



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

MARLON I. BROWN, DPA
DIRECTOR

July 30, 2024

Jodie Nowak
Tranquility AFC Home LLC
11590 Lakeshore Drive
Lakeview, MI 48850

RE: License #: AM590407641
Investigation #: 2024A0622044
Tranquility AFC Home LLC

Dear Ms. Nowak:

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) 284-9727.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Amanda Blasius', written in a cursive style.

Amanda Blasius, Licensing Consultant
Bureau of Community and Health Systems
611 W. Ottawa Street
P.O. Box 30664
Lansing, MI 48909

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AM590407641
Investigation #:	2024A0622044
Complaint Receipt Date:	07/24/2024
Investigation Initiation Date:	07/26/2024
Report Due Date:	09/22/2024
Licensee Name:	Tranquility AFC Home LLC
Licensee Address:	11590 Lakeshore Drive Lakeview, MI 48850
Licensee Telephone #:	(989) 304-4041
Administrator:	Jodie Nowak
Licensee Designee:	Jodie Nowak
Name of Facility:	Tranquility AFC Home LLC
Facility Address:	1380 East Main Street Edmore, MI 48829
Facility Telephone #:	(989) 560-9733
Original Issuance Date:	04/12/2023
License Status:	REGULAR
Effective Date:	10/12/2023
Expiration Date:	10/11/2025
Capacity:	10
Program Type:	PHYSICALLY HANDICAPPED DEVELOPMENTALLY DISABLED MENTALLY ILL AGED

II. ALLEGATION(S)

	Violation Established?
Resident was afraid due to a caregiver falling asleep while driving. One of the caregivers utilizes marijuana that is why they fell asleep while driving.	No
Food is not adequate, and the residents do not eat a lot. Residents have not had any vegetables or fruits in a month.	No
There is a menu that is completed on a weekly basis for the consumers to view, however the food that is being served is not consistent with the menu.	Yes

III. METHODOLOGY

07/24/2024	Special Investigation Intake- 2024A0622044
07/26/2024	Special Investigation Initiated - On Site. Interview of licensee, Jodie Nowak, Resident A, B, C and D.
07/26/2024	Inspection Completed-BCAL Sub. Compliance
07/26/2024	Exit Conference with licensee, Jodie Nowak.

ALLEGATION: Resident was afraid due to a caregiver falling asleep while driving. One of the caregivers utilizes marijuana that is why they fell asleep while driving.

INVESTIGATION:

On 07/23/2024, I received this complaint through the Bureau of Community and Health Systems online complaint system. Adult protective services denied the complaint and it was transferred to the licensing unit. According to the complaint, “yesterday, a consumer was traveling to an appointment with one of the caregivers for the facility and became scared due to the caregiver falling asleep while driving. It was disclosed that one of the caregivers of the facility utilizes marijuana and that is why they fell asleep while driving yesterday.”

On 07/26/2024, I completed an unannounced onsite investigation to Tranquility AFC Home LLC. During the onsite investigation, I interviewed licensee designee Jodie Nowak and she reported that she does most all the transportation for residents. She stated that she transported Resident A on 07/22/2024 to an eye appointment in Greenville, MI. During the interview Ms. Nowak disclosed that she did become very tired due to a new medication she started taking and she did nod off on the way home, but soon hit the rumble strips and became very aware of herself nodding off. Ms. Nowak stated that she did say something to the resident in the car about how

she nodded off. Ms. Nowak explained that she has been having muscle spasms, but she no longer takes her new PRN when she will be driving due to the side effect of drowsiness. Ms. Nowak reported that she does not use marijuana.

On 07/26/2024, I interviewed Resident A in person. Resident A reported that she did go to an eye appointment on Monday in Greenville. Resident A stated that licensee designee Jodie Nowak transported her to the appointment. Resident A stated that she had no concerns regarding Ms. Nowak’s driving and stated that she did not fall asleep while driving. Resident A stated that she has not seen or had concerns with Ms. Nowak using marijuana.

On 07/26/2024, I interviewed Resident B in person. Resident B reported that she heard from Resident A that Ms. Nowak fell asleep while driving, but she was not in the vehicle. Resident B stated that Ms. Nowak transports her a few times a month and she has not had any concerns or ever noticed that she was falling asleep. Resident B reported that she has smelled marijuana on another direct care worker(DCW), but this DCW does not drive any residents.

