



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

ORLENE HAWKS  
DIRECTOR

July 29, 2021

Ramon Beltran, II  
Powell AFC Homes Inc  
Suite #110  
890 North 10th Street  
Kalamazoo, MI 49009

RE: License #: AG030000010  
Investigation #: 2021A0350050  
Beacon Home at The Oaks

Dear Mr. Beltran:

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.

A six-month provisional license for physical plant violations is recommended. If you do not contest the issuance of a provisional license, you must indicate so in writing; this may be included in your corrective action plan or in a separate document. If you contest the issuance of a provisional license, you must notify this office in writing and an administrative hearing will be scheduled. Even if you contest the issuance of a provisional license, you must still submit an acceptable corrective action plan.

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 (616) 356-0100.

Sincerely,



Ian Tschirhart, Licensing Consultant  
Bureau of Community and Health Systems  
Unit 13, 7th Floor  
350 Ottawa, N.W.  
Grand Rapids, MI 49503  
(616) 644-9526

enclosure

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

**I. IDENTIFYING INFORMATION**

<b>License #:</b>	AG030000010
<b>Investigation #:</b>	2021A0350050
<b>Complaint Receipt Date:</b>	07/21/2021
<b>Investigation Initiation Date:</b>	07/21/2021
<b>Report Due Date:</b>	08/20/2021
<b>Licensee Name:</b>	Powell AFC Homes Inc
<b>Licensee Address:</b>	555 Railroad Street Bangor, MI 49013
<b>Licensee Telephone #:</b>	(269) 685-7020
<b>Administrator:</b>	Melissa Williams
<b>Licensee Designee:</b>	Ramon Beltran, II
<b>Name of Facility:</b>	Beacon Home at The Oaks
<b>Facility Address:</b>	403 N. Main Plainwell, MI 49080
<b>Facility Telephone #:</b>	(269) 685-8724
<b>Original Issuance Date:</b>	06/01/1989
<b>License Status:</b>	REGULAR
<b>Effective Date:</b>	08/10/2020
<b>Expiration Date:</b>	08/09/2022
<b>Capacity:</b>	40
<b>Program Type:</b>	PHYSICALLY HANDICAPPED DEVELOPMENTALLY DISABLED MENTALLY ILL, AGED

**II. ALLEGATION(S)**

	<b>Violation Established?</b>
The facility was found to have feces with maggots under a resident's bed, flies in a washer machine, piles of dirt and debris is spots, and bathroom tiles missing.	Yes

**III. METHODOLOGY**

07/21/2021	Special Investigation Intake 2021A0350050
07/21/2021	Special Investigation Initiated - Letter I sent Marissa Miller, Director of Compliance for Beacon Specialized Living, an email
07/21/2021	Contact - Document Received I received a reply email from Ms. Miller
07/21/2021	Contact - Document Sent I sent an email to Suzie Suchyta, Recipient Rights Officer
07/21/2021	Referred to APS
07/21/2021	Contact - Document Received I received an email reply from Ms. Suchyta
07/21/2021	Contact - Document Received I received an email from Deborah Lanning from Integrated Services
07/21/2021	Contact - Document Sent I sent a group email about this complaint, with the photos attached, to several Recipient Rights offices
07/21/2021	Contact - Telephone call made I spoke with Ramon Beltran, II, the Licensee Designee for The Oaks
07/22/2021	Contact - Telephone call received I spoke with Michael McClellan, Adult Protective Services investigator

07/22/2021	Contact - Telephone call made I called Holly Alexander and informed her I would be there in a half an hour
07/22/2021	Contact - Face to Face I met with Ms. Alexander, Mr. Beltran, Ms. Miller, and Nichole VanNiman, VP of Operations and inspected the facility
07/22/2021	Contact - Document Sent I sent an email to Mr. McClellan informing him of what I observed today
07/22/2021	Contact - Document sent I sent an email to Jennifer Russo of Hiawatha Behavioral Health/Recipient Rights informing her of what I observed today
07/22/2021	Contact – Document received I received an email from Mr. McClellan, informing me that he would be going to this facility on 07/23 with an Allegan County Recipient Rights officer
07/26/2021	Contact – Document sent I sent an email to Ms. Miller, requesting a copy of the cleaning schedule
07/26/2021	Contact – Document sent I sent an email to Ms. Alexander, requesting a copy of the cleaning schedule
07/27/2021	Contact – Document sent I sent an email to Ms. Alexander, reminding her to send me a copy of the cleaning schedule
07/28/2021	Contact – Document sent I sent an email to Ms. Miller, making another request for the cleaning schedule
07/28/2021	Contact – Document received Ms. Miller responded to my request for the cleaning schedule
07/29/2021	Exit conference – Held with Ramon Beltran, II, Licensee Designee

