



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

MARLON I. BROWN, DPA
DIRECTOR

July 17, 2024

Josephine Mujeni
4895 Burgis SE
Kentwood, MI 49508

RE: License #: AS410379919
Investigation #: 2024A0583041
Burgis

Dear Mujeni, Josephine:

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 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, appearing to read "Toya Zylstra".

Toya Zylstra, Licensing Consultant
Bureau of Community and Health Systems
Unit 13, 7th Floor
350 Ottawa, N.W.
Grand Rapids, MI 49503
(616) 333-9702

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AS410379919
Investigation #:	2024A0583041
Complaint Receipt Date:	07/12/2024
Investigation Initiation Date:	07/12/2024
Report Due Date:	08/11/2024
Licensee Name:	Josephine Mujeni
Licensee Address:	4895 Burgis SE Kentwood, MI 49508
Licensee Telephone #:	(616) 805-4696
Name of Facility:	Burgis
Facility Address:	4895 Burgis Ave SE Kentwood, MI 49508
Facility Telephone #:	(616) 805-4696
Original Issuance Date:	08/03/2016
License Status:	REGULAR
Effective Date:	02/03/2023
Expiration Date:	02/02/2025
Capacity:	4
Program Type:	DEVELOPMENTALLY DISABLED MENTALLY ILL AGED

II. ALLEGATION(S)

	Violation Established?
Resident A has been left at the facility without staff present.	Yes
Resident B has been physically abused by licensee Josephine Mujeni and staff Lydia Makoni.	No

III. METHODOLOGY

07/12/2024	Special Investigation Intake 2024A0583041
07/12/2024	APS Referral
07/12/2024	Special Investigation Initiated - On Site
07/16/2024	Contact - Telephone Resident A
07/17/2024	Exit Conference Licensee Josephine Mujeni

ALLEGATION: Resident A has been left at the facility without staff present.

INVESTIGATION: On 07/12/2024 I received complaint allegations via email from Network 180 Recipient Rights staff Caroline Wilbon. Ms. Wilson stated that Network 180 investigated allegations that licensee Josephine Mujeni and staff member Lydia Makoni admitted to leaving Resident A in the home while they take the other residents out into the community. Ms. Wilbon stated that they said they do it because Resident A refuses to go with them at times.

On 07/12/2024 I emailed the complaint allegation to Adult Protective Services Centralized Intake.

On 07/12/2024 I completed an unannounced onsite investigation at the facility and privately interviewed licensee Josephine Mujeni, staff Lydia Makoni, and Resident B.

Licensee Josephine Mujeni stated that Resident A's legal guardian gave Ms. Mujeni permission to leave Resident A at the facility without staff present to supervise her. Ms. Mujeni stated that Resident A has been left alone at the facility while other residents and staff have gone on outings that Resident A does not want to participate in. Ms. Mujeni stated that Resident A is only left for "short periods of time" less than an hour in duration.

Staff Lydia Makoni stated Resident A has been left alone without staff supervision for short periods of time. Ms. Makoni stated that Resident A has been left at the facility without staff supervision when Resident A refuses to attend outings with the rest of the residents.

On 07/16/2024 I interviewed Resident A via telephone. Resident A stated that she is “independent” and able to stay at the facility by herself without staff supervision. Resident A stated that she has stayed at the facility on multiple occasions alone while the other residents of the facility went into the community for outings. Resident A stated that she has been left alone at the facility for up to two hours.

On 07/17/2024 I completed an Exit Conference with licensee Josephine Mujeni via telephone. Ms. Mujeni stated that she agreed that a violation had occurred. She stated that she would submit an acceptable Corrective Action Plan.

APPLICABLE RULE	
R 400.14206	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 12 residents and children who are under the age of 12 years.
ANALYSIS:	<p>Resident A stated that she has stayed at the facility on multiple occasions alone while the other residents of the facility went into the community for outings.</p> <p>Staff Lydia Makoni stated Resident A has been left alone without staff supervision for short periods of time.</p> <p>Licensee Josephine Mujeni stated that Resident A’s legal guardian gave Ms. Mujeni permission to leave Resident A at the facility without staff present to supervise her. Ms. Mujeni stated that Resident A has been left alone at the facility while other residents and staff have gone on outings that Resident A does not want to participate in.</p> <p>A preponderance of evidence supports that a violation of the applicable rule occurred. Resident A has been left without staff supervision at the facility on multiple occasions.</p>
CONCLUSION:	VIOLATION ESTABLISHED

ALLEGATION: Resident B has been physically abused by licensee Josephine Mujeni and staff Lydia Makoni.

INVESTIGATION: On 07/12/2024 I received complaint allegations via email from Network 180 Recipient Rights staff Caroline Wilbon. Ms. Wilson stated that Network 180 is investigating allegations that licensee Josephine Mujeni and staff member Lydia Makoni have hit Resident B for being non-compliant.

On 07/12/2024 I completed an unannounced onsite investigation at the facility and privately interviewed licensee Josephine Mujeni, staff Lydia Makoni, and Resident B.

Licensee Josephine Mujeni stated that she has never hit Resident B in any manner and has never observed staff Lydia Makoni hit Resident B in any manner. She denied the allegation.

Staff Lydia Makoni stated that she has never hit Resident B and has never observed Ms. Mujeni hit Resident B in any manner.

Resident B stated that Ms. Mujeni and Ms. Makoni have never hit her. She stated that she enjoys residing at the facility.

On 07/16/2024 I interviewed Resident A via telephone. Resident A stated that she has observed licensee Josephine Mujeni and staff Lydia Makoni slap Resident B in the face because Resident B has gotten “mad” at staff. Resident A stated that she does not know if Resident B has sustained injuries from being slapped in the face by facility staff.

On 07/17/2024 I completed an Exit Conference with licensee Josephine Mujeni via telephone. Ms. Mujeni stated that she agreed with the Special Investigation findings.

APPLICABLE RULE	
R 400.14308	Resident behavior interventions prohibitions.
	(1) A licensee shall not mistreat a resident and shall not permit the administrator, direct care staff, employees, volunteers who are under the direction of the licensee, visitors, or other occupants of the home to mistreat a resident. Mistreatment includes any intentional action or omission which exposes a resident to a serious risk or physical or emotional harm or the deliberate infliction of pain by any means.
ANALYSIS:	Licensee Josephine Mujeni stated that she has never hit Resident B and has never observed staff Lydia Makoni hit Resident B.

	<p>Staff Lydia Makoni stated that she has never hit Resident B and has never observed Ms. Mujeni hit Resident B.</p> <p>Resident B stated that Ms. Mujeni and Ms. Makoni have never hit her. She stated that she enjoys residing at the facility.</p> <p>A preponderance of evidence does not support that violation of the applicable rule occurred.</p>
CONCLUSION:	VIOLATION NOT ESTABLISHED

IV. RECOMMENDATION

Upon receipt of an acceptable Corrective Action Plan, I recommend no change to the license.



07/17/2024

Toya Zylstra
Licensing Consultant

Date

Approved By:



07/17/2024

Jerry Hendrick
Area Manager

Date