



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

MARLON I. BROWN, DPA
DIRECTOR

Robert Gulley
606 E High Street
Ishpeming, MI 49849

May 16, 2024

RE: License #: AF520379592
Investigation #: 2024A0873013
High Street Assist Living

Dear Mr. Gulley:

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 (517) 643-7960.

Sincerely,

A handwritten signature in black ink, appearing to read "Garrett Peters", with a long horizontal flourish extending to the right.

Garrett Peters, Licensing Consultant
Bureau of Community and Health Systems
234 W. Baraga Ave.
Marquette, MI 49855
(906) 250-9318

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

I. IDENTIFYING INFORMATION

License #:	AF520379592
Investigation #:	2024A0873013
Complaint Receipt Date:	03/06/2024
Investigation Initiation Date:	03/11/2024
Report Due Date:	05/05/2024
Licensee Name:	Robert Gulley
Licensee Address:	606 E High Street Ishpeming, MI 49849
Licensee Telephone #:	(906) 204-4378
Name of Facility:	High Street Assist Living
Facility Address:	606 E High Street Ishpeming, MI 49849
Facility Telephone #:	(906) 204-4378
Original Issuance Date:	10/21/2016
License Status:	REGULAR
Effective Date:	05/28/2023
Expiration Date:	05/27/2025
Capacity:	6
Program Type:	DEVELOPMENTALLY DISABLED MENTALLY ILL

II. ALLEGATION(S)

	Violation Established?
Resident A was not receiving his medications.	No
Additional Findings	Yes

III. METHODOLOGY

03/06/2024	Special Investigation Intake 2024A0873013
03/08/2024	APS Referral Referred to APS
03/11/2024	Special Investigation Initiated - On Site
03/11/2024	Contact - Face to Face Interview with Resident A
03/11/2024	Contact - Face to Face Interview with licensee
03/11/2024	Contact - Telephone call made Interview with APS/Bohen
03/22/2024	Contact - Telephone call made Interview with complainant
03/27/2024	Contact - Face to Face Interview with complainant
03/27/2024	Contact – Document Received Received video from complainant of Mr. Gulley yelling at them
04/02/2024	Contact - Document Received Received police report from complainant
04/10/2024	Contact - Telephone call made Call to Ishpeming Police, no answer
04/10/2024	Inspection Completed On-site
04/10/2024	Contact - Face to Face

	Interview with Resident A
04/10/2024	Contact - Face to Face Interview with Resident B
04/10/2024	Contact - Telephone call made Interview with CMH case worker Burrows
04/10/2024	APS Referral Referred to APS
04/10/2024	Contact - Telephone call made Interview with CMH nurse, Angelica Hoff
04/15/2024	Contact - Telephone call received Interview with APS worker Bohen
04/19/2024	Contact - Document Received Copy of police report sent by complainant
04/28/2024	Contact – Telephone call received Interview with Robert Gulley, licensee
04/29/2024	Contact – Document Received Received copies of Resident A’s medication records
05/16/2024	Exit Conference With Mr. Gulley, licensee

ALLEGATION:

Resident A was not receiving his medications.

INVESTIGATION:

On 3/6/24, I received an anonymous complaint alleging Resident A told complainant he does not always receive his medications.

On 3/11/24, I conducted an unannounced, onsite inspection of the home. The home is licensed for six residents there are currently four residents living there. I interviewed both Mr. Gulley, licensee, and Resident A, separately, about these allegations. Mr. Gulley told me that Resident A receives his medications as instructed. Resident A denied telling anyone he does not receive his medications and regularly receives them with no issues.

On 4/28/24, I interviewed Mr. Gulley and requested copies of Resident A's medication record.

On 4/29/24, Mr. Gulley provided several months of these records which showed that Resident A received his medications.

APPLICABLE RULE	
R 400.1418	Resident medications.
	(2) Medication shall be given pursuant to label instructions.
ANALYSIS:	I could find no evidence to substantiate this allegation.
CONCLUSION:	VIOLATION NOT ESTABLISHED

ADDITIONAL FINDINGS:

INVESTIGATION:

On 4/10/24, I interviewed Resident B in his room and noticed his commode was full of urine and feces. Resident B told me he was not able to empty his commode himself and that Resident A was responsible for emptying it. Resident B also told me Resident A was responsible for taking out the garbage of the home.

On 4/10/24, I interviewed Resident A who told me that it is his responsibility to empty Resident A's commode and that he is the one who empties the trash for the home and carries it to the road for garbage pickup. He also told me he regularly does the dishes for the home. Resident A told me he is fine with this arrangement and that he receives compensation from licensee Gulley for performing these responsibilities.

On 4/15/24, I interviewed adult protective services (APS) worker Christina Bohan who confirmed that Resident A told her similar information.

On 4/28/24 I interviewed Mr. Gulley who reported that he and Resident A have had this agreement for a while. Resident A gets paid to do some work around the home and this allows him more money to purchase personal items for himself.

APPLICABLE RULE	
R 400.1404	Licensee, responsible person, and member of the household; qualifications.
	(2) A responsible person shall be other than a resident.

ANALYSIS:	Tasks such as emptying Resident B's commode, doing dishes, and taking out the garbage, are the responsibility of licensee Gulley and responsible person Terry Peterson. Residents of an AFC cannot be persuaded to provide care for other residents, in any capacity.
CONCLUSION:	VIOLATION ESTABLISHED

On 5/16/24, I conducted an exit conference with licensee Gulley explaining to him that there was not sufficient evidence to warrant a rule violation in regard to Resident A's medications. However, I also explained that Resident A acting as an employee around the home is a rule violation. Mr. Gulley reported that he understood.

IV. RECOMMENDATION

Contingent upon receipt of an appropriate corrective action plan, I recommend no changes to the status of this license.

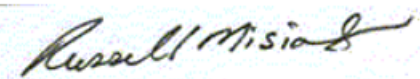


5/14/2024

Garrett Peters
Licensing Consultant

Date

Approved By:



5/14/24

Russell B. Misiak
Area Manager

Date