APPLICABLE RULE	
R 400.14305	Resident protection.
	(3) A resident shall be treated with dignity and his or her personal needs, including protection and safety, shall be attended to at all times in accordance with the provisions of the act.
ANALYSIS:	Based on the interviews with licensee, Jodie Nowak and Residents A and B, there was no evidence of direct care workers transporting residents while under the influence of marijuana. Ms. Nowak did report nodding off once while driving due to a new prescribed as needed medication. Ms. Nowak was aware of the safety concern and has taken action to prevent drowsiness while driving in the future. Resident A did not report any concerns with her transportation on 07/22/2024, therefore a violation was not established.
CONCLUSION:	VIOLATION NOT ESTABLISHED

ALLEGATION: Food is not adequate and the residents do not eat a lot. Residents have not had any vegetables or fruits in a month.

INVESTIGATION:

On 07/26/2024, I completed an unannounced onsite investigation to Tranquility AFC Home, LLC. During the onsite investigation, I viewed the kitchen for available food, fruit and vegetables. During the investigation, I observed, strawberries, blueberries,

broccoli, carrots and lettuce in the fridge. On the counters were watermelon and green peppers. The facility has two fridges and one chest freezer. All three appliances had food available to provide adequate meals for residents.

On 07/26/2024, I interviewed Residents A, B, C and D. None of the residents reported any concerns about the meals being served and all of them reported being satisfied with the amount of food provided. No concerns were reported regarding their fruit and vegetable intakes.

APPLICABLE RULE	
R 400.14313	Resident nutrition.
	(2) Meals shall meet the nutritional allowances recommended pursuant to the provisions of "Appendix I: Recommended Dietary Allowances, Revised 1980" contained in the publication entitled "Basic Nutrition Facts: A Nutrition Reference," Michigan Department of Public Health publication no. H-808, 1/89. This publication may be obtained at cost from The Division of Research and Development, Michigan Department of Public Health, P.O. Box 30195, Lansing, Michigan 48909.
ANALYSIS:	During the unannounced investigation, I viewed many options for fresh fruit and vegetables, along with frozen options and no concerns were reported during the resident interviews. No evidence was found during the investigation, that the meals are not meeting the nutritional allowances recommended.
CONCLUSION:	VIOLATION NOT ESTABLISHED

ALLEGATION: There is a menu that is completed on a weekly basis for the consumers to view, however the food that is being served is not consistent with the menu.

INVESTIGATION:

On 07/26/2024, I completed an unannounced onsite investigation to Tranquility AFC Home, LLC. During the onsite investigation, I viewed the menu for the current week. The menu was missing the dates for the week and no substitutions were marked on the menu. The menu also lacked specific details such as what fruit or vegetables would be served with each meal and many days stated, "resident choice or Jodie's choice."

On 07/26/2024, I interviewed licensee, Jodie Nowak and she reported that she often does not update the menu if a meal is changed. She was able to provide recent menus, and many of the menus did not have any meal substitutions.

On 07/26/2024, I interviewed Resident A and she reported no concerns regarding the menus and food being served.

On 07/26/2024, I interviewed Resident B and she reported that staff do not follow what is listed on the menu. She stated that she likes to know what she is having for lunch or dinner, and it can be frustrating if it's different from what is on the menu.

On 07/26/2024, I interviewed Resident C and he reported that the menu changes often, but he is okay with the food being served.

On 07/26/2024, I interviewed Resident D and she reported that she likes the food and reported no concerns regarding the menu.

APPLICABLE RULE	
R 400.14313	Resident nutrition.
	(4) Menus of regular diets shall be written at least 1 week in advance and posted. Any change or substitution shall be noted and considered as part of the original menu.
ANALYSIS:	During the onsite investigation, a menu was available, but was not dated. The menu lacks thorough details for the fruit and vegetables being served, along with some of the meals being offered. No substitutions were documented on the menu, which was consistent with what Residents reported.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

Contingent upon receipt of an acceptable corrective action plan, I recommend that the status of the license remains unchanged.



07/29/2024

Amanda Blasius
Licensing Consultant

Date

Approved By:



07/30/2024

Dawn N. Timm
Area Manager

Date