



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

July 24, 2019

Bede Obasi, Jr.
Hanover Home Care Inc.
3055 Hanover Street
Hastings, MI 49058

RE: License #: AM080316994
Investigation #: 2019A0582031
Hanover Home

Dear Mr. Obasi, 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. If 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 cursive script that reads "Derrick L. Britton". The ink is a light grey or blue color.

Derrick Britton, Licensing Consultant
Bureau of Community and Health Systems
611 W. Ottawa Street
P.O. Box 30664
Lansing, MI 48909
(517) 284-9721

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AM080316994
Investigation #:	2019A0582031
Complaint Receipt Date:	06/17/2019
Investigation Initiation Date:	06/18/2019
Report Due Date:	08/16/2019
Licensee Name:	Hanover Home Care Inc.
Licensee Address:	3055 Hanover Street Hastings, MI 49058
Licensee Telephone #:	(616) 498-6103
Administrator:	Bede Obasi, Jr.
Licensee Designee:	Bede Obasi, Jr.
Name of Facility:	Hanover Home
Facility Address:	305 S. Hanover Street Hastings, MI 49058
Facility Telephone #:	(269) 948-9057
Original Issuance Date:	12/16/2013
License Status:	REGULAR
Effective Date:	06/06/2018
Expiration Date:	06/05/2020
Capacity:	11
Program Type:	PHYSICALLY HANDICAPPED DEVELOPMENTALLY DISABLED MENTALLY ILL

II. ALLEGATION(S)

	Violation Established?
Direct Care Worker (DCW) Carlene Straley aggressively grabbed Resident A by his arm and pulled him.	Yes
DCW Carlene Straley does not have the physical health to provide care for residents.	No

III. METHODOLOGY

06/17/2019	Special Investigation Intake 2019A0582031
06/18/2019	Special Investigation Initiated - On Site
06/18/2019	Contact - Face to Face With Resident B
06/18/2019	Contact - Face to Face With Resident C
06/18/2019	Contact - Face to Face With Pauline Obasi, Administrator
06/18/2019	Contact - Face to Face With DCW Carlene Straley
06/18/2019	Contact - Document Received IR from Leslie Barner, Licensing Consultant
06/19/2019	Contact - Document Received Police Report from Det. Sgt Eric Ingram, Hastings City Police
06/19/2019	Contact - Document Received Employee documentation for DCW Straley from Ms. Obasi
06/28/2019	Contact - Face to Face With Resident A
06/28/2019	Contact - Face to Face With Resident D

06/28/2019	Contact - Face to Face With Ms. Obasi, Administrator
07/19/2019	Contact - Telephone call made With DCW Carlene Straley
07/19/2019	Exit Conference With Bede Obasi Jr., Licensee Designee
07/19/2019	Inspection Completed-BCAL Sub. Compliance
07/19/2019	Corrective Action Plan Requested and Due on 08/05/2019

ALLEGATION:

Direct Care Worker (DCW) Carlene Straley aggressively grabbed Resident A by his arm and pulled him.

INVESTIGATION:

I received this complaint on 06/17/2019. On 06/18/2019 I conducted an unannounced, on-site investigation at the facility. Resident A was not at the facility at the time. I interviewed Resident B, who stated that he was at Burger King with the other residents during the incident on Friday, 06/14/2019. Resident B stated that “[Resident A] gets irate when it comes to food.” Resident B stated that Resident A had his food, but he went to the counter at Burger King and said he wanted more. Resident B stated that DCW Carlene Straley asked Resident A to sit down, but he refused. Resident B stated that DCW Straley took Resident A out of Burger King and to the van. Resident B stated that there was nothing violent about the interaction between DCW Straley and Resident A; she just “grabbed his arm and said come with me” Resident B stated that DCW Straley “pushed him in his back” and said “come one, let’s go” while Resident A resisted.

I interviewed Resident C who stated that he was at Burger King with the other residents during the incident on Friday, 06/14/2019. Resident C stated that Resident A ate all his food, but like every other day he wanted more. Resident C stated that Resident A went to the counter and asked for more. Resident C stated that Resident A was causing such a commotion, that “they called the cops because of him.” Resident C stated that DCW Straley told Resident A to sit down a few times, but he kept getting up. Resident C stated that Resident A went out to the van, but he was unsure how DCW Straley led him out. Resident C stated that he did not think that DCW Straley did anything wrong in the situation.

