephone call received Discussed allegations with ORR Katie Garcia
02/27/2024	Contact - Face to Face Interviewed Lahser Pre-Vocational Center staff and observed Resident A
02/27/2024	Inspection Completed On-site Interviewed the home manager (HM) Monica Vance and area supervisor Lori Mitchell regarding the allegations
03/07/2024	Contact - Telephone call made Interviewed Resident A via telephone using a Spanish Interpreter in collaboration with ORR Katie Garica
03/07/2024	Contact - Telephone call received Interviewed direct care staff (DCS) Lois Givens regarding the allegations
03/21/2024	APS Referral Adult Protective Services (APS) referral made
03/25/2024	Exit Conference Left detailed message for licensee designee Jason Schmidt with my findings

ALLEGATION:

On 02/13/2024, direct care staff (DCS) Lois Givens was being "disrespectful" towards Resident A. Resident A slapped Lois and Lois grabbed Resident A to prevent Resident A from slapping her again.

INVESTIGATION:

On 02/16/2024, intake #199724 was referred by Oakland County Office of Recipient Rights (ORR) regarding DCS Lois Givens was disrespectful towards Resident A and grabbed Resident A's hands after Resident A slapped Lois. Lois was telling Resident A "Come on, I told you I have something else to do" and was honking the horn when picking up Resident A.

On 02/20/2024, I contacted ORR worker Katie Garcia regarding the allegations. Ms. Garcia is investigating these allegations. She has scheduled an appointment on 02/27/2024 at Lahser Pre-Vocational Center (LPVC) to interview their staff regarding these allegations.

On 02/27/2024, in collaboration with ORR worker Katie Garcia, Lahser Pre-Vocational Center's staff were interviewed. LPVC staff (1) was interviewed regarding the allegations. LPVC staff (1) was present on 02/13/2024, when LPVC staff (1) observed DCS Lois Givens "snatched the door open of the van," and said, "Come on Resident A, lets go." Resident A stated, "No." Resident A walked to the van when she was ready, grabbed her backpack and "swung it at Lois, missed and then Resident A slapped Lois on the face." Lois put her hands up to prevent Resident A from hitting her again and that is when Resident A looked around and dropped herself onto the ground and began crying. LPVC staff (1) never saw Lois grab Resident A's hands nor did she see Lois push or touch Resident A. LPVC staff (1) helped Resident A up off the ground and told Resident A to return to the building and that Resident A was not leaving with Lois. LPVC's program manager was inside the building and informed of what happened. LPVC program manager drove Resident A to a meeting place where the home manager (HM), Monica Vance met them up and picked up Resident A. Resident A had not incurred any injuries when she dropped herself onto the ground. Resident A sometimes does not want to leave with Lois when Lois arrives at LPVC to pick Resident A up. When Resident A is asked, "Why don't you like Lois?" Resident A stated, "her food is nasty." Resident A has not complained about any other staff at McGinnis. LPVC staff (1) described Resident A as "a sweet lady." There have not been any concerns about Resident A at LPVC.

On 02/27/2024, LPVC staff (2) was interviewed regarding the allegations. LPVC staff (2) was present on 12/13/2024 when they observed what happened. DCS Lois Givens arrived at LPVC to pick up Resident A. Lois said to Resident A, "Come on let's go." Resident A said, "No, I'm with my friends." Lois then left LPVC to pick up other McGinnis' residents at the location next door. LPVC staff called next door advising them

that Resident A was left by Lois. Lois informed LPVC she purposely left Resident A but was returning to pick her up. Lois returned to LPVC. She got out of the van and began yelling at Resident A, "I'm not going to deal with this today. Let's go." Resident A said, "No more, no more." Lois then said, "you no more." Resident A came towards Lois, grabbed her backpack, and swung it at Lois but missed. Resident A then slapped Lois on her face. Lois put her hands up to prevent Resident A from hitting her again, then Resident A looked around and dropped herself onto the floor. LPVC staff (1) helped Resident A up off the ground. Resident A was not injured but upset and crying. Lois called the HM on the phone. LPVC staff (2) overheard Lois say, "If she tries to hit me again, I'm gonna beat her motherfuckin ass. I don't know what you're going to do about this. I'm tired of this shit. When I come, I'm gonna leave." Resident A was told to go inside the building and LPVC's program manager was informed of what happened and then the program manager drove Resident A to a meeting place where the HM picked up Resident A. Resident A has reported to LPVC staff (2), "I don't like her. I don't like how she talks to me," referring to Lois.

On 02/27/2024, I interviewed LPVC staff (3) regarding the allegations. LPVC staff (3) was present on 02/13/2024, when they noticed that Resident A was still at the building and had not been picked up by McGinnis staff. LPVC staff (3) called next door to find out why Resident A was not picked up and was informed by LPVC staff that, "Lois said I didn't forget to get Resident A. I went to get Resident A, but Resident A did not want to come, but I'm returning to get her." Lois returned, beeped the van horn, came out of the van and said, "Come on Resident A." Resident A walked towards the van and said, "you left me." Lois began arguing with Resident A and LPVC staff (3) told Lois, "hey we don't need to do all that." The arguing continued and then LPVC staff (3) came to the door and saw Lois' hands up and then Resident A looked at LPVC staff (3) and then dropped to the ground. Resident A was helped up and told to go back into the building. Lois told LPVC staff (3), "I did not hit her." LPVC staff (3) stated, "I know you didn't but saying stuff to her did not help." It is widely known that Lois and Resident A do not get along. LPVC staff (3) does not know why they do not get along. Resident A did not sustain any injuries and was taken home by the program manager. LPVC staff (3) did not see Resident A slap Lois but was told by other staff that "Resident A slapped the fuck out of her (Lois)."

