



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

ORLENE HAWKS  
DIRECTOR

August 4, 2021

Michael Crosby  
Country Easy Living, LLC  
5478 210th Ave.  
Reed City, MI 49677

RE: License #: AM670280009  
Investigation #: 2021A0870032  
Country Easy Living

Dear Mr. Crosby:

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 (231) 922-5309.

Sincerely,

A handwritten signature in dark ink, appearing to read "Bruce A. Messer". The signature is fluid and cursive, with the first name "Bruce" and last name "Messer" clearly distinguishable.

Bruce A. Messer, Licensing Consultant  
Bureau of Community and Health Systems  
Suite 11  
701 S. Elmwood  
Traverse City, MI 49684  
(231) 342-4939

enclosure

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

**I. IDENTIFYING INFORMATION**

<b>License #:</b>	AM670280009
<b>Investigation #:</b>	2021A0870032
<b>Complaint Receipt Date:</b>	07/13/2021
<b>Investigation Initiation Date:</b>	07/13/2021
<b>Report Due Date:</b>	09/11/2021
<b>Licensee Name:</b>	Country Easy Living, LLC
<b>Licensee Address:</b>	1030 Cotey St. Cadillac, MI 49601
<b>Licensee Telephone #:</b>	(231) 920-9003
<b>Administrator:</b>	Michael Crosby
<b>Licensee Designee:</b>	Michael Crosby
<b>Name of Facility:</b>	Country Easy Living
<b>Facility Address:</b>	5478 210th Avenue Reed City, MI 49677
<b>Facility Telephone #:</b>	(231) 465-4020
<b>Original Issuance Date:</b>	03/17/2006
<b>License Status:</b>	REGULAR
<b>Effective Date:</b>	10/30/2020
<b>Expiration Date:</b>	10/29/2022
<b>Capacity:</b>	12
<b>Program Type:</b>	PHYSICALLY HANDICAPPED, MENTALLY ILL DEVELOPMENTALLY DISABLED, AGED

## II. ALLEGATION(S)

	<b>Violation Established?</b>
The facility failed to provide a private location for Resident A to conduct her “zoom” therapy session.	Yes
Staff member Teresa Perry listened in on Resident A’s therapy session and interjected unsolicited comments to the therapist.	Yes
Licensee Mike Crosby used “insensitive” language towards Resident A.	Yes
Staff member Teresa Perry “shamed” Resident A and used “forceful” language towards her.	Yes
Staff member Teresa Perry stated that she is “punishing” Resident A for calling her family members and that Resident A must “earn her things back.”	No

## III. METHODOLOGY

07/13/2021	Special Investigation Intake 2021A0870032
07/13/2021	Special Investigation Initiated - Telephone Email with CMHCM ORR Katie Hohner.
07/15/2021	Inspection Completed On-site Interviews conducted with Licensee Designee Mike Crosby, staff, and Resident A.
07/23/2021	Contact - Telephone call made Telephone call with Ms. Hohner.
07/28/2021	Contact - Telephone call made Telephone call with Ms. Hohner.
07/29/2021	Contact - Document Received Documents received from Ms. Hohner.
08/02/2021	Inspection Completed-BCAL Sub. Compliance
08/03/2021	Exit Conference Completed with Licensee Designee Mike Crosby.

## **ALLEGATION:**

- **The facility failed to provide a private location for Resident A to conduct her “zoom” therapy session.**
- **Staff member Theresa Perry listened in on Resident A’s therapy session and interjected unsolicited comments to the therapist.**

**INVESTIGATION:** On July 13, 2021, I spoke with Katie Hohner, Recipient Rights Advisor for Community Mental Health for Central Michigan. We reviewed the above allegations. Ms. Hohner stated she had conducted an interview with Amy Jachalke, outpatient therapist at CMHCM, the previous day and provided me with her notes from that interview.

Ms. Jachalke informed Ms. Hohner on July 12, 2021, that she had conducted a therapy session with Resident A, via Zoom, on July 7, 2021. She stated the therapy session was held in a common area of the home and that staff member Theresa Perry “appeared to be lurking” during the session and interrupted the therapy session to input her thoughts/comments into the therapy session. Ms. Jachalke noted that Ms. Perry’s comments were unsolicited.

