



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

MARLON I. BROWN, DPA
DIRECTOR

August 21, 2024

Jennifer Garcia
Allegria Village
15101 Ford Road
Dearborn, MI 48126

RE: License #: AH820409060
Investigation #: 2024A0784073
Allegria Village

Dear Jennifer Garcia:

Attached is the Special Investigation Report for the above referenced facility. While a violation was identified in the report, a written corrective action plan is not required as appropriate corrective measures were taken to address the violation.

Please review the enclosed documentation for accuracy and contact me with any questions. If I am not available, and you need to speak to someone immediately, please contact the local office at (517) 284-9730.

Sincerely,

A handwritten signature in cursive script that reads "Aaron L. Clum".

Aaron Clum, Licensing Staff
Bureau of Community and Health Systems
611 W. Ottawa Street
P.O. Box 30664
Lansing, MI 48909
(517) 230-2778

enclosure

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

I. IDENTIFYING INFORMATION

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|---|--|
| License #: | AH820409060 |
| Investigation #: | 2024A0784073 |
| Complaint Receipt Date: | 07/02/2024 |
| Investigation Initiation Date: | 07/02/2024 |
| Report Due Date: | 08/31/2024 |
| Licensee Name: | HFV Opco, LLC |
| Licensee Address: | Suite K 395 Pearsall Avenue Cedarhurst, NY 11516 |
| Licensee Telephone #: | (516) 371-9500 |
| Administrator/Authorized Representative: | Jennifer Garcia |
| Name of Facility: | Allegria Village |
| Facility Address: | 15101 Ford Road Dearborn, MI 48126 |
| Facility Telephone #: | (313) 584-1000 |
| Original Issuance Date: | 09/30/2021 |
| License Status: | REGULAR |
| Effective Date: | 03/31/2024 |
| Expiration Date: | 07/31/2024 |
| Capacity: | 132 |
| Program Type: | ALZHEIMERS AGED |

II. ALLEGATION(S)

| | Violation Established? |
|--|-----------------------------------|
| Lack of confidential treatment of resident medical documentation | Yes |
| Additional Findings | No |

III. METHODOLOGY

| | |
|------------|---|
| 07/02/2024 | Special Investigation Intake 2024A0784073 |
| 07/02/2024 | Special Investigation Initiated - Telephone Interview with complainant |
| 07/03/2024 | Inspection Completed On-site |
| 07/08/2024 | Contact - Document Received Email received from director of nursing (DON) Stephanie Rousseau with investigative documentation |
| 07/09/2024 | Contact - Document Received Email from administrator Jennifer Garcia |
| 08/21/2024 | Exit - Email Report sent to Ms. Garcia |

ALLEGATION:

Lack of confidential treatment of resident medical documentation

INVESTIGATION:

On 7/02/2024, the department received this online complaint.

According to the complaint, on 6/30/2024, at approximately 1:15pm, Associate 1 was witnessed asking a resident to sign, as a witness, a do not resuscitate (DNR) document for another resident. It is unknown who the resident is that was asked to sign the document or what resident the document belonged to.

On 7/02/2024, I interviewed Complainant by telephone. Complainant stated they did not know the name of the resident who was approached to sign the DNR or who the DNR belonged to. Complainant stated the situation happened in the dining room with several other residents sitting with the resident being asked to sign the DNR

document. Complainant stated Associate 1 is the person who asked the resident to sign the DNR.

On 7/03/2024, I interviewed director of nursing Stephanie Rousseau at the facility. Ms. Rousseau stated she was not aware of Associate 1 having had a resident sign a DNR on 6/30/2024. Ms. Rousseau stated Associate 1 did work on that day. Ms. Rousseau stated Associate 1 was not present at work and she would need to investigate the matter further.

On 7/08/2024 and 7/09/2024, I received an email from Ms. Rousseau with included attached documents requested while onsite on 7/03/2024.

I reviewed a written statement from Associate 1, provided by Ms. Rousseau. The statement indicated Associate 1 did have a resident sign a DNR in the dining area with other residents present. In the letter Associate 1 also indicated the resident who was asked to sign the DNR had no relationship with the person for whom the DNR was for.

On 7/09/2024, I received an email from administrator Jennifer Garcia indicating she did not agree with Associate 1's actions and that corrective measures are being taken to address this. Ms. Garcia indicated Associate 1 was given a formal corrective notice.

I reviewed an Employee Counseling Form for Associate 1, provided by Ms. Garcia which confirmed Ms. Garcias statements regarding formal counseling for Associate 1.

| APPLICABLE RULE | |
|------------------------|---|
| MCL 333.20201 | Policy describing rights and responsibilities of patients or residents |
| | (2)(c) A patient or resident is entitled to confidential treatment of personal and medical records, and may refuse their release to a person outside the health facility or agency except as required because of a transfer to another health care facility, as required by law or third party payment contract, or as permitted or required under the health insurance portability and accountability act of 1996, Public Law 104-191, or regulations promulgated under that act, 45 CFR parts 160 and 164. |

| | |
|--------------------|--|
| ANALYSIS: | The complaint alleged a lack of protection for a resident's confidential medical information by Associate 1 when she asked an unrelated resident to sign a DNR form in a public space at the facility with other residents nearby. The investigation confirmed the allegations. While the facility was found to be in violation of this rule, appropriate actions have been taken to bring the facility into compliance. |
| CONCLUSION: | VIOLATION ESTABLISHED |

IV. RECOMMENDATION

It is recommended that the status of the license remain the same. Due to the facility taking adequate corrective measures to address the violation, no corrective action plan is required.

Aaron L. Clum

8/15/2024

Aaron Clum
Licensing Staff

Date

Approved By:

Andrea L. Moore

08/20/2024

Andrea L. Moore, Manager
Long-Term-Care State Licensing Section

Date