



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

MARLON I. BROWN, DPA
DIRECTOR

August 12, 2024

Bethany Mays
Resident Advancement, Inc.
PO Box 555
Fenton, MI 48430

RE: License #: AS250263541
Investigation #: 2024A0779043
Embury Home

Dear Bethany Mays:

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 dark ink, reading "Christopher A. Holvey". The signature is written in a cursive style with a large, stylized 'C' and 'H'.

Christopher Holvey, Licensing Consultant
Bureau of Community and Health Systems
611 W. Ottawa Street
P.O. Box 30664
Lansing, MI 48909
(517) 899-5659

enclosure

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

I. IDENTIFYING INFORMATION

| | |
|---------------------------------------|--|
| License #: | AS250263541 |
| Investigation #: | 2024A0779043 |
| Complaint Receipt Date: | 07/08/2024 |
| Investigation Initiation Date: | 07/08/2024 |
| Report Due Date: | 09/06/2024 |
| Licensee: | Resident Advancement, Inc. |
| Licensee Address: | 411 S. Leroy, PO Box 555 Fenton, MI 48430 |
| Licensee Telephone #: | (810) 750-0382 |
| Administrator: | Jennifer Soto |
| Licensee Designee: | Bethany Mays |
| Name of Facility: | Embury Home |
| Facility Address: | 3127 McGregor Grand Blanc, MI 48439 |
| Facility Telephone #: | (810) 694-2816 |
| Original Issuance Date: | 05/10/2004 |
| License Status: | REGULAR |
| Effective Date: | 12/21/2022 |
| Expiration Date: | 12/20/2024 |
| Capacity: | 6 |
| Program Type: | DEVELOPMENTALLY DISABLED MENTALLY ILL |

II. ALLEGATION(S)

| | Violation Established? |
|--|---------------------------|
| The home does not have records of all monies being sent to the home for Resident A's personal use. | Yes |
| Additional Findings | Yes |

III. METHODOLOGY

| | |
|------------|--|
| 07/08/2024 | Special Investigation Intake 2024A0779043 |
| 07/08/2024 | Special Investigation Initiated - Telephone Spoke to ORR. |
| 07/09/2024 | APS Referral Complaint was referred to APS centralized intake. |
| 07/09/2024 | Contact - Telephone call made Spoke to Resident A's legal guardian. |
| 07/18/2024 | Inspection Completed On-site |
| 07/18/2024 | Contact - Telephone call made Spoke to home's accounting specialist. |
| 07/26/2024 | Contact - Telephone call made Spoke to licensee designee, Bethany Mays. |
| 07/26/2024 | Exit Conference Held with licensee designee, Bethany Mays. |

ALLEGATION:

The home does not have records of all monies being sent to the home for Resident A's personal use.

INVESTIGATION:

On 7/8/24, a phone conversation took place with recipient rights investigator, Michael Wolf, who confirmed that he was investigating the same allegations. Investigator Wolf

stated that there is a newly assigned legal guardian, Guardian 1, for Resident A who has taken over the finances for Resident A. Investigator Wolf stated that he had already spoken to Guardian 1, who has sent him a packet of information outlining that she had sent \$1550.00 to the licensee, Resident Advancement (RA), for personal money for Resident A, but that \$666.00 was not accounted for on RA documentation.

On 7/9/24, a phone conversation took place with Guardian 1, who confirmed that over a course of several months, she had sent RA \$1550.00 for Resident A and that \$666.00 appears to be unaccounted for. Guardian 1 stated that she became payee for Resident A in December 2023 and that RA was Resident A's payee prior to that. Guardian 1 reported that she was made aware of the discrepancies in money after RA had sent her copies of Resident A's Resident Funds II forms for December 2023 through April 2024. Guardian 1 stated that she had not yet spoken to anyone at RA regarding the \$666.00 discrepancy issue.

On 7/18/24, an on-site inspection was conducted and administrator, Jennifer Soto was interviewed. Admin Soto stated that she was not aware of this issue. Admin Soto reported that Resident A's original guardian passed away and then Family Service Agency became Resident A's payee for a while, before Guardian 1 took over the financial responsibility in December 2023. Admin Soto stated that checks sent in by guardians, intended as resident's personal funds, are mailed to RA's central office and are not mailed to the home or any home manager. Admin Soto stated that those personal funds are then used to make big purchases for the resident and/or sent to the home to be kept as cash in the home, under the \$200.00 licensing limit allowed. When asked about specific \$500 and \$200 checks that Guardian 1 mailed to RA in February 2024, Admin Soto reported that those monies were used by RA central office to purchase a mattress and a television for Resident A and that the remaining balance of \$34.00 was sent to the home and placed in Resident A's cash funds.

