



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

MARLON I. BROWN, DPA
DIRECTOR

September 4, 2024

Delissa Payne
Spectrum Community Services
Suite 700
185 E. Main St
Benton Harbor, MI 49022

RE: License #: AS410357190
Investigation #: 2024A0467052
Springmont Home

Dear Mrs. Payne:

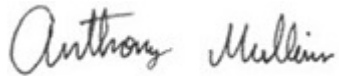
Attached is the Special Investigation Report for the above referenced facility. Due to the violation identified in the report, a written corrective action plan is required. The corrective action plan is due 15 days from the date of this letter and must include the following:

- How compliance with the rule will be achieved.
- Who is directly responsible for implementing the corrective action for the violation.
- Specific time frames for the 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 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 (616) 356-0183.

Sincerely,

A handwritten signature in cursive script that reads "Anthony Mullins".

Anthony Mullins, Licensing Consultant
Bureau of Community and Health Systems
Unit 13, 7th Floor
350 Ottawa, N.W.
Grand Rapids, MI 49503

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AS410357190
Investigation #:	2024A0467052
Complaint Receipt Date:	07/24/2024
Investigation Initiation Date:	07/24/2024
Report Due Date:	09/22/2024
Licensee Name:	Spectrum Community Services
Licensee Address:	Suite 700 185 E. Main St Benton Harbor, MI 49022
Licensee Telephone #:	(231) 887-4130
Administrator:	Delissa Payne
Licensee Designee:	Delissa Payne
Name of Facility:	Springmont Home
Facility Address:	4623 Springmont Drive SE Kentwood, MI 49508
Facility Telephone #:	(616) 803-0885
Original Issuance Date:	03/12/2014
License Status:	REGULAR
Effective Date:	09/12/2022
Expiration Date:	09/11/2024
Capacity:	6
Program Type:	DEVELOPMENTALLY DISABLED MENTALLY ILL

II. ALLEGATION(S)

	Violation Established?
Staff member Jean Francois pushed Resident A into the bathroom, causing a scratch to his face on 7/21/24.	Yes

III. METHODOLOGY

07/24/2024	Special Investigation Intake 2024A0467052
07/24/2024	Special Investigation Initiated - Letter via email with Recipient Rights Officer, Melissa Gekeler
07/24/2024	Inspection Completed On-site
07/24/2024	APS Referral
07/24/2024	Contact – telephone call made to Jean Francois
07/24/2024	Contact – telephone call made to Marcel Kapanda
07/25/2024	Contact – telephone call received from APS worker, Emily Graves
07/25/2024	Contact – Recipient Rights Officer, Melissa Gekeler via email
08/20/2024	Inspection Completed On-site
09/04/24	Exit conference with licensee designee, Delissa Payne

ALLEGATION: Staff member Jean Francois pushed Resident A into the bathroom, causing a scratch to his face on 7/21/24.

INVESTIGATION: On 7/24/24, I received a complaint from Recipient Rights Officer, Melissa Gekeler. The complaint alleged that on 7/21/24, staff member, Jean Francois pushed Resident A into the bathroom after he refused to go himself. As a result of this incident, Resident A sustained a scratch on the left side of his face, Staff member Marcel Kapanda was reportedly present in the home when this incident occurred. Resident A stated that “Jean” caused the injury to his face when asked by his mother, although he would not explain further. The complaint also stated that Mr. Francois has brought his gun into the home.

On 7/24/24, I made an unannounced onsite investigation at the facility. Upon arrival, I spoke to home manager, Mandy Dutter. Ms. Dutter stated that Mr. Kapanda told her that he heard Mr. Francois pushing Resident A in the bathroom and the door slammed. Ms. Dutter confirmed that Resident A has a scratch on the left side of his

face, and she sent me a picture of the scratch. Ms. Dutter also stated that Resident A has an injury mark (scratch or pressure spot) to his lower back/buttocks area. Ms. Dutter is unsure if the injury is from Resident A being pushed by Mr. Francios or from sitting on the toilet for an extended period. Ms. Dutter stated that staff try to keep Resident A on the toilet for a short period of time due to behaviors/anxiety surrounding this. Ms. Dutter stated that Mr. Francois was questioned about the scratch to Resident A's face and he stated that Resident A was sitting on the couch and "all of a sudden he had a scratch on his face." Mr. Francois did not provide Ms. Dutter with any other explanation as to how the scratch could have occurred. As a result of this incident, Mr. Francois has been suspended pending the outcome of the investigation.

During this onsite inspection, I did not observe Resident A or attempt to interview him due to being away at school. It should also be noted that during a recent investigation, I attempted to interview Resident A at school with no success due to his limited comprehension and communication skills, per the school's Principal.

