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GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

MARLON I. BROWN, DPA
DIRECTOR

July 31, 2024

William Gross
Haven Adult Foster Care Limited
73600 Church Road
Armada, MI 48005

RE: License #: AL500066534
Investigation #: 2024A0617026
Haven Adult Foster Care Home

Dear Mr. Gross:

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.

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,

A handwritten signature in black ink, appearing to be 'EJ', written in a cursive style.

Eric Johnson
Adult Foster Care Licensing Consultant
Department of Licensing and Regulatory Affairs
Bureau of Community and Health Systems
3026 Cadillac Place, Ste 9-100
Detroit, MI 48202

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AL500066534
Investigation #:	2024A0617026
Complaint Receipt Date:	06/14/2024
Investigation Initiation Date:	06/14/2024
Report Due Date:	08/13/2024
Licensee Name:	Haven Adult Foster Care Limited
Licensee Address:	73600 Church Road Armada, MI 48005
Licensee Telephone #:	(586) 784-8890
Administrator:	William Gross
Licensee Designee:	William Gross
Name of Facility:	Haven Adult Foster Care Home
Facility Address:	58483 Pasco New Haven, MI 48048
Facility Telephone #:	(586) 749-3822
Original Issuance Date:	07/11/1995
License Status:	REGULAR
Effective Date:	11/02/2023
Expiration Date:	11/01/2025
Capacity:	20
Program Type:	DEVELOPMENTALLY DISABLED MENTALLY ILL AGED

II. ALLEGATION(S)

	Violation Established?
Staff and residents unable to communicate due to not speaking the same language.	Yes
New hires are not vetted properly, no background check or finger printing.	Yes
Lack of Sufficient staffing	Yes

III. METHODOLOGY

06/14/2024	Special Investigation Intake 2024A0617026
06/14/2024	Special Investigation Initiated - Telephone TC to complainant
06/21/2024	Inspection Completed On-site I conducted an unannounced investigation of the New Haven Adult Foster Care facility. I interviewed staff Mary Gill and Residents A, B, C, D, and E.
06/24/2024	Contact - Document Sent Email to Mr. Gross
06/28/2024	Contact - Document Received Email received from Mr. Gross with staff files
06/28/2024	Contact - Telephone call made TC to Mr. Minya
06/28/2024	Contact - Telephone call made TC to Mr. Guaman
07/31/2024	Contact - Telephone call made TC to Ms. Mary Gill
07/31/2024	Contact - Telephone call made TC with Mr. Gross

07/31/2024	<p>Exit Conference</p> <p>I conducted an exit conference with Licensee Designee William Gross to discuss the findings of this report.</p>
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ALLEGATION:

- **Staff and residents unable to communicate due to not speaking the same language.**
- **New hires are not vetted properly, no background check or finger printing.**

INVESTIGATION:

On 06/14/24, I received a complaint on the New Haven Adult Foster Care facility. The complaint stated that employees hired (Mexican) are Spanish speaking only, cannot communicate with residents or staff without using their phone as translation. Many residents cannot communicate with a phone translator, they have disabilities where many cannot read or speak clearly. Medications are in English and unable to given out by someone who only speaks Spanish. New employees are not legal to work in the United States, no background check or fingerprinting have been done. Joel is one.

On 07/02/24, I received another complaint. The complaint stated that employees have been working with only 1 staff member and when a second one does show up, they are there for a short period of time not the required licensing requirement for the number of residents in the home. This is an unsafe working environment for the one staff member on shift and the residents in the event something was to happen.

On 07/24/24, I received another complaint. The complaint started that staff Mary was left alone all weekend to work by herself with 18 residents, no other staff members present.

On 07/31/24, I received another complaint. The complaint started There was only 1 staff member all weekend for 19 residents. Very unsafe. During the week second staff member is only there 9-5.

On 06/21/24, I conducted an unannounced investigation of the New Haven Adult Foster Care facility. I interviewed staff Mary Gill and Residents A, B, C, D, and E.

When I arrived at the facility, I observed two male staff members who were outside of the facility working. Neither individual could speak English.

During the onsite investigation, I interviewed staff Mary Gill. According to Ms. Gill, the two workers outside are maintenance workers and they do not speak English. One of the workers can use a translator app to communicate but communication is limited. Ms. Gill stated that the maintenance workers do not work directly with the residents. Ms. Gill was the only care worker in the facility and there were 19 residents in the facility.

