



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

MARLON I. BROWN, DPA
DIRECTOR

April 23, 2024

Gina Martinez
2222 Loree Rd
Applegate, MI 48401

RE: License #: AF760251333
Investigation #: 2024A0871009
M.G. Martinez AFC

Dear Ms. Martinez:

Attached is the Special Investigation Report for the above referenced facility. No substantial violations were found.

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 blue ink that reads "Kathryn A. Huber".

Kathryn A. Huber, Licensing Consultant
Bureau of Community and Health Systems
411 Genesee
P.O. Box 5070
Saginaw, MI 48605
(989) 293-3234

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AF760251333
Investigation #:	2024A0871009
Complaint Receipt Date:	03/27/2024
Investigation Initiation Date:	04/01/2024
Report Due Date:	05/26/2024
Licensee Name:	Gina Martinez
Licensee Address:	2222 Loree Rd Applegate, MI 48401
Licensee Telephone #:	(810) 404-0937
Administrator:	N/A
Licensee Designee:	N/A
Name of Facility:	M.G. Martinez AFC
Facility Address:	2222 Loree Road Applegate, MI 48401
Facility Telephone #:	(810) 633-9227
Original Issuance Date:	09/24/2003
License Status:	REGULAR
Effective Date:	03/24/2024
Expiration Date:	03/23/2026
Capacity:	6
Program Type:	DEVELOPMENTALLY DISABLED MENTALLY ILL

II. ALLEGATION(S)

	Violation Established?
Resident A reported that he is hungry often and does not get adequate portions of food, or adequate options. Resident A reported that he is often fed rice and rarely any protein.	No

III. METHODOLOGY

03/27/2024	Special Investigation Intake 2024A0871009
04/01/2024	Special Investigation Initiated - Letter Received information from Complainant 1
04/02/2024	Inspection Completed On-site Interviewed Licensee Gina Martinez, Residents A, B and C
04/15/2024	APS Referral Through Central Intake to Sanilac County MDHHS
04/15/2024	Contact - Telephone call made Telephone call to Case Manager Sadie Martin
04/15/2024	Exit Conference Telephone exit conference with Licensee Gina Martinez
04/23/2024	Contact – Telephone call made Telephone call to Licensee Gina Martinez

ALLEGATION:

Resident A reported that he is hungry often and does not get adequate portions of food, or adequate options. Resident A reported that he is often fed rice and rarely any protein.

INVESTIGATION:

On April 1, 2024, I received information from Complainant 1. Complainant 1 reported that Resident A was seen by a physician on March 22, 2024, and the doctor had no concerns about Resident A's weight. Complainant 1 also observed

Resident A on March 22, 2024, and stated he did not look malnourished or underweight.

On April 2, 2024, I conducted an unannounced onsite investigation and interviewed Licensee Gina Martinez. Licensee Martinez stated that Resident A “is a very picky eater.” Licensee Martinez stated that Resident A “has been throwing his food in the garbage.” Licensee Martinez reported that a protein is served with every meal, including fish, beef and tilapia is being served for the evening dinner. I observed the tilapia in the refrigerator and there was plenty of food in the cupboards and refrigerator, and there was a variety of food groups.

Licensee Martinez stated that about two weeks ago, Resident A went out with Family Member 1, and they got into an argument. Family Member 1 was returning Resident A to the facility and “she kicked [Resident A] out of the car.” Licensee Martinez stated Family Member 1 called and told her where Resident A was at and wanted her to pick Resident A up. Licensee Martinez told Family Member 1 that she could not leave because she had all of the other residents at home. Licensee Martinez called the police and an officer from the Sanilac Sheriff’s Department brought Resident A back to the facility. Since this incident, Resident A has been acting out. An appointment has been scheduled for Resident A’s psychiatrist for an evaluation.

On April 2, 2024, I interviewed Resident A about not getting enough food. Resident A indicated “I shouldn’t complain.” Resident A then talked about the incident with Family Member 1 and stated that Family Member 1 is keeping \$3800 of his money. Resident A said he got into an argument with Family Member 1 when she was driving him home. Family Member 1 told him to “shut up” and then “get out of the car” and kicked him out of the car on a gravel road. Resident A said the police brought him back to the facility. Resident A said Family Member 1 shut off his Wi-fi, TV, and phone. I again asked Resident A about the food, and he again stated, “I shouldn’t complain.”

On April 23, 2024, I telephoned Licensee Gina Martinez and she reported that she does not handle any of Resident A’s money. Licensee Martinez indicated Resident A received a \$3800 cashier’s check from Family Member 1 and Case Manager Martin is working on getting the public guardian to be his payee.

Resident A said, “it is pretty good here,” and the other residents do not complain. Resident A indicated that he is a picky eater and said he gets enough to eat. Resident A said “Gina is pretty good about fixing me something else” if he does not like what is being prepared. Resident A had no complaints about living in the facility.

I also interviewed Resident B and asked about the food. Resident B said the food “is always good” and gets a variety of different food. Resident B said that sometimes Licensee Martinez cooks sausage for breakfast, and then will have meat and potatoes for dinner. Resident B stated that she cannot have milk and drinks

almond milk because she is lactose intolerant. Resident B said she had soup and crackers for lunch. Resident B said she always gets enough food.

On April 2, 2024, I also interviewed Resident C and she indicated she “always gets enough to eat.” Resident C said she had soup, crackers, a banana, and a cupcake for lunch. Resident C had cereal, milk, orange juice, coffee, and toast for breakfast.

Licensee Martinez provided me with a copy of Resident A’s weight record and his weight is indicated as the following:

09/01/2023 – 165
10/10/2023 – 167
11/04/2023 – 168
12/10/2023 – 168
01/03/2024 – 167
02/04/2024 – 167
03/03/2024 – 166

On April 15, 2024, I telephoned Resident A’s Case Manager Sadie Martin. Manager Martin has no concerns about the care Resident A receives at the facility. Manager Martin reported that this complaint came about because of the issue with Family Member 1, and it is causing Resident A to have “behavioral issues.” Manager Martin reported that Resident A “is making false allegations about the home” and is getting “very good care.” Manager Martin has no concerns about any of the residents living in the facility.

On April 15, 2024, I conducted a telephone exit conference with Licensee Gina Martinez. Licensee Martinez was advised there would not be a rule violation cited in this complaint.

APPLICABLE RULE	
R 400.1419	Resident nutrition.
	(1) A licensee shall provide a minimum of 3 regular nutritious meals daily. Not more than 14 hours shall elapse between the evening and morning meal.

ANALYSIS:	Resident A said he is a picky eater, but Licensee Gina Martinez will prepare something different if he does not like what is being served. Residents B and C both stated they get enough to eat and a variety of food. Resident A's weight maintained steady for the past six months. I observed sufficient food and a variety of food in the facility. Resident A's Case Manager has no concerns about the care Resident A received at the home. There is no evidence to confirm violation of this rule.
CONCLUSION:	VIOLATION NOT ESTABLISHED

IV. RECOMMENDATION

I recommend continuation of the current status of the license of this AFC adult family home (capacity 1-6).

Kathryn A. Huber

04/23/2024

Kathryn A. Huber
Licensing Consultant

Date

Approved By:

Mary E. Holton

04/23/2024

Mary E. Holton
Area Manager

Date