On July 15, 2021, I conducted an unannounced on-site investigation, accompanied by Ms. Hohner, at the Country Easy Living AFC home. I met with Licensee Designee Mike Crosby and informed him of the above allegations. Mr. Crosby stated that all of his residents have been conducting their “zoom” therapy sessions at the kitchen table, on the facility’s computer. He noted that Resident A has a history of breaking things, such as her phone and tablet, and thus he feared that she would break the facility’s laptop if the therapy session was done in private. As a result, he had Resident A do her therapy session at the kitchen table so he “could keep an eye” on her. Mr. Crosby noted that he has had caseworkers ask for input before so commenting, by either himself or staff member Theresa Perry, he felt was acceptable.

On July 15, 2021, I conducted an interview with staff member Theresa Perry. Ms. Perry acknowledged that she provided the CMHCM therapist, Amy Jachalke, with information regarding Resident A during the zoom therapy session noting, “because the therapist had never met (Resident A) before.” She noted that Ms. Jachalke did not ask for her input and that her comments were made during the therapy session.

On July 15, 2021, I conducted an interview with Resident A. Resident A stated she has had one “zoom” therapy session with CMHCM therapist Amy Jachalke. She stated this therapy session was held at the kitchen table and that “other people were around.” Resident A stated that staff member Theresa Perry “joined the conversation” with Ms. Jachalke and that Ms. Jachalke did not ask Ms. Perry for her comments or input into the discussion.

<b>APPLICABLE RULE</b>	
<b>R 400.14304</b>	<b>Resident rights; licensee responsibilities.</b>
	<p><b>(1) Upon a resident's admission to the home, a licensee shall inform a resident or the resident's designated representative of, explain to the resident or the resident's designated representative, and provide to the resident or the resident's designated representative, a copy of all of the following resident rights:</b></p> <p><b>(g) The right to associate and have private communications and consultations with his or her physician, attorney, or any other person of his or her choice.</b></p> <p><b>(o) The right to be treated with consideration and respect, with due recognition of personal dignity, individuality, and the need for privacy.</b></p> <p><b>2) A licensee shall respect and safeguard the resident's rights specified in subrule (1) of this rule.</b></p>
<b>ANALYSIS:</b>	<p>CMHCM therapist Amy Jachalke stated that Resident A was not provided with privacy during a “zoom” therapy session, noting that the session was conducted in a common area of the home and that staff “were lurking” and offered unsolicited input into the session.</p> <p>Mr. Crosby stated that Resident A’s therapy session was held at the kitchen table so he could “keep an eye on her” as he feared she might destroy the facility’s computer.</p> <p>Ms. Perry acknowledged that she provided unsolicited input to CMHCM therapist Amy Jachalke during the course of Resident A’s “zoom” therapy session.</p> <p>The Licensee failed to respect and safeguard Resident A’s right to private communication with CMHCM therapist Amy Jachalke.</p> <p>The Licensee did not treat Resident A with consideration and respect for her need of privacy during her “zoom’ therapy session with Ms. Jachalke.</p>
<b>CONCLUSION:</b>	<b>VIOLATION ESTABLISHED</b>

**ALLEGATION:**

- **Licensee Mike Crosby used “insensitive” language towards Resident A.**
- **Staff member Theresa Perry “shamed” Resident A and used “forceful” language towards her.**

**INVESTIGATION:** Ms. Jachalke stated that Mr. Crosby commented that he would “go grab her (Resident A) and drag her over,” just prior to initiating a therapy session with Resident A. She also stated that Ms. Perry commented during the therapy session that she was “punishing” Resident A by taking away things and making her earn them back. Ms. Jachalke stated that Ms. Perry used a tone of voice as to “shame” Resident A when she made these comments. Additionally, Ms. Jachalke noted that Ms. Perry contradicted Resident A using a “forceful” tone and language while “overtalking” Resident A after Ms. Jachalke asked a question about how a new medication made Resident A feel.

