



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

MARLON I. BROWN, DPA
DIRECTOR

November 21, 2024

Amy Sloan
Amy John and Girls, LLC
329 Willow Run Drive
Wayland, MI 49348

RE: License #: AS030276800
Investigation #: 2025A0578001
Castle Kingdom Inc.

Dear Amy Sloan:

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 black ink, appearing to read "Eli DeLeon". The signature is fluid and cursive, with a long horizontal stroke at the end.

Eli DeLeon, Licensing Consultant
Bureau of Community and Health Systems
611 W. Ottawa Street
P.O. Box 30664
Lansing, MI 48909
(269) 251-4091

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AS030276800
Investigation #:	2025A0578001
Complaint Receipt Date:	10/08/2024
Investigation Initiation Date:	10/09/2024
Report Due Date:	12/07/2024
Licensee Name:	Amy John and Girls, LLC
Licensee Address:	329 Willow Run Drive Wayland, MI 49348
Licensee Telephone #:	(269) 207-1906
Administrator:	Amy Sloan
Licensee Designee:	Amy Sloan
Name of Facility:	Castle Kingdom Inc.
Facility Address:	130 Oak Street Wayland, MI 49348
Facility Telephone #:	(269) 792-1000
Original Issuance Date:	09/22/2005
License Status:	REGULAR
Effective Date:	03/15/2023
Expiration Date:	03/14/2025
Capacity:	6
Program Type:	PHYSICALLY HANDICAPPED DEVELOPMENTALLY DISABLED MENTALLY ILL AGED TRAUMATICALLY BRAIN INJURED

II. ALLEGATION(S)

	Violation Established?
Direct care staff Marsha Spencer had an “unintentional drug overdose” while working at this facility.	Yes

III. METHODOLOGY

10/08/2024	Special Investigation Intake 2025A0578001
10/08/2024	APS Referral
10/09/2024	Special Investigation Initiated - On Site
10/09/2024	Special Investigation Completed On-site -Interview with Resident A and Resident B. Interview with licensee designee Amy Sloan. Interview with direct care staff Trish Connor.
10/09/2024	Contact-Documentation Reviewed -Controlled substance <i>Count Logs</i> for Clonazepam, Adderall and Tramadol.
10/11/2024	Contact-Email -Records request, Joyce Jenkins. Wayland Police Department.
10/11/2024	Contact-Telephone -Interview with direct care staff Marsha Spencer, unsuccessful.
10/21/2024	Contact-Email -With Licensing and Regulatory Affairs department analyst Katelin Haskin.
10/21/2024	Contact-Telephone -With licensee designee Amy Sloan.
10/21/2024	Exit Conference -With licensee designee Amy Sloan.
10/21/2024	Contact-Telephone -Interview with direct care staff Marsha Spencer, unsuccessful.
10/22/2024	Contact-Email -Records Request, Becky Blaine, deputy county FOIA coordinator for Allegan County.

ALLEGATION:

Direct care staff Marsha Spencer had an “unintentional drug overdose” while working at this facility.

INVESTIGATION:

On 10/08/2024, I received this anonymous complaint through the BCHS On-line Complaint System. Complainant alleged direct care staff Marsha Spencer was found unresponsive by residents at this facility and was brought to the hospital for an "unintentional drug overdose." Complainant alleged a drug screen completed at the hospital revealed that Marsha Spencer tested positive for opiates, cocaine and marijuana. Complainant reported this is not the first time Marsha Spencer had been found in a “self-inflicted, drug-induced state of unresponsiveness” by staff and residents at this facility. Complainant added that Marsha Spencer disclosed the reason she had to take “an extra Oxy” was because Marsha Spencer was expected to work an 18-hour shift.

On 10/09/2024, I completed an unannounced investigation on-site and interviewed Resident A regarding the allegations. Resident A reported living at this facility for over five years. Resident A acknowledged that direct care staff Marsha Spencer experienced a medical emergency while working and suspected this medical emergency was related to a problem Marsha Spencer has had with her “kidney function.” Resident A reported he was asleep and was not woken by Marsha Spencer’s medical emergency. Resident A denied ever observing Marsha Spencer or any other direct care staff having a medical emergency while at work. Resident A denied ever observing any direct care staff under the influence of any alcohol or substance. Resident A denied being prescribed any controlled substance like Oxycontin. Resident A reported feeling safe at this facility and denied having any additional concerns.

