



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

June 4, 2021

Kristine Curtis
Impact Inc.
1001 Military St
Port Huron, MI 48060

RE: License #: AL740092230
Investigation #: 2021A0990006
River Bend #2

Dear Mrs. Curtis:

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.
- Indicate how continuing compliance will be maintained once compliance is achieved.
- Be signed and dated.

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.

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 (248) 975-5053.

Sincerely,

A handwritten signature in cursive script that reads "L. Reed".

LaShonda Reed, Licensing Consultant
Bureau of Community and Health Systems
4th Floor, Suite 4B
51111 Woodward Avenue
Pontiac, MI 48342
(586) 676-2877

Enclosure

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

I. IDENTIFYING INFORMATION

License #:	AL740092230
Investigation #:	2021A0990006
Complaint Receipt Date:	04/06/2021
Investigation Initiation Date:	04/08/2021
Report Due Date:	06/05/2021
Licensee Name:	Impact Inc.
Licensee Address:	1001 Military St Port Huron, MI 48060
Licensee Telephone #:	(810) 985-5437
Administrator:	Aaron Foote
Licensee Designee:	Kristine Curtis
Name of Facility:	River Bend #2
Facility Address:	1572 Meisner Rd East China, MI 48054
Facility Telephone #:	(810) 765-1002
Original Issuance Date:	11/16/2000
License Status:	REGULAR
Effective Date:	05/13/2021
Expiration Date:	05/12/2023
Capacity:	15
Program Type:	DEVELOPMENTALLY DISABLED MENTALLY ILL AGED

II. ALLEGATION(S)

	Violation Established?
Resident A was assaulted by other residents however, when the police are called, Resident A is reported as the problem.	Yes
Resident A is prescribed Norco 1000mg for pain and arthritis but does not have arthritis Resident A has been taken on and off medication and placed on psychotropic medications for unknown reasons.	No
Resident A does not receive enough money to buy essential items such as shoes.	No
Resident A does not have enough money to attend outings.	No

II. METHODOLOGY

04/06/2021	Special Investigation Intake 2021A0990006
04/08/2021	Special Investigation Initiated - Letter I emailed Aaron Foote, Administrator and requested documents from Resident A's resident record.
04/08/2021	APS Referral Adult Protective Services (APS) complaint was denied at intake.
04/13/2021	Contact - Document Received I received an email reply from Mr. Foote.
04/13/2021	Contact - Document Sent I emailed Telly Delor from St. Clair County Office of Recipient Rights (ORR). I inquired if there was an active investigation. Ms. Delor denied an ORR investigation per the allegations provided to her.
05/07/2021	Inspection Completed On-site I interviewed Resident A, Resident B, and Mr. Foote and Katie Moore, home manager.

06/03/2021	Contact - Telephone I conducted a phone interview with Tairan Malachi-Cooney, Supports Coordinator. call made
06/03/2021	Contact - Telephone call made I conducted a phone interview with Timothy Quirk, case manager from St. Clair County Public Guardians Office.
06/03/2021	Contact - Telephone call made I conducted a brief interview with Relative A.
06/03/2021	Contact - Document Received I reviewed Resident A's documents.
06/03/2021	Contact - Document Sent I emailed Mr. Foote, requesting the incident report involving Resident A and Resident B.
06/03/2021	Inspection Completed-BCAL Sub. Compliance
06/03/2021	Exit Conference I conducted an exit conference with Mr. Foote.

ALLEGATION:

Resident A was assaulted by other residents however, when the police are called, Resident A is reported as the problem.

INVESTIGATION:

On 05/07/2021, I interviewed Resident A, Resident B, Aaron Foote-administrator and Katie Moore, home manager. Mr. Foote said that Resident A was assaulted by a prior resident on 06/11/2020. Mr. Foote said that the prior resident pulled Resident A's hair. Ms. Moore said that the police were called, and the prior resident was arrested and never returned to the facility. Mr. Foote said that an emergency discharge notice was issued for that resident that assaulted Resident A. Ms. Moore said that Resident A frequently calls the police and last year Resident A called the police at least 70 times. Mr. Foote and Ms. Moore both said that law enforcement arrives on the scene sometimes and at times they do not. Mr. Foote said that there is not a crisis plan in place for Resident A regarding her behavior. Mr. Foote said that on 12/11/2020, Resident A called 911 and the Sheriff's Department responded. Resident A called 911 on her roommate because of the thermostat.