On 02/27/2024, I interviewed LPVC staff (4) regarding the allegations. LPVC staff (4) was present on 02/13/2024 when Lois first arrived to pick up Resident A. LPVC staff (4) let Lois know they were getting Resident B, who also lives at McGinnis, ready and then LPVC staff (4) went up front. LPVC staff (4) does not know what happened between the first time Lois arrived and then the second time she arrived. However, LPVC staff (4) heard from LPVC staff (2) that Resident A told Lois, "I'm talking to my friends," when Lois arrived the first time and told Resident A, "lets go." LPVC staff (4) saw Lois arrive for the second time, get out of the van "very angry," and say, "I'm not going to do this with you." Resident A kept saying, "stop, stop, stop." By the time LPVC staff (4) got to the door, she saw LPVC staff help Resident A off the ground. LPVC staff (4) said, "In my opinion, that lady (Lois) was wrong. I feel it's a respect thing. Resident A never treats anyone like that. She's very sweet." LPVC staff (4) heard Lois say, "I'm gonna call

Monica.” LPVC staff (4) checked on Resident A and she had no injuries. Resident A told LPVC staff (4), “I told her (Lois) I’m talking to my friend.” Resident A was crying and shaking. Resident A said, “Me no like,” referring to Lois. LPVC staff (4) did not see anything else.

On 02/27/2024, I interviewed LPVC staff (5) regarding the allegations. LPVC staff (5) was present on 02/13/2024. Lois arrived the first time to pick up Resident A. Lois told Resident A, “time to go,” in a “harsh tone.” Resident A said, “I’m talking to my friend.” Resident A refused to go. LPVC staff (5) left to use the restroom and when she returned, everyone was outside, and she did not hear or see anything. Resident A has never given LPVC staff (5) a hard time. There have not been any issues at the workshop behavior or talking back by Resident A.

On 02/27/2024, I interviewed Sharon Williams-Tyson, the program manager at LPVC. Ms. Williams-Tyson was in her office on 02/13/2024 when LPVC staff (1) called her and asked her to come to the back because, “they were fighting.” Ms. Williams-Tyson walked back and saw Resident A sitting at the table. Resident A was upset but had no injuries. Ms. Williams-Tyson was told, “Resident A slapped Lois.” Ms. Williams-Tyson did not see Lois but was informed by her staff that Lois arrived twice to get Resident A who refused to go and then Resident A threw her backpack at Lois and then Resident A slapped Lois on the face. Ms. Williams-Tyson drove Resident A to a gas station where the HM Monica picked Resident A up. This was an isolated incident.

On 02/27/2024, I only observed Resident B at LPVC as he is non-verbal. LPVC had good hygiene and was dressed appropriately for the day.

On 02/27/2024, I went next door to LPVC’s second location and attempted to interview Resident C, but she was unable to carry a conversation. She was in her wheelchair and appeared to have good hygiene and dressed appropriately for the day.

On 02/27/2024, I conducted an unannounced on-site investigation. Present were the HM Monica Vance and the area supervisor Lori Mitchell. I interviewed them regarding the allegations.

On 02/13/2024, the HM received a call around 3:30PM from Lois. Lois was in a “rage,” and said, “Resident A slapped me.” Lois told the HM she was not going to transport Resident A back to McGinnis because, “I don’t want to get attacked again.” Lois told the HM, “I asked Resident A several times to come on, but Resident A did not want to leave. She then threw her stuff on the floor and slapped me.” The HM was informed that a LPVC staff was sitting in her vehicle and saw everything. It was LPVC staff (2) who reported that they saw Resident A walk up to Lois and slap Lois in the face. LPVC staff (2) also stated that they saw Lois grab Resident A hands to prevent Resident A from slapping her again. Lois told the HM she was not going to work in a place where a resident will put their hands on her. Lois returned to McGinnis in a rage and said, “if it were to happen again, I would beat the hell out of her.” Lois then quit. The HM went to meet up with LPVC’s program manager, to get Resident A. Resident A was not injured.

Resident A does not like Lois, but according to the HM, Lois has always been nice to Resident A and there has never been any issues. Resident A has made it clear that she does not like Lois but has never said why. After Lois quit, Lois left a voice mail message for the HM saying that she was going to file a police report against Resident A for "assault." Resident A is currently on probation for assaulting another McGinnis staff. Resident A is her own guardian. The HM has not received any concerns reported by other staff regarding Lois mistreating Resident A.