According to Ms. Gill, the facility utilizes two scheduling methods. There is one schedule for staff who work overnights (24-hour shifts) and another schedule for staff who work from 11am to 7pm. According to Ms. Gill, there are two male direct care staff members named Joel Minaya and Jefferson Guaman who speak limited English and use a translator app. Ms. Gill stated that neither one of them work alone and there is always an English-speaking staff on shift. Ms. Gill stated that neither Joel nor Jefferson pass medications. I completed medication audits for the residents of the facility. I found no medication errors. I requested to review staff files but there were no files onsite. Ms. Gill stated that staff files are kept at an offsite office.

During the onsite investigation, I interviewed Resident A. According to Resident A, he has no issues living in the home and he is well cared for. Resident A stated that there is a little bit of a language barrier between him and the non-English speaking staff, but they work together to figure things out. Resident A stated that she enjoys living in the home and staff treat him well.

During the onsite investigation, I interviewed Resident B. According to Resident B, he has no issues living in the home and he is well cared for. Resident B reported no issues communicating with staff.

During the onsite investigation, I interviewed Resident C. According to Resident C, he has no issues living in the home and she is well cared for. Resident C reported no issues communicating with staff and states that he loves living in the home.

I interviewed Resident D. According to Resident D, he has no issues living in the home and he is well cared for. Resident C reported no issues communicating with staff however English is limited with some staff.

I interviewed Resident E. According to Resident E, he has no issues living in the home and he is well cared for. Resident C reported no issues with communicating with staff however English is limited with some staff.

On 06/24/24, I sent an email to Mr. William Gross, requesting staff files for Mr. Minaya and Guaman. On 06/28/24, I received and reviewed staff files for Joel Minaya and Jefferson Guaman. According to the files, there were no verification of education, no receipt of personnel policies and job descriptions, no copy of their driver's licenses and no background checks.

On 06/28/24, I attempted to interview Mr. Minaya via telephone but he did not speak fluent English and was not able to communicate with me.

06/28/24, I attempted to interview Mr. Guaman via telephone but he did not speak fluent English and was not able to communicate with me.

APPLICABLE RULE	
MCL 400.734b	Employing or contracting with certain individuals providing direct services to residents; prohibitions; criminal history check; exemptions; written consent and identification; conditional employment; use of criminal history record information; disclosure; determination of existence of national criminal history; failure to conduct criminal history check; automated fingerprint identification system database; electronic web-based system; costs; definitions.
	<p>(b) Has been convicted of any of the following felonies, an attempt or conspiracy to commit any of those felonies, or any other state or federal crime that is similar to the felonies described in this subdivision, other than a felony for a relevant crime described under 42 USC 1320a-7(a), unless 15 years have lapsed since the individual completed all of the terms and conditions of his or her sentencing, parole, and probation for that conviction before the date of application for employment or the date of the execution of the independent contract:</p> <p>(i) A felony that involves the intent to cause death or serious impairment of a body function, that results in death or serious impairment of a body function, that involves the use of force or violence, or that involves the threat of the use of force or violence.</p> <p>(ii) A felony involving cruelty or torture.</p> <p>(iii) A felony under chapter XXA of the Michigan penal code, 1931 PA 328, MCL 750.145m to 750.145r.</p> <p>(iv) A felony involving criminal sexual conduct.</p> <p>(v) A felony involving abuse or neglect.</p> <p>(vi) A felony involving the use of a firearm or dangerous weapon.</p> <p>(vii) A felony involving the diversion or adulteration of a prescription drug or other medications.</p>
ANALYSIS:	On 06/28/24, I received and reviewed staff files for Joel Minaya and Jefferson Guaman. According to the files, there were no copies of their driver's licenses or background checks. Mr. Gross admitted that Mr. Minya and Mr. Guaman were not background checked.
CONCLUSION:	VIOLATION ESTABLISHED

APPLICABLE RULE	
R 400.15204	Direct care staff; qualifications and training.
	(1) Direct care staff shall not be less than 18 years of age and shall be able to complete required reports and follow written and oral instructions that are related to the care and supervision of residents.
ANALYSIS:	Based on the information gathered through my interviews and documentation reviews, the facility has not violated this rule. Although there was multiple non-English-speaking staff members, there is always an English Speaking staff on shift.
CONCLUSION:	VIOLATION NOT ESTABLISHED