Mr. Foote also said that Resident A and Resident B had a physical altercation December 2020, and they remain roommates. Mr. Foote is unsure if a police report

was made regarding the incident between Resident A and Resident B and an incident report (IR) was sent the supports coordinator. I requested a copy of the IR which was not available at the time of the interview. Mr. Foote agrees that Resident A and Resident B should not be roommates and they are waiting for a single room to become available to move one the residents into. Resident A and Resident B are the only residents that share a room (conjoined bathrooms).

I interviewed Resident A. Resident A said that Resident B threatened her and threatened her family. Resident B threatened her after she gave her some clothing. Resident A said that Resident B hit her in the face, and she hit her back in self-defense. Resident A and Resident B are roommates, and it is an "unsafe situation." Resident A said that the Sergeant from the Sherriff's Department told her that she should go live with relatives.

Resident A admitted to talking to several police officers regarding various incidents. Resident A said that she does not like violence and has been physically assaulted twice. Resident A said that last year she was assaulted by a prior resident who was the boyfriend of Resident B her roommate at that time. Resident A said that the prior resident grabbed her by the neck, slammed her against the wall and smacked her. Resident A said the police were called and the prior resident was arrested and moved out of the facility. Resident A said that Resident B smacked her in the face and threatened her life in the dining room. Resident A called the police.

I interviewed Resident B. Resident B became visibly upset when asked about her relationship with Resident A. Resident B was trembling and became very agitated. Resident B said that she has lived at the facility for 3-4 years. Resident B admitted that she and Resident A got into a physical altercation a few months ago. Resident B said that the altercation occurred while she and Resident B were in the dining room. Resident A said very rude and mean things about her. Resident B said that she smacked Resident A in the face and Resident A smacked her back. Resident B said that staff intervened. The police arrived at the facility after the incident and interviewed her. The police gave Resident B a second chance if she agreed to never hit Resident A again and no charges would be pressed. Resident B and Resident A have conjoined bedrooms and share a bathroom. Resident B said that Resident A rushes her out of the bathroom a lot, talks very loud on her phone and says mean things about her to whomever she is talking to on the phone. Resident B said that Resident A is violent, and she feels threatened by her. Resident A calls the police on her for many things.

On 06/03/2021, I conducted a phone interview with Timothy Quirk, case manager from St. Clair County Public Guardians Office. Mr. Quirk said that he is aware that Resident A has made several false police reports and there have been reports that Resident A was assaulted.

On 06/03/2021, I conducted a phone interview with Tairan Malachi-Cooney, Supports Coordinator. Ms. Malachi-Cooney said that she is aware of the previous assaults that Resident A has been involved with. Ms. Malachi-Cooney said that she has mentioned to

the administrator at the facility that Resident A and Resident B be separated. Ms. Malachi-Cooney said that Resident A does have a history of calling the police and making false or erroneous reports.

On 06/03/2021, I reviewed the incident report (IR) involving Resident A and the prior resident (Resident C). It was reported that on 06/08/2020 at 11:30PM the prior resident (Resident C) was attempting to go through exit one but could not punch the code in correctly. Resident C observed Resident A walking down the hall and approached her asking for help. Resident A stated she could not help him, and Resident C grabbed a fistful of Resident A's hair and slammed the right side of her head against the wall. Staff intervened and contacted the mobile crisis line and reported the situation. Resident C ran up to staff and knocked the phone out of her hand, grabbed her neck ripping the key lanyard off and grabbed a fistful of hair pulling her to the ground on her back. Resident C began to punch staff in the face with a closed fist repeatedly and began to choke her. St. Clair County Sheriffs arrived at River Bend 2 and Resident C became further agitated and attempted to push one of the sheriffs resulting in the sheriff taking Resident C down to the ground on his stomach and placing handcuffs on him. Resident C was issued a discharge notice and did not return to the facility.

I reviewed an IR dated 12/11/2020 regarding Resident A and Resident B. At 7:50PM Resident A asked staff to adjust the thermostat in her bedroom and staff stated that he would check the thermostat and adjust it. At 7:51PM Resident B was sitting in the dining room area began to yell "that is my thermostat" and Resident B then jumped up and smacked Resident A across the right cheek and Resident A smacked the other resident back across the right cheek. Staff intervened and was able to calm down both residents. Resident A contacted 911. At 8:15PM (1) St. Clair County Sheriff arrived at River Bend #2 followed by (1) St. Clair Police officer and supervisor. The St. Clair County Sheriff interviewed both residents and took statements. Police officers debriefed with Resident A and directed staff to continue to monitor. Resident A remained calm throughout the night.