While at the facility, I interviewed Resident B regarding the allegations. Resident B reported living at this facility for almost a year. Resident B reported on the morning of the allegations, Marsha Spencer had woken her up at 6AM like Marsha Spencer does every morning. Resident B reported she talked to Marsha Spencer that morning in the living room and noticed Marsha Spencer was leaning forward and began to “nod off” when Resident B went back to her bedroom to get ready for the day. Resident B reported she entered the living room again and found Marsha Spencer lying on the floor. Resident B reported she thought Marsha Spencer was sleeping but Marsha Spencer was not responsive. Resident B reported she then went to wake up her roommate, Resident C and they called direct care staff Trish Connor. Resident B reported Trish Connor arrived shortly thereafter and attempted to wake Marsha Spencer by yelling at Marsha Spencer and trying to get Marsha Spencer to talk. Resident B reported after being unsuccessful with alerting Marsha

Spencer, Trish Connor called emergency services. Resident B reported Marsha Spencer was then transported to the hospital.

Resident B denied ever observing ever observing Marsha Spencer or any other direct care staff having a medical emergency while at work before. Resident B denied ever observing any direct care staff under the influence of any alcohol or substance. Resident B denied that Marsha Spencer made any comments relating to taking any additional drug or medication in anticipation of working an 18-hour day. Resident B denied being prescribed any controlled substance like Oxycontin. Resident B denied having any additional concerns and reported feeling safe at this facility.

On 10/09/2024, I interviewed licensee designee Amy Sloan regarding the allegations. Amy Sloan denied ever observing any direct care staff under the influence of any alcohol or substance. Amy Sloan reported Marsha Spencer had recently experienced a “blood infection” and had been receiving antibiotics but this treatment had been unsuccessful. Amy Sloan reported Marsha Spencer had begun new medications to treat this blood infection, but these new medications tended to drop Marsha Spencer’s blood pressure. Amy Sloan denied having any specific medical documentation from Marsha Spencer’s physician other than excusing Marsha Spencer from missing work. Amy Sloan reported she was unaware of the results of Mary Spencer’s bloodwork and denied ever observing Marsha Spencer under the influence of any alcohol or substances while at work and had never noticed significant changes in Marsha Spencer’s performance.

Amy Sloan denied that any resident at this facility is prescribed oxycontin, and identified the three controlled substances in her facility, Clonazepam, Adderall and Tramadol. I reviewed the controlled substance blister packs and the controlled substance *Count Logs* for Clonazepam, Adderall and Tramadol and determined none of the controlled substances at this facility were missing or unaccounted for.

On 10/09/2024, I interviewed direct care staff Trish Connor regarding the allegations. Trish Connor acknowledged being called by the residents and arriving at this facility a short time later. Trish Connor reported when she arrived, Marsha Spencer was on the floor and “curled up.” Trish Connor reported she shouted at Marsha Spencer several times and Marsha Spencer was unresponsive. Trish Connor reported she then called emergency services.

Trish Connor denied ever observing Marsha Spencer under the influence of any alcohol or substances while at work and had never noticed significant changes in Marsha Spencer’s performance. Trish Connor disclosed that when emergency services had arrived, Marsha Spencer was treated with a Narcan nasal spray and was unresponsive to this treatment and was transported to the hospital.

While at the facility, I requested the *Michigan Workforce Background Check* documentation and other documents establishing good moral character for Marsha

Spencer. Amy Sloan reported she would send this documentation to me electronically.

On 10/11/2024, I requested records from the Wayland Police Department relating to the allegations. Joyce Jenkins of the Wayland Police Department reported the Wayland Police Department did not generate any records or reports related to the allegations other than responding to an unconscious/fainting female with no identification on 10/07/2024. Joyce Jenkins provided contact information for the Allegan County Dispatch, suggesting they may have dispatch narratives with more information.