Ms. Mitchell stated she received a telephone call from the HM around 3:40PM on 02/13/2024 explaining to her what happened between Lois and Resident A. Ms. Mitchell was informed that Resident A slapped Lois and that LPVC staff witnessed the slap. While the HM was speaking with Ms. Mitchell, Ms. Mitchell could hear Lois in the background yelling. There have not been any staff who complained about Lois mistreating Resident A. This was an isolated incident.

On 03/07/2024, Resident A was interviewed via telephone in collaboration with ORR Katie Garcia and a Spanish speaking interpreter. Resident A was talking to her friend and "Lois yelled at me. Lois told me to leave, and I did not want to leave. She pushed me through my chest. I fell and I hit my head and my face on the side. When she pushed me, I was at the door and one staff ran to me and they grabbed me. I was not able to get up so all of them they lift me up. Lois was standing by the van. She was furious and yelled at me. She pushed me. When she yelled at me, I raised my hand, but I did not hit her. She told Monica I hit her, but I didn't hit her. She left me there. The first time she came to get me, she had an attitude and screamed at me. I told her to get out and we started arguing and then she pushed me. They took me from here and Monica came to get me. They checked my head and there was nothing. This is the first time this happened."

On 03/07/2024, I interviewed DCS Lois Givens regarding the allegations. Lois was working at McGinnis since 07/17/2023 but had been with the corporation for about eight years. On 02/13/2024, Lois was working the second shift from 3PM-12AM. She was responsible for transporting. Lois arrived at LPVC between 3:15PM-3:30PM and Resident A and Resident B were her first pick up stop. When she arrived, Resident B was not quite ready, but she saw Resident A sitting at the table. Lois told Resident A, "come on Resident A." Resident A stated, "I'm not ready." Resident B came out, so Lois told Resident A, "Come on, I need to get back to the house." Resident A again refused to go so Lois left to go next door to LPVC's other location to pick up Resident C. When she arrived to get Resident C, she was told by LPVC staff, "you forgot to get Resident A." Lois responded, "I didn't forget her. I was going to go back and get her." Lois returned to get Resident A and Resident A was still sitting inside. Lois told Resident A, "come on." Resident A said, "I'm talking to my friends." Lois replied, "You have every day to talk to your friends. Come on." Lois was walking out to the van, Resident A followed hollering at Lois saying, "shut up." Lois stated, "I turned around and said, you shut up." Resident A threw her backpack down and ran up to Lois and hit Lois in the face. Lois stated, "she hit me with her closed fist on my face." Then Resident A looked around and fell and started hollering. Lois stated, "I never touched her, nor did I push

her. She dropped herself to the floor.” LPVC staff came outside and picked Resident A up off the ground. LPVC staff told Resident A to go back into the building and Lois told them she was returning to McGinnis and will call the HM. Lois called the HM and told her everything. She stated, “I never hit Resident A and whoever said I did is lying.” Lois arrived at McGinnis and told the HM, “I quit and it’s the best thing for me.” Lois has been in this field since 1976 and has never had any concerns with a resident. She would never put her hands on a resident and stated, “I’ve tried my best with Resident A, but Resident A is different. I’ve tried to be her friend, but she doesn’t like me, and I don’t know why.” Lois did not have any injuries and did not seek medical treatment. Lois went to the police station to file a report for assault against Resident A, but Lois’ son talked her out of it, so she did not file the report. Again, Lois denied putting her hands on Resident A and denied pushing Resident A to the ground and denied grabbing resident A’s hands.

On 03/25/2024, I left a detailed message for licensee designee Jason Schmidt with my findings.

APPLICABLE RULE	
R 400.14304	Resident rights; licensee responsibilities.
	<p>(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 the resident's designated representative, a copy of all of the following resident rights:</p> <p style="padding-left: 40px;">(o) The right to be treated with consideration and respect, with due recognition of personal dignity, individuality, and the need for privacy.</p>
ANALYSIS:	Based on my investigation and information gathered, Resident A was not treated with consideration and respect, by DCS Lois Givens. On 02/13/2024, Lois arrived at LPVC to pickup Resident A and Resident B. Resident A did not want to leave because, she was talking to her friends. Both began to argue, and Resident A told Lois to shut up and then Lois said, “You shut up.” LPVC staff witnessed Lois yell and tell Resident A to “shut up.” Lois quit employment with this corporation on 02/13/2024.
CONCLUSION:	VIOLATION ESTABLISHED

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:	Based on my investigation and information gathered, there was insufficient evidence to support that DCS Lois Givens used any form of physical force towards Resident A. On 02/13/2024, Resident A slapped Lois on the face and then Resident A dropped down to the ground. Several LPVC staff stated they observed Resident A slap Lois, but all LPVC staff denied witnessing Lois push Resident A. Lois denied pushing or putting her hands on Resident A after Resident A slapped her.
CONCLUSION:	VIOLATION NOT ESTABLISHED

IV. RECOMMENDATION

Contingent upon receiving an acceptable corrective action plan, I recommend no change to the status of the license.

Frodet Dawisha

03/25/2024

Frodet Dawisha
Licensing Consultant

Date

Approved By:

Denise Y. Nunn

04/09/2024

Denise Y. Nunn
Area Manager

Date