I reviewed Resident A's Individual Plan of Service (IPOS) dated 12/02/2020 and it is documented that Resident A's phone usage for emergency calls should be monitored and to discuss with resident if concerns arise.

I reviewed I.M.P.A.C.T. River Bend 2 General House Guide for Residents. One of the rules is as follows: Problems with roommate or another resident. If problem cannot be resolved and a resident is not satisfied with his or her roommate, another resident or placement, the resident should contact the supports coordinator. The reasons why the resident is not satisfied can be discussed along with options.

APPLICABLE RULE	
R 400.14301	Resident admission criteria; resident assessment plan; emergency admission; resident care agreement; physician's instructions; health care appraisal.
	<p>(2) A licensee shall not accept or retain a resident for care unless and until the licensee has completed a written assessment of the resident and determined that the resident is suitable pursuant to all of the following provisions:</p> <p>(a) The amount of personal care, supervision, and protection that is required by the resident is available in the home.</p> <p>(b) The kinds of services, skills, and physical accommodations that are required of the home to meet the resident's needs are available in the home.</p> <p>(c) The resident appears to be compatible with other residents and members of the household.</p>
ANALYSIS:	<p>Resident A was assaulted twice at the facility. The first assault occurred in June, 2020 and Resident C was arrested and discharged from the facility. Resident A was also assaulted in December, 2020 by her roommate Resident B. Resident B admitted to smacking Resident A after Resident A said rude and mean things to her while they were in the dining room. Resident A smacked Resident B back. Resident B was not arrested but was interviewed by the police and given a warning.</p> <p>Resident A and Resident B both expressed that they did not feel safe around each other. Resident A and Resident B have a conjoined bedroom. Resident A's supports coordinator Ms. Malachi-Cooney said that she has expressed that Resident A and Resident B be separated. Mr. Foote agrees that Resident A and Resident B should not be sharing a bedroom. Mr. Foote said that he is waiting for a potential discharge therefore, one of the residents can be moved.</p> <p>In review of River Bend #2's General House Guide for Residents documents that if an issue with roommates cannot be resolved that another resident or placement should be sought.</p> <p>Resident A is not protected because she is sharing room with Resident B who assaulted her and they are not compatible.</p>
CONCLUSION:	VIOLATION ESTABLISHED

ALLEGATION:

- **Resident A is prescribed Norco 1000mg for pain and arthritis but does not have arthritis.**
- **Resident A has been taken on and off medication and placed on psychotropic medications for unknown reasons.**

INVESTIGATION:

On 04/13/2021 I received an email reply from Mr. Foote. Mr. Foote said that Resident A is on court-ordered psychotropic medication and has a public guardian.

On 05/07/2021, I interviewed Resident A, Resident B, Aaron Foote-administrator and Katie Moore, home manager. Mr. Foote and Ms. Moore said that Resident A was hospitalized in March 2021 and when she returned from hospitalization at Stonecrest she was prescribed Norco (Hydrocodone5-325mg) as a PRN. Ms. Moore said that Resident A was admitted to the hospital on 03/01/2021 due to a change of mental status and was discharged on 03/19/2021. Ms. Moore said that Resident A is given Norco every six hours for pain Ms. Moore said that the prescription has now ended, and it is recommended by her healthcare provider that she sees a neurologist before more pain medication is prescribed. Mr. Foote said that Resident A has requested pain medications at least 13 times in the last seven days. Resident A is given Ibuprofen 100 mg for pain as well. Mr. Foote said that Resident A's pain seems to travel but mostly Resident A says her pain is in her feet, legs or back. Resident A has edema (swelling of the extremities). Mr. Foote said that Resident A uses as walker at times which is, documented on her *Health Care Appraisal*.

Ms. Moore said that Resident A speaks to her public guardian via phone at least 7-8 times per week. Ms. Moore said that Resident A meets with her support's coordinator Tairan Malachi-Cooney twice a week face to face. Ms. Moore said that Resident A's psychiatrist has prescribed and unprescribed Lorazepam medications many times. Ms. Moore said that Resident A's psychiatrist is Dr. Saeed, and her primary care physician is Frank Horvat, Physician Assistant (PA). Ms. Moore said that the last time Resident A was hospitalized was on 03/26/2021 due to leg and hip pain. Ms. Moore said that Resident A is diagnosed with schizophrenia and is very paranoid and may be difficult to interview. Ms. Moore said that Resident A speaks of aliens, chainsaws and very suspicions of strangers.