On 10/22/2024, Becky Blaine, deputy county FOIA coordinator for Allegan County, reported no records related to the allegations could be found.

On 10/21/2024, I contacted licensee designee Amy Sloan to request the *Michigan Workforce Background Check* for Marsha Spencer again. Amy Sloan reported she could not locate the *Michigan Workforce Background Check* for Marsha Spencer, but knew the *Michigan Workforce Background Check* for Marsha Spencer was completed and that Marsha Spencer was eligible for employment. Amy Sloan was provided consultation on contacting Michigan Workforce Background Check.

On 10/21/2024, I contacted Licensing and Regulatory Affairs department analyst Katelin Haskin regarding the *Michigan Workforce Background Check* for Marsha Spencer. Katelin Haskin reported Marsha Spencer is not associated with this facility.

On 10/21/2024, I contacted licensee designee Amy Sloan and informed Amy Sloan of the findings provided by Katelin Haskin. Amy Sloan was informed that a Michigan Workforce Background Check would need to be obtained for Marsha Spencer, and that attempts to interview Marsha Spencer had been unsuccessful. Amy Sloan reported that she did not intend to continue Marsha Spencer's employment at this facility and would contact Marsha Spencer and encourage her to complete an interview with this department.

On 10/21/2024, I attempted to interview direct care staff Marsha Spencer. Marsha Spencer reported she was currently working at her other job but would contact this department later in the evening to complete an interview. Attempts to interview direct care staff Marsha Spencer have been unsuccessful as of the date 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:	Based upon my investigation, which consisted of interviews with Resident A, Resident B, direct care staff Trish Connor and licensee designee Amy Sloan, as well as documentation reviewed during an unannounced investigation on-site, there was not enough evidence to substantiate the allegation that any resident's personal need for protection and safety was not attended to at all times despite Marsha Spencer's medical event. Interviews indicated no history of direct care staff member Marsha Spencer working while under the influence of any substance.
CONCLUSION:	VIOLATION NOT ESTABLISHED

APPLICABLE RULE	
R 400.734b	Employing or contracting with certain individuals providing direct services to residents; prohibitions; criminal history check; exemptions; written consent and identification; conditional employment; use of criminal history record information; disclosure; determination of existence of national criminal history; failure to conduct criminal history check; automated fingerprint identification system database; electronic web-based system; costs; definitions.
	(2) Except as otherwise provided in this subsection or subsection (6), an adult foster care facility shall not employ or independently contract with an individual who has direct access to residents until the adult foster care facility or staffing agency has conducted a criminal history check in compliance with this section or has received criminal history record information in compliance with subsections (3) and (11). This subsection and subsection (1) do not apply to an individual who is employed by or under contract to an adult foster care facility before April 1, 2006. On or before April 1, 2011, an individual who is exempt under this subsection and who has not been the subject of a criminal history check conducted in compliance with this section shall provide the department of state police a set of fingerprints and the department of state police shall input those fingerprints into the automated fingerprint identification system database established under subsection (14). An individual who is exempt under this subsection is not limited to working within the adult foster care facility with which he or she is employed by or under independent contract with on April 1, 2006 but may transfer to another adult foster care facility, mental health facility, or covered health facility. If an individual who is exempt under this subsection is subsequently convicted of a crime or

	offense described under subsection (1)(a) to (g) or found to be the subject of a substantiated finding described under subsection (1)(i) or an order or disposition described under subsection (1)(h), or is found to have been convicted of a relevant crime described under 42 USC 1320a-7(a), he or she is no longer exempt and shall be terminated from employment or denied employment.
ANALYSIS:	Based upon my investigation, which consisted of interviews with the licensee designee Amy Sloan, as well a review of pertinent documentation relevant to this investigation, direct care staff Marsha Spencer was employed by this facility and had direct access to residents before Amy Sloan obtained criminal history record information from the relevant licensing or regulatory department and conducted a check of all relevant registries for Marsha Spencer.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

Contingent upon receipt of an acceptable written plan of correction, it is recommended that this license continues on regular status.



11/21/2024

Eli DeLeon
Licensing Consultant

Date

Approved By:



11/21/2024

Dawn N. Timm
Area Manager

Date