APPLICABLE RULE	
R 400.15208	Direct care staff and employee records.
	(1) A licensee shall maintain a record for each employee. The record shall contain all of the following employee information: (c) A copy of the employee's driver license if a direct care staff member or employee provides transportation to residents. (d) Verification of the age requirement. (e) Verification of experience, education (g) Beginning and ending dates of employment. (i) Required verification of the receipt of personnel policies and job descriptions.
ANALYSIS:	On 06/28/24, I received and reviewed staff files for Joel Minaya and Jefferson Guaman. According to the files, there were no verification of education, no receipt of personnel policies and job descriptions, no copy of their driver's licenses and no background checks.
CONCLUSION:	VIOLATION ESTABLISHED

ALLEGATION:

Lack of sufficient staffing

INVESTIGATION:

I observed the staff schedule for the month of June 2024. The facility utilizes two scheduling methods. There is one schedule for staff who work overnights (24-hour shifts) and another schedule for staff who work from 11am to 7pm. According to the schedules the overnight staff is Ms. Mary Gill and Ms. Linda Wright. The 11am to 7pm staff is Joel Minaya and Jefferson Guaman. According to the schedules, there is an English-speaking staff on shift 24 hours a day 7 days a week. The schedules indicates that the facility is not in compliance with staffing rules as the facility has 19 residents but there is not always at least two staff members on shift during normal waking hours. There is only 1 staff on schedule from 7pm to 11am the next day.

On 07/31/24, I received and reviewed the staff schedule for July 2024. According to the schedule the facility utilizes two scheduling methods. There is one schedule for staff who work overnights (24-hour shifts) and another schedule for staff who work from 9am to 5pm. Although there are 19 residents, there is only 1 staff working from 5pm to 9am.

On 07/31/24, I interviewed Ms. Mary Gill. According to Ms. Gill, she is working 12 days straight 24 hours each day. Ms. Gill stated that there has been a lot of staff turnover over the last two months. Mr. Minya and Mr. Guaman, no longer work at the facility. The facility has hired a few new workers, but some have quit. There are currently three staff who work at the facility. Ms. Mary Gill and Ms. Linda Wright work the overnight shifts and Ms. Ciara Johnson works from 9am to 5pm as a cook and housekeeper. Ms. Gill stated that Michelle Taylor is on the July schedule, but she doesn't actual work at the facility as she works at an affiliated AFC. According to Ms. Gill, Mr. Gross told her that since she is the facility manager, it is her responsibility to find, hire and train more staff. Ms. Gill stated that she is tired and ready to quit. Ms. Gill stated that the new staff have not been background checked and there are no files for them.

On 07/31/24, I conducted an exit conference with Licensee Designee William Gross to discuss the findings of this report. Mr. Gross stated that the facility is working to adjust as there have been a lot of staff turnover. Mr. Gross admitted that Mr. Minya and Mr. Guaman were not background checked. He stated that he was unaware that the facility was out of compliance with the staffing requirements and rules. Mr. Gross stated that new staff have been background checked and have files.

APPLICABLE RULE	
R 400.15206	Staffing requirements.
	(1) The ratio of direct care staff to residents shall be adequate as determined by the department, to carry out the responsibilities defined in the act and in these rules and shall not be less than 1 direct care staff to 15 residents during waking hours or less than 1 direct care staff member to 20 residents during normal sleeping hours.

ANALYSIS:	<p>During the onsite investigation on 06/21/24, Ms. Gill was the only care worker in the facility and there were 19 residents in the facility. I observed the staff schedule for the month of June 2024. The facility utilizes two scheduling methods. There is one schedule for staff who work overnights (24-hour shifts) and another schedule for staff who work from 11am to 7pm. The schedules indicate that the facility is not in compliance with staffing rules as the facility has 19 residents but there is not always at least 2 staff members on shift during normal waking hours. There is only 1 staff on schedule from 7pm to 11am the next day for the month of June 2024.</p> <p>On 07/31/24, I received and reviewed the staff schedule for July 2024. According to the schedule the facility utilizes two scheduling methods. There is one schedule for staff who work overnights (24-hour shifts) and another schedule for staff who work from 9am to 5pm. Although there are 19 residents, there is only 1 staff working from 5pm to 9am. Ms. Gill stated that Michelle Taylor is on the July schedule, but she doesn't actually work at the facility as she works at an affiliated AFC.</p>
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

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

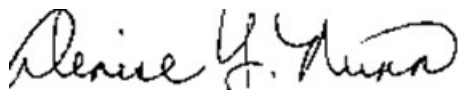


07/31/24

Eric Johnson
Licensing Consultant

Date

Approved By:



08/01/2024

Denise Y. Nunn
Area Manager

Date