I interviewed Resident A during the onsite. Resident A asked for identification before the interview took place and questioned the validity of the identification. Resident A also demanded that I remove my mask so that she could see my entire face to compare with my identification. Resident A said that I did not look like the person on the identification. After further discussion, Resident A answered questions with much redirection and reassurance. Resident A said that was placed into Stonecrest in early March 2020 and was accused of not taking her medications appropriately. Resident A said that at

Stonecrest they stuck her with needles in her buttocks and she was given Haldol. Resident A said that she no longer takes Haldol because it causes dyslexia. Resident A said that she was prescribed Norco's before because of her severe pain. Resident A said that she believes that she has nerve damage from taking many medications and receiving injections. Resident A said that she only takes Ibuprofen, however, she is not ok with her medications and believes that no one is doing their jobs correctly and that everyone is crooked. Resident A became very upset after learning that the facility was an adult foster home after a business card was provided. Resident A refused to discuss her diagnosis and said that the phones are monitored and that our interview was being recorded

On 06/03/2021, I conducted a phone interview with Timothy Quirk, case manager from St. Clair County Public Guardians Office. Mr. Quirk said that Resident A was prescribed pain medications, however, was unsure as to what was prescribed. Mr. Quirk said that there are concerns about Resident A using pain medications because there are past substance abuse issues.

On 06/03/2021, I conducted a phone interview with Tairan Malachi-Cooney, Supports Coordinator. Ms. Malachi-Cooney said that all medications that Resident A is taking are prescribed appropriately. Ms. Malachi-Cooney said that Resident A complains about leg pain therefore, she was given a stronger medication to alleviate the pain. Ms. Malachi-Cooney said that Resident A can refuse any medication as it is her right to do so.

On 06/03/2021, I reviewed documents. I reviewed Resident A's *Health Care Appraisal* for 2021 and she is diagnosed with hypertension, schizophrenia, obesity, anxiety, tobacco use disorder and chronic pain. Resident A is prescribed a walker.

I reviewed Resident A's medication administration record (MAR) for March and April 2021. Resident A was prescribed Hydrocodone 5-325 mg (Norco) tablet to be taken by mouth every six hours as needed. It was prescribed on 03/31/2021 by Frank Horvat, PA from Premier Physicians Care for pain. The prescription was for 60 tablets with no refills.

I reviewed Resident A's IPOS. Resident A is DHS-Ward Placement (Department of Health and Human Services) and has public guardian for legal and medical needs. Resident A received weekly injections for her mental health needs.

APPLICABLE RULE	
R 400.15310	Resident health care.
	(1) A licensee, with a resident's cooperation, shall follow the instructions and recommendations of a resident's physician or other health care professional with regard to such items as any of the following: (a) Medications.

ANALYSIS:	Resident A was prescribed Norco medications on 03/31/2021 by her primary care provider Frank Hovart for leg pain as needed. Resident A's <i>Health Care Appraisal</i> indicates that she is diagnosed with chronic pain. Further, Resident A is diagnosed with schizophrenia and received her psychotropic medications injected weekly. There is insufficient evidence that Resident A's health care needs and medications were not being followed.
CONCLUSION:	VIOLATION NOT ESTABLISHED

ALLEGATION:

- Resident A does not receive enough money to buy essential items such as shoes.
- Resident A does not have enough money to attend outings.

INVESTIGATION:

On 05/07/2021, I interviewed Resident A, Resident B Aaron Foote-administrator and Katie Moore, home manager. Mr. Foote and Ms. Moore said that Resident A's public guardian is Amanda Seals however, a case manager from the St. Clair County Public Guardian's office communicates mostly on behalf of Resident A. Mr. Foote said that Resident A receives \$44 per month in allowance in which, is average for a resident receiving Social Security Income (SSI). Mr. Foote said that Resident A requested new shoes in the past and was given money to purchase shoes. Mr. Foote said that Resident A primarily asks for money for McDonalds and cigarettes. Ms. Moore said that Resident A's adult son's wife picks her for visits occasionally. Ms. Moore said that Resident A visits her son on the weekends. Mr. Foote said that most of the activities and outings are paid for by the facility. Mr. Foote said that all Resident A's essential items are purchased by the facility.

I interviewed Resident A. Resident A said that she is only taken to the store for outings and if she does not have money, she is not allowed to go on outings. Resident A accused the residents of stealing her wallet and coffee. I observed that Resident A was dressed appropriately.

On 06/03/2021, I conducted a phone interview with Timothy Quirk, case manager from St. Clair County Public Guardians Office. Mr. Quirk said that Resident A's income allows for her allowance to be \$44 per month. Mr. Quirk said that Resident A was given extra funds of \$170 for shoes and clothing in February 2021. Mr. Quirk said that Resident A received an Economic Stimulus check, and it was used to pay outstanding bills specifically emergency medical transportation services (EMS) bills. Mr. Quirk said that Resident A speaks to her adult children frequently over the phone, but they do not show up much to visit her.