Ms. Perry provided me with a copy of Resident A’s Person Centered Plan dated June 24, 2019. Ms. Perry noted that this was the most recent PCP provided to the facility by CMHCM. In this PCP it notes that Resident A has a history of sexual abuse and “may be an easy target due to cognitive functioning level.” The PCP instructs staff to “use a soft and gentle tone of voice when speaking with Resident A.” Furthermore, it instructs staff to “work with Resident A in a manner that is kind and compassionate.”

Mr. Crosby stated he did not remember making the alleged comments of grabbing Resident A and dragging her over but “can’t deny it either.”

Ms. Perry denied using inappropriate tones, being forceful or “shaming” Resident A when she spoke during Ms. Jachalke’s zoom therapy session with Resident A.

Resident A stated she felt that Ms. Perry’s tone of voice “was ok” when she spoke to Ms. Jachalke during their zoom therapy session.

<b>APPLICABLE RULE</b>	
<b>R 400.14305</b>	<b>Resident protection.</b>
	<b>(2) 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.</b>

<b>ANALYSIS:</b>	<p>Resident A was not treated with dignity when Mr. Crosby commented that he would “go grab Resident A and drag her over.” This comment is contrary to guidance provided in Resident A’s PCP regarding communication.</p> <p>Staff member Teresa Perry did not treat Resident A with dignity when she used forceful, overtalking language, which was considered by Ms. Jachalke as a way to “shame” Resident A.</p>
<b>CONCLUSION:</b>	<b>VIOLATION ESTABLISHED</b>

**ALLEGATION:** Staff member Theresa Perry stated that she is “punishing” Resident A for calling her family members and that Resident A must “earn her things back.”

**INVESTIGATION:** Ms. Jachalke stated that Ms. Perry informed her during a July 7, 2021, zoom therapy session, between herself and Resident A, that Resident A is being “punished” by having “things” taken away from her and making Resident A earn them back. Ms. Jachalke noted that she was informed that Resident A was being punished because she made a telephone call to family members which was contrary to her guardian’s wishes.

Mr. Crosby noted that Resident A’s guardian had instructed him to limit communication between Resident A and her family members. He stated he believes Resident A’s CMH caseworker was aware of this. Mr. Crosby stated that this instruction has not been included in Resident A’s PCP or any assessment plans. Mr. Crosby state he is not aware of any “punishment” being given to Resident A and he has not instructed any staff to “punish” Resident A

Ms. Perry denied telling Ms. Jachalke that facility staff were “punishing” Resident A or that Resident A has to “earn” back any “things” or privileges. She noted that she “might have said” that restricting telephone calls between Resident A and her family “is not a punishment.”

Resident A stated she is not allowed to call family but does not know why. She denied feeling that she is being punished.

Ms. Hohner provided me with a copy of an email between Resident A’s guardian and CMHCM caseworker Destiny Vredenburg. In this email it discusses restricting telephone communication between Resident A and her family members and notes disruptive behaviors on the part of Resident A following telephone calls with family members.



<b>APPLICABLE RULE</b>	
<b>R 400.14307</b>	<b>Resident behavior interventions generally.</b>
	<b>Resident behavior interventions generally.</b>  <b>(1) A licensee shall ensure that methods of behavior intervention are positive and relevant to the needs of the resident.</b>  <b>(4) Intervention techniques shall not be used for the purpose of punishment, discipline, or for the convenience of staff.</b>
<b>ANALYSIS:</b>	There is no indication that facility staff are using any form of "punishment" as a behavioral intervention for Resident A.
<b>CONCLUSION:</b>	<b>VIOLATION NOT ESTABLISHED</b>

On August 3, 2021, I conducted an exit conference with Licensee Designee Mike Crosby. I explained my findings as noted above. Mr. Crosby stated he understood and would submit a corrective action plan to address the cited rule violations. He had no further questions concerning this special investigation.

#### **IV. RECOMMENDATION**

I recommend, contingent upon the submission of an acceptable corrective action plan, that the status of the license remain unchanged.

August 3, 2021

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Bruce A. Messer  
Licensing Consultant

Date

Approved By:

August 4, 2021

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Jerry Hendrick  
Area Manager

Date