During the on-site inspection with Admin Soto on 7/18/24, phone calls were made to RA's client account specialist, Janet Mikulenas, to gain further clarification regarding monies sent to RA by guardians. Specialist Mikulenas confirmed that checks mailed to RA by guardians are kept in a bank account and either big purchases are made for residents and/or money is sent to the home manager to keep cash on hand in the home. Specialist Mikulenas reported that all personal resident money being kept in the RA bank account is sent to the home by month's end, resulting in a \$0.00 balance. Specialist Mikulenas confirmed that the \$500 and \$200 sent to RA by Guardian 1 in February 2024 were used to purchase Resident A a new mattress and television. Specialist Mikulenas reported that those transactions were not recorded on a Resident Funds II form, but that RA has receipts for those purchases.

During the on-site inspection, Resident A's Resident Fund II forms for December 2023 through April 2024 and receipts for purchases made in February were reviewed. The home provided copies of receipts confirming the purchase of a mattress in the amount of \$468 and a television in the amount of \$198. The Resident Funds II form for February 2024 shows that two checks were cashed and being kept as cash in the home

in the amounts of \$32 and \$2, which account for the balance of the \$500 and \$200 checks sent to RA. The total of the purchases for the mattress and television equal \$666, which is the amount that was in question of being missing. The remaining Resident Funds II forms reviewed confirmed that the remaining \$884 that Guardian 1 sent to RA, during the time span in question, was placed in Resident A's cash on hand funds in the home. Those monies were spent appropriately on personal items for Resident A.

| APPLICABLE RULE | |
|------------------------|---|
| R 400.14315 | Handling of resident funds and valuables. |
| | (3) A licensee shall have a resident's funds and valuables transaction form completed and on file for each resident. A department form shall be used unless prior authorization for a substitute form has been granted, in writing, by the department. |
| ANALYSIS: | The amount of \$666 of Resident A's personal money was in question as being unaccounted for. The licensee was able to provide copies of receipts totaling this exact amount for purchases of a mattress and television in February 2024; however, those transactions were not recorded on Resident A's Resident Funds II form. Failure of the licensee to properly record these purchases warrants the citation of this licensing rule. |
| CONCLUSION: | VIOLATION ESTABLISHED |

ADDITIONAL FINDINGS:

INVESTIGATION:

On 7/18/24, client account specialist, Janet Mikulenas, stated that checks being mailed to RA, which are meant as resident's personal funds, are kept for a short time in a RA bank account. Specialist Mikulenas confirmed that the RA bank account in question also contains RA corporate funds. Specialist Mikulenas stated that RA does not keep separate bank accounts that are individual to each resident, regarding monies sent to RA by guardians and meant as resident personal funds.

On 7/26/24, a phone conversation took place with licensee designee, Bethany Mays. Licensee Mays confirmed that resident's personal money has been being kept for a short time in a bank account that also contains RA corporate funds. Licensee Mays reported that this policy/routine of doing things was set up before she became licensee designee and was put in place to prevent guardians from sending checks/monies

directly to home managers. Licensee Mays stated that RA did not want home managers having that much responsibility over resident's funds.

| APPLICABLE RULE | |
|------------------------|---|
| R 400.14315 | Handling of resident funds and valuables. |
| | (5) All resident funds, which includes bank accounts, shall be kept separate and apart from all funds and monies of the licensee. Interest and dividends earned on resident funds shall be credited to the resident. Payments for care for the current month may be used by the licensee for operating expenses. |
| ANALYSIS: | It was confirmed that funds that guardians are mailing to the licensee, Resident Advancement Inc, and that are meant to be used as resident personal funds, are being kept in a bank account that also contains Resident Advancement corporate monies. Not keeping residents' personal money separate from all funds and monies of the licensee warrants citation of this licensing rule. |
| CONCLUSION: | VIOLATION ESTABLISHED |

| APPLICABLE RULE | |
|------------------------|--|
| R 400.14315 | Handling of resident funds and valuables. |
| | (9) A resident's account shall be individual to the resident. A licensee shall be prohibited from having any ownership interest in a resident's account and shall verify such in a written statement to the resident or the resident's designated representative. |
| ANALYSIS: | It was confirmed that licensee, Resident Advancement Inc., has been keeping resident's personal money in one bank account that is not individual to the resident. The lack of keeping multiple residents' personal money in one large account that is not individual to each resident, warrants citation of this licensing rule. |
| CONCLUSION: | VIOLATION ESTABLISHED |

On 7/26/24, an exit conference was held with licensee designee, Bethany Mays. Licensee Mays was informed of the outcome of this investigation and that a written corrective action plan is required.

IV. RECOMMENDATION

Upon receipt of an approved written corrective action plan, it is recommended that the status of this home's license remain unchanged.




8/12/2024

Christopher Holvey
Licensing Consultant

Date

Approved By:



8/12/2024

Mary E. Holton
Area Manager

Date