On 7/24/24, I spoke to staff member, Jean Francois via phone regarding the allegations. Mr. Francois immediately denied pushing Resident A into the bathroom on 7/21/24. He also denied any knowledge as to how the scratch appeared on Resident A's face, as he was only informed about this when Ms. Dutter called him. On the day of the reported incident, Mr. Francois stated that Resident A was napping on the couch. Resident A's mother reportedly called and said she was coming to pick-up Resident A. This prompted Mr. Francois to tell Resident A that he needs to get ready for his mother to come get him, which included Resident A getting some clothes from his bedroom and going to the bathroom to change. Mr. Francois stated that Resident A went to the bathroom himself and changed his clothes. Mr. Francois was adamant that Resident A has always been capable of changing himself and he never pushed or forced him into the bathroom. Mr. Francois stated that the scratch could have occurred to Resident A while he was in the care of his mother. Mr. Francois had no knowledge as to why anyone would accuse him of causing the scratch on Resident A.

I asked Mr. Francois about reportedly bringing his gun into the home while working within the last year. Mr. Francois confirmed that he is a legal gun owner and has a permit to legally carry. However, he denied bringing his gun into the home. Mr. Francois stated that his gun is always in his car when he works at the home.

On 7/24/24, I spoke to staff member, Marcel Kapanda via phone regarding the allegations. Mr. Kapanda confirmed that he was working at the home on 7/21/24 when he observed Mr. Francois push Resident A into the bathroom and slam the door behind him. Mr. Kapanda stated that the incident occurred around 6:00 pm. Mr. Kapanda stated that the incident stemmed from Mr. Francois telling Resident A to change his clothes. Resident A reportedly told Mr. Francois that "he's good," referring to not wanting to change his clothes. Mr. Kapanda stated this led to Mr. Francois pushing Resident A into the bathroom, where he could be heard screaming

and saying, "I'm good." Mr. Kapanda stated that "maybe" Resident A received the scratch to his face from Mr. Francois pushing him into the bathroom. Mr. Francois stated that he left the home sometime after Mr. Francois pushed Resident A into the bathroom. Mr. Kapanda stated that Resident A was in the bathroom for at least 30 minutes when he left.

When asked about Mr. Francois reportedly bringing guns into the home, Mr. Kapanda stated that Mr. Francois told him about owning guns in August of last year. In addition, Mr. Kapanda stated that Mr. Francois has also brought the guns into the home and physically showed him the gun on his person. Mr. Kapanda stated that he never told anyone about Mr. Francois having the gun on his person because he felt threatened and scared.

On 7/25/24, I received a voicemail from Kent County Adult Protective Services (APS) worker, Emily Graves. Mrs. Graves informed me that she met with Resident A today and he was able to identify that the scratch to his face occurred while he was in the bathroom with Mr. Francois. Mrs. Graves stated that she spoke to school staff members and they confirmed that the sore to Resident A's buttocks appears to be a pressure ulcer and it has been there for 2+ weeks. The pressure ulcer is scabbed over and school staff denied Resident A picking at his skin.

On the same day, I returned a call to Mrs. Graves. She again confirmed that Resident A stated that the scratch to his face occurred in the bathroom with Mr. Francois. However, he was unable to provide specific details as to how it occurred. Mrs. Graves also stated that school staff shared that they try to keep Resident A on the toilet for as long as possible since he has difficulty making it to the toilet, which is the opposite of what the home manager, Ms. Dutter stated. Per Mrs. Graves, the school nurse has been keeping an eye out on the pressure ulcer.

On 7/25/24, I spoke to Recipient Rights Officer, Melissa Gekeler via email to inform her on the status of my investigation. Despite Mr. Kapanda telling me that he observed Mr. Francois push Resident A, he reportedly told Mrs. Gekeler that he only "heard a struggle" but never physically saw anything.

On 8/20/24, I made an announced onsite visit to the facility. Upon arrival, I spoke to staff member, Jill Tollar regarding Resident A. Ms. Tollar confirmed that Resident A's school made her aware of the mark to his buttocks area. Ms. Tollar stated that she is unsure how it happened. However, she and other staff have been putting antibiotic ointment on it and it continues to improve. She denied any known history of Resident A picking at his skin.

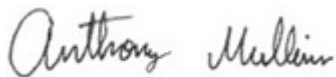
During this visit, Resident A was observed to be very active and engaging with staff. The scratch to his face has since healed. I did not attempt to interview him due to disclosures from Mr. Kapanda and Resident A informing APS that the scratch to his face occurred while in the bathroom with Mr. Francois.

On 09/04/24 I conducted an exit conference with licensee designee, Delissa Payne. She was informed of the investigative findings and confirmed that Mr. Francois was terminated last week. Mrs. Payne agreed to submit a corrective action plan within 15 days of receipt of this report.

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:	<p>Mr. Kapanda stated he observed Mr. Francois push Resident A into the bathroom on 7/21/24.</p> <p>Mr. Francois denied pushing Resident A into the bathroom and causing the injury to his face.</p> <p>Resident A disclosed to APS that the scratch to his face occurred while in the bathroom with Mr. Francois. Therefore, there is a preponderance of evidence to support the allegation.</p>
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

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



09/04/2024

Anthony Mullins
Licensing Consultant

Date

Approved By:



09/04/2024

Jerry Hendrick
Area Manager

Date