On 06/03/2021, I conducted a phone interview with Tairan Malachi-Cooney, Supports Coordinator. Ms. Malachi-Cooney said that Resident A received appropriate funds for essential items. Ms. Malachi-Cooney said that Resident A's needs are met although, Resident A requests a significant amount of money quite often. Ms. Malachi-Cooney said that Resident A receives \$44 per month in allowance. Ms. Malachi-Cooney said that Resident A calls frequently asking for money to buy cigarettes and soft drinks. Ms. Malachi-Cooney said that Resident A's allowance goes fast however, she is cared for. Ms. Malachi-Cooney said that Resident A can spend her money on what she chooses to. Ms. Malachi-Cooney said that she takes her to store runs and tries to encourage her to write a list. Ms. Malachi-Cooney said that Resident A goes on outings. Ms. Malachi-Cooney said that due to COVID-19 restrictions, there were restrictions such as how many residents can be transported at one time. Ms. Malachi-Cooney said that it was evenly divided with transporting residents and it changed weekly throughout the pandemic. Ms. Malachi-Cooney said that the only outings that Resident A likes to go out on are outings to purchase cigarettes.

On 06/03/2021, I conducted a brief phone interview with Relative A. Relative A said that he was working and was not available for a full interview. Relative A said that his concerns was that Resident A at times is not monitored. Relative A could not elaborate and indicated that he worked in construction and could not speak further.

On 06/03/2021, I reviewed documents. I reviewed Resident A's *Resident Funds II* form. Resident A was given allowance as follows:

- 01/08/2021 \$104
- 02/03/2021 \$130
- 02/10/2021 \$114
- 03/12/2021 \$44
- 04/01/2021 \$100

Resident A was given total \$492 within three months in which, she withdrew, and the facility provided receipts at each withdrawal signed by Resident A.

I reviewed Resident A's *Resident Care Agreement* and it documents that her basic fee is \$907 per month and includes room and board, personal care/supervision, and protection. I observed that she received a per diem amount for her care for St. Clair County Community Mental Health (CMH) and food assistance.

I reviewed River Bend #2 Exhibit A for CMH residents, and it documents that Resident A's personal care items are included except for personal allowance for special events and outing.

I reviewed Resident A's IPOS, and her annual income is \$10,000.

On 06/03/2021, I conducted an exit conference with Mr. Foote. I informed Mr. Foote of the findings. I informed Mr. Foote that supervisory approval is required. We discussed the rule violation and the potential corrective action plan.

APPLICABLE RULE	
R 400.15315	Handling of resident funds and valuables.
	(7) A resident shall have access to and use of personal funds that belong to him or her in reasonable amounts, including immediate access to not less than \$20.00 of his or her personal funds. A resident shall receive up to his or her full amount of personal funds at a time designated by the resident, but not more than 5 days after the request for the funds. Exceptions to this requirement shall be subject to the provisions of the resident's assessment plan and the plan of services.
ANALYSIS:	<p>Resident A receives a standard \$44 per month in allowance from SSI. The facility provided Resident A's <i>Resident Funds II</i> forms and I observed that from January 2021 through April 2021 Resident A received a total of \$492 for personal use. According to Mr. Foote and Ms. Moore, Resident A does weekend visits with a relative.</p> <p>Resident A expressed that outings are done however, if she does not have extra money, she does not attend. Ms. Malachi-Cooney supports coordinator said that Resident A spends most of her allowance on cigarettes and soft drinks. Ms. Malachi-Cooney said that Resident A prefers not to attend outings unless she can purchase cigarettes. Ms. Malachi-Cooney said that there were some COVID-19 restrictions for outings during the pandemic for transportation.</p> <p>According to Mr. Quirk, Resident A received additional funds in February 2021 in which the facility distributed to Resident A.</p> <p>Resident A needs are met, and her personal allowance increased in February 2021 in additional to her standard \$44 allowance. Resident A's other essential items are purchased by the facility.</p>
CONCLUSION:	VIOLATION NOT ESTABLISHED

III. RECOMMENDATION

Contingent upon an acceptable corrective action plan, there is no change to the license status.

L. Reed

06/03/2021

LaShonda Reed
Licensing Consultant

Date

Approved By:

Denise Y. Nunn

06/04/2021

Denise Y. Nunn
Area Manager

Date