I interviewed Pauline Obasi, Administrator. Ms. Obasi stated that on 06/14/2019 she wanted to see if Resident A would be appropriate to go on an outing with the other residents, because she was concerned about previous behaviors. Ms. Obasi stated that DCW Straley took the residents to Burger King and she ordered food for everyone. Ms. Obasi stated that Resident A made multiple trips to the pop machine, then went to the counter and said he wanted more food. Ms. Obasi stated that DCW Straley held Resident A by the wrist and led him outside from the counter to the van. Ms. Obasi stated that she received a call from DCW Straley stating that Resident A "is at it again." Ms. Obasi stated that she went to Burger King, spoke with DCW Straley, a police officer on the scene, and then drove Resident A back to the facility. Ms. Obasi stated that she spoke with Resident A who stated that he "made her lose it, didn't I" referring to his actions at Burger King with DCW Straley.

I interviewed DCW Carlene Straley, who stated that on 06/14/2019 she took the residents on an outing to Burger King. DCW Straley stated that she ordered two burgers, fries and a drink for Resident A, who ate it all. DCW Straley stated that Resident A went to the counter and told the cashier that he did not get enough food for the money he spent and wanted more. DCW Straley stated that she asked Resident A to sit down, with which he complied initially but then got up and went to the counter again. DCW Straley stated that Resident A was determined to get more food. DCW Straley stated that she took Resident A by the wrist and led him out to the van. DCW Straley stated that she sternly spoke with Resident A to let him know that he needed to stop. DCW Straley stated that she contacted Ms. Obasi while she was in the van with Resident A. DCW Straley stated that one of the cashiers thought that she was hurting and yelling at Resident A, so she called the police on her. DCW Straley stated that a cop arrived and spoke with her, Ms. Obasi and Resident A. DCW Straley stated that she just wanted Resident A to be safe, and that she should not have took him by his wrist. DCW Straley stated that he held Resident A loosely by his wrist and led him to the van. DCW Straley stated that Resident A did not struggle with her.

On 06/18/2019 I received an email from Leslie Barner, Licensing Consultant. The email contained an *AFC Licensing Division-Incident Accident Report* completed on 06/17/2019 by Direct Care Worker Carlene Straley. The incident report documented the following:

"Explain What Happened: On Friday June 14th took residents out to Burger King for outing and [Resident A] got two burgers, fries, and fountain drink. After several trips to the soda fountain he went to counter and started demanding more food after several attempts to talk him out of it. I took him by the wrist and took him to the van. There was no struggle, he just followed me to the van.

Action taken by Staff: Taken home and talk to. Called Pauline, she came, we loaded everybody up and took them home.

Corrective Measures Taken to Remedy and/or Prevent Recurrence: Redirect him, talk to him and to touching.”

In addition to the incident report, I received a letter from Pauline Obasi, Administrator, regarding Resident A’s history. Ms. Obasi documented the following in her letter to Ms. Barner:

“I have discussed appropriate ways, to handle any resident who displays “out of control” behavior while in the community with Carly. I have advised her not to physically manage any resident, for any reason in an effort to lead them out, especially if the resident is showing agitation as that could easily be misinterpreted. It could escalate the issue she is trying to resolve. When it gets to the point that a resident cannot be talked out of a situation and needs to be forcibly removed, she should call Police and have the police officer get the resident to comply. Most times, a resident will not argue with a police officer in uniform and that will help to deescalate the situation and get everybody home safely.

On 06/19/2019 I received a fax of the police report from Detective Sergeant Eric Ingram, Hastings City Police. The report documented that on 06/14/2019 at approximately 6:17 pm, Officer Spicer was dispatched to 1310 W. State St., Burger King, for a complaint of vulnerable adult abuse. The caller advised that the group was from “a mental health facility, and the care provider was grabbing a patient by the arms and screaming at him.” Officer Spicer documented that he contacted DCW Straley, who stated that Resident A was “getting up and bugging the staff for more food.” Straley stated that she told him he got all his food for the five dollars he had to spend. Straley stated that she “grabbed his right wrist and guided him back to his seat.” Straley stated Resident A did not need to keep getting up bugging the staff. Straley stated that she was not yelling at Resident A but was sternly talking to him. Straley stated that she at one point did “stand in front of him and told him to stay sitting down.”

