



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

ORLENE HAWKS  
DIRECTOR

April 12, 2019

Margarito Martinez, Jr.  
5565 E. Peck Rd.  
Crosswell, MI 48422

RE: License #: AL760287996  
Investigation #: **2019A0871020**  
**Martinez Manor**

Dear Mr. Martinez, Jr.:

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 (989) 732-8062.

Sincerely,



Kathryn A. Huber, Licensing Consultant  
Bureau of Community and Health Systems  
411 Genesee  
P.O. Box 5070  
Saginaw, MI 48605  
(989) 293-3234

enclosure

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

**I. IDENTIFYING INFORMATION**

<b>License #:</b>	AL760287996
<b>Investigation #:</b>	2019A0871020
<b>Complaint Receipt Date:</b>	02/21/2019
<b>Investigation Initiation Date:</b>	02/25/2019
<b>Report Due Date:</b>	04/22/2019
<b>Licensee Name:</b>	Margarito Martinez, Jr.
<b>Licensee Address:</b>	5565 E. Peck Rd. Croswell, MI 48422
<b>Licensee Telephone #:</b>	(810) 633-9227
<b>Administrator:</b>	Margarito Martinez, Jr.
<b>Licensee Designee:</b>	Margarito Martinez, Jr.
<b>Name of Facility:</b>	Martinez Manor
<b>Facility Address:</b>	5565 E. Peck Rd Croswell, MI 48422
<b>Facility Telephone #:</b>	(810) 679-0226
<b>Original Issuance Date:</b>	04/30/2008
<b>License Status:</b>	REGULAR
<b>Effective Date:</b>	12/03/2018
<b>Expiration Date:</b>	12/02/2020
<b>Capacity:</b>	15
<b>Program Type:</b>	PHYSICALLY HANDICAPPED DEVELOPMENTALLY DISABLED MENTALLY ILL

## II. ALLEGATION(S)

	<b>Violation Established?</b>
Household Member Savannah Langford yells at the residents.	Yes
There is not enough food in the lunches packed for the residents when they attend day program.	Yes

## III. METHODOLOGY

02/21/2019	Special Investigation Intake 2019A0871020
02/25/2019	Special Investigation Initiated - Telephone Telephone contact with Case Manager Tom Kraemer
02/28/2019	Inspection Completed On-site Interviewed Staff Savannah Langford and Licensee Margarito Martinez
03/05/2019	Contact - Face to Face Interviewed Residents A-C at day program
03/05/2019	Contact - Face to Face Interviewed Resident C at day program
03/05/2019	Contact - Face to Face Interviewed Residents A-C at day program
03/05/2019	Contact - Face to Face Interviewed Recipient Rights Officer at Sanilac County CMH
03/05/2019	Contact - Face to Face Interviewed Resident D at day program
03/11/2019	APS Referral Through Central Intake to Sanilac County MDHHS
04/08/2019	Inspection Completed On-site Interviewed Household Member Savannah Langford and Licensee Margarito Martinez
04/12/2019	Exit Conference Telephone Contact with Licensee Margarito Martinez

**ALLEGATION:**

Household Member Savannah Langford yells at the residents.

**INVESTIGATION:**

On February 28, 2019, I conducted an unannounced investigation and interviewed Household Member Savannah Langford. Ms. Langford said, "I do not yell at them but change my tone of voice." Ms. Langford indicated there are two residents that are constantly at each other and she "would be exhausted if she would yell at them." Ms. Langford said she tries to separate them and asks them to settle down.

On March 5, 2019, I interviewed Resident A at day program. Resident A said Ms. Langford yells at her and tells her to "mind my own business." Resident A stated Ms. Langford tells her "to go in my room." Resident A said Ms. Langford "does not yell but makes me feel bad."

On March 5, 2019, I interviewed Resident B at day program. Resident B said Ms. Langford "don't treat me very good" and "she hollers at me." Resident B said she sometimes yells at the other residents too. Resident B said Ms. Langford "comes to my bedroom and yells at me." Resident B stated, "she hollers at me all the time."