Officer Spicer reported that he spoke with Resident A, who stated that he ordered free refills to drink. Resident A stated that he got up to get it and Straley was “kind of aggressive with him.” Resident A stated that Ms. Straley grabbed his hand, brought his arm behind his back, brought him back to the table and told him to sit down. Officer Spicer asked Resident A if Ms. Straley was ever like this with him before, and he stated that she can be “a little high strung,” but never like this before. Resident A advised Officer Spicer that he did not want to seek charges.

Officer Spicer reported that he contacted Pauline Obasi, Administrator. Ms. Obasi came to the scene and was informed that Resident A needs psychological treatment that he is not receiving. Ms. Obasi stated that Resident A tends to beg for food, and Ms. Straley was trying to tell him he could not have anymore and guide him to his seat.

Officer Spicer contacted two Burger King employees/witnesses to the incident. Witness 1 stated that Resident A sat down with the group but was confused and thought he ordered more food or did not get all his food. Witness 1 heard Straley sternly talking to Resident A telling him he got what he ordered. Witness 1 stated that Straley "grabbed [Resident A] by the mid arm or bicep area a couple times and yanked him back towards his seat when he tried to talk about his order." Witness 1 stated that Straley was "a little intense," even slamming her food tray down on the table while yelling at Resident A.

Witness 2 stated that she noticed the same behavior as Witness 1. Witness 2 added that Straley stepped in front of Resident A one time, grabbed his arm, put her hand on his chest, and told him to stay put. Witness 2 stated that Straley was a little extreme and was upsetting multiple customers in Burger King at the time.

Officer Spicer stated that he contacted the caller/complainant of the incident. The caller stated that she thought Straley and Resident A were husband and wife when she first went into Burger King because Straley was in Resident A's face yelling and scolding him like a child. The caller stated that Burger King employees seemed concerned as well but did not know if they should call. The caller stated that when she was informed by an employee that the residents were patients at a mental health center, she became even more concerned with the caregiver's behavior. The caller stated that Resident A got up and started walking to the drinking fountain area, when Straley got up and went after him. The caller stated that Straley grabbed Resident A by the mid arm and yanked him back telling him to sit down and stop. The caller stated that Straley sat Resident A down at a different table and started yelling at him. The caller stated that Resident A's leg started shaking and Straley grabbed his leg or slapped his leg to hold it down, told him to knock it off and change his attitude. The caller stated that she had seen enough and decided to call the police.

On 06/28/2019 I interviewed Resident A, who stated that he did not have much to say about the alleged incident with DCW Straley. Resident A stated that he had already given his side of the story a few times and thought that it was resolved. Resident A stated that his overall takeaway from the incident was that he felt that he was not treated fairly by DCW Straley.

I interviewed Resident D who stated that she was at Burger King to observe the incident between DCW Straley and Resident A. Resident D stated that Resident A wanted extra soda after already having two or three refills. Resident D stated that DCW Straley became irate and told Resident A that he could only have one refill. Resident D stated that the workers at Burger King became upset with Resident A. Resident D stated that DCW Straley grabbed Resident A by his arm, sat him down in a chair, and reprimanded him. Resident D demonstrated that DCW Straley grabbed Resident A by his upper arm and gestured that DCW Straley pulled him. Resident D stated that DCW Straley told Resident A that if he gets out of his seat again, she would take him to the van, which did occur.

APPLICABLE RULE	
R 400.14308	Resident behavior interventions prohibitions.
	<p>(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:</p> <p style="padding-left: 40px;">(a) Use any form of punishment.</p> <p style="padding-left: 40px;">(b) Use any form of physical force other than physical restraint as defined in these rules.</p> <p style="padding-left: 40px;">(c) Restrain a resident's movement by binding or tying or through the use of medication, paraphernalia, contraptions, material, or equipment for the purpose of immobilizing a resident.</p>
ANALYSIS:	<p>Based on interviews with Resident A, Resident B, Resident C, Resident D, Ms. Obasi, DCW Straley a review of the <i>AFC Licensing Division-Incident Accident Report</i> and the Hastings Police Report, there is sufficient evidence to show that DCW Straley mistreated Resident A by using negative behavioral interventions. DCW Straley used physical force (grabbed Resident A by his arm and pulled him), stood in front of him to prevent him from moving, and confined him to the van. Witnesses mentioned in the police report also reported that DCW Straley was intense when interacting and yelling at Resident A.</p>
CONCLUSION:	VIOLATION ESTABLISHED

ALLEGATION:

DCW Carlene Straley does not have the physical health to provide care for residents.

INVESTIGATION:

I received this complaint on 06/18/2019, and I conducted an unannounced, on-site investigation at the facility for the previous complaint. The previous complaint revealed that DCW Straley had the capability of transporting residents to an outing and order food for them.

On 06/19/2019 I received a copy of DCW Straley's *Medical Clearance Request*, which documented that she had an examination of 01/18/2019 and negative tuberculosis skin test in 10/2018. The examination noted that DCW Straley had "no physical/mental condition or health problems" existing that would limit her ability to work with or around dependent adults. I reviewed the *Michigan Workforce*

Background Check for DCW Straley, which documented that she is eligible to work at the facility, effective 12/15/2018. I reviewed a staff orientation checklist for DCW Straley, which documented that she received training in all the required areas and received personnel policies. Documented training areas completed by DCW Straley include CPR/First Aid, personal care/supervision/protection, safety/fire prevention, medication administration, prevention/containment of communicable diseases, food preparation and weather emergencies. DCW Straley signed off on receiving a job description of Direct Care Worker (DCW), which documented that a DCW works “hands-on providing necessary support to implement a program designed to promote maximum development of each consumer’s capabilities following guidelines specified on resident care plans.”

On 06/28/2019 I conducted an unannounced, on-site investigation at the facility. I interviewed Pauline Obasi, Administrator. Ms. Obasi described DCW Straley as an “overnight volunteer person” who can work in the capacity as a staff member because she is fully certified to do work as a direct care staff. Ms. Obasi stated that DCW Straley is very experienced, with a background of working in a nursing home in the community and out of state as well. Ms. Obasi stated that she had no concerns with DCW Straley’s ability to provide appropriate care, supervision and protection of residents.

I interviewed Resident A, who stated that besides the incident that occurred at Burger King with DCW Straley, he had no concerns about her ability to provide him care or provide care for the other residents. Resident A stated that he has not observed DCW Straley cooking, cleaning, or completing housework because she works at night.

I interviewed Resident D, who stated that DCW Straley provides excellent care for her, and is one of her favorite workers. Resident D stated that DCW Straley cleans, assists residents, provides transportation, takes residents to outings and other tasks with no problems.

On 07/19/2019 I interviewed DCW Straley, who stated that she although she works overnight, she is fully trained as a direct care staff. DCW Straley stated that she has provided transportation to outings for residents, but she does not want to do this anymore due to the incident with Resident A. DCW Straley stated that she no physical or mental health concerns that would prevent her from doing her job at the facility.

APPLICABLE RULE	
R 400.14205	Health of a licensee, direct care staff, administrator, other employees, those volunteers under the direction of the licensee, and members of the household.
	(1) A licensee, direct care staff, administrator, other employees, those volunteers under the direction of the

	licensee, and members of the household shall be in such physical and mental health so as not to negatively affect either the health of the resident or the quality of his or her care.
ANALYSIS:	The licensee had a <i>Medical Clearance Request</i> form with medical information for DCW Straley, dated 01/18/2019, documented that DCW Straley had no physical/mental condition or health problems to prevent her from working with dependent adults. Interviews with Ms. Obasi, Resident A, Resident D, and DCW Straley all indicated that DCW Straley has the physical health to take care of residents at the facility.
CONCLUSION:	VIOLATION NOT ESTABLISHED

IV. RECOMMENDATION

Special Investigation #2019A0466001 dated 11/30/2018, recommended modification of the license to provisional status. Contingent upon receipt of an acceptable corrective action plan, the recommendation of 1st provisional license remains.

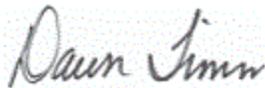


07/21/2019

Derrick Britton
Licensing Consultant

Date

Approved By:



07/24/2019

Dawn N. Timm
Area Manager

Date