On March 5, 2019, Resident C was then interviewed and said Ms. Langford "yells at [Resident A]" but did not elaborate on what Ms. Langford says.

On March 5, 2019, I also interviewed Resident D at her day program. Resident D said "Savannah yells at [Resident A]" but did not say what she says to her. Resident D said she yells at Resident E because "[Resident E] doesn't listen." Resident D stated Ms. Langford tells Resident B "straighten up or get shipped out."

On April 8, 2019, I conducted an unannounced onsite investigation. Ms. Langford was interviewed and again stated she does not yell at the residents. Ms. Langford stated she may use a different tone of voice, but it is not yelling.

<b>APPLICABLE RULE</b>	
<b>R 400.15308</b>	<b>Resident behavior interventions prohibitions.</b>
	<b>(2) A licensee, direct care staff, the administrator, members of the household, volunteers who are under the direction of the licensee, employees, or any person who lives in the home shall not do any of the following:</b> <b>(f) Subject a resident to any of the following:</b> <b>(ii) Verbal abuse.</b>

<b>ANALYSIS:</b>	Residents A-D all said Household Member Savannah Langford yells at them. I confirm violation of this rule.
<b>CONCLUSION:</b>	<b>VIOLATION ESTABLISHED</b>

**ALLEGATION:**

There is not enough food in the lunches packed for the residents when they attend day program.

**INVESTIGATION:**

On March 5, 2019, Recipient Rights Officer Nancy Tezak provided me pictures of the lunches that Residents A-C lunches that were brought to day program. Resident A’s lunch included ½ hot dog bun with ½ piece of bologna, sandwich bag of chips, honey bun, and applesauce. Resident B’s lunch included ½ hot dog bun with ½ piece of bologna, cookie, sandwich bag of chips, and a pudding cup. Resident C had a full sandwich in his lunch.

On March 5, 2019, I interviewed Resident A at program. Resident A said the other day, she had “a ½ bologna with a hot dog bun.” Resident A said she asked for a peanut butter and jelly sandwich because “I was still hungry.” Resident A said she did not get enough food in her lunch that day. When at the facility, she said she does not “like to go back for seconds but gets a snack every night.”

I then interviewed Resident B. Resident B said he did not have enough food in his lunch and also got a peanut butter and jelly sandwich. Resident B said he “does not get very much to eat.”

Resident C was also interviewed, and he indicated he did receive enough to eat in his lunch. Resident C said, “there are no seconds in the facility.”

When I interviewed Resident D at her day program, she said she “gets enough to eat and there are no seconds.” Resident D indicated they “usually run out of food.”

On March 5, 2019, I conducted an onsite investigation and interviewed Licensee Margarito Martinez. Mr. Martinez indicated the bread was frozen in the morning, so he used a sub bun for their lunches.

On March 5, 2019 and April 8, 2019, I observed the food in the facility. There was plenty of food and appeared to be enough for at least a week.

On April 12, 2019, I conducted a telephone exit conference with Licensee Margarito Martinez. Mr. Martinez was informed of the findings of this investigation.

<b>APPLICABLE RULE</b>	
<b>R 400.15313</b>	<b>Resident nutrition.</b>
	<b>(1) A licensee shall provide a minimum of 3 regular, nutritious meals daily. Meals shall be of proper form, consistency, and temperature. Not more than 14 hours shall elapse between the evening and morning meal.</b>
<b>ANALYSIS:</b>	Residents A-B did not have enough food in their lunches and day program gave them peanut butter and jelly sandwiches. Licensee Margarito Martinez said they were given sub buns, but the pictures proved to be hot dog buns. I confirm violation of this rule.
<b>CONCLUSION:</b>	<b>VIOLATION ESTABLISHED</b>

#### IV. RECOMMENDATION

Upon receipt of an acceptable corrective action plan, I recommend the status of this adult foster care large group home remain unchanged (capacity 1-15).

*Kathryn A. Huber*

04/12/2019

Kathryn A. Huber  
Licensing Consultant

Date

Approved By:

*Mary E. Holton*

4/12/2019

Mary E Holton  
Area Manager

Date