**ALLEGATION: The facility was found to have feces with maggots under a resident's bed, flies in a washer machine, piles of dirt and debris is spots, and bathroom tiles missing.**

**INVESTIGATION:** On 07/21/2021, I read the email from Marissa Miller, Director of Compliance for Beacon Specialized Living, that she sent on 07/20. In it she wrote:

*'I am writing to you to about a concern at Beacon Home at The Oaks. I went into the home today and found significant concerns with the overall cleanliness and sanitization of the home. Please see the attached photos. Of note- in (Resident A's) room I found what appears to be feces with maggots under the bed when I was trying to clean up the room. The other photo of the resident room is the same room. There was also standing water with dead flies in the washer, the bathrooms were filthy, the bedrooms I went into were also filthy, and the entire home in general is unclean. I spent about 5 hours cleaning the bathrooms and some of the bedrooms today but they are still not in good condition. Please feel free to e-mail me or call me if you need additional information. I have written Incident Reports for all of the residents which you should receive shortly.'*

The email had attached photographs of the things Ms. Miller mentioned above (feces with maggots, standing water with dead flies in a washer machine) as well as piles of debris.

On 07/21/2021, I referred this complaint to Central Intake/Adult Protective Services.

On 07/21/2021, I sent an email to Ms. Miller, requesting the names of all the Community Mental Health agencies that had residents at The Oaks.

On 07/21/2021, I received an email from Ms. Miller with the names of all the Community Mental Health agencies I had requested.

On 07/21/2021, I sent an email to Suzie Suchyta, Recipient Rights Officer for Integrated Services in Kalamazoo, Michigan. I informed Ms. Suchyta of what Ms. Miller reported and attached the photographs Ms. Miller sent to me. I also inquired of Ms. Suchyta if she knew how I could contact the other Recipient Rights agencies who would need to know about this matter and I informed Ms. Suchyta that I would be making an onsite inspection of The Oaks at 11 a.m. on 07/22.

On 07/21/2021, I received an email from Ms. Suchyta who acknowledged receipt of my email. Ms. Suchyta requested information on whatever I found on my onsite inspection and stated that she would be discussing this with her supervisor to see if they were going to investigate this also. She added that nine residents of this facility fell under their (Kalamazoo) jurisdiction.

On 07/21/2021, I received an email from Deborah Lanning from Integrated Services with a spreadsheet attached listing all the Recipient Rights offices in Michigan.

On 07/21/2021, I sent a group email to all of the applicable Recipient Rights offices whose county had a resident or residents residing at The Oaks. I informed the

officers from these agencies who I was and that I was investigating this matter. I informed them of the allegations and attached the photographs to my email.

On 07/21/2021, I called and spoke with Ramon Beltran, II, the Licensee Designee for The Oaks. I informed him of the email and photographs that Ms. Miller sent me and that I would be investigating this matter. Ms. Beltran stated that he was aware of the situation and was going to hire a professional cleaning service to clean up the facility.

On 07/22/2021, I received an email from Michael McClellan, Adult Protective Services investigator, informing me that he was assigned to this complaint. Mr. McClellan stated that he would not be able to go to this facility until about 4:00 p.m. as he would be in a meeting most of the day.

On 07/22/2021, I received a telephone call from Mr. McClellan and we discussed the complaint. He reminded me that he would be going to the facility later this afternoon, and requested I share with him whatever I find.

On 07/22/2021, I called Holly Alexander, Home Manager of The Oaks, and informed her that I would be there in a half an hour and would need someone to show me around the facility, including some of the resident bedrooms. Ms. Alexander told me she would make arrangements for this.

On 07/22/2021, I made an onsite inspection and met with Ms. Alexander, who informed me that Mr. Beltran, Ms. Miller, and Nichole VanNiman, Vice President of Operations, would be there shortly. We waited for them to arrive and when they did all five of us walked throughout the building. During this inspection I observed dead flies in standing water in one of the washer machines; dried feces smeared on Resident As' bedroom walls; a thick dirty ring around the base of a toilet in the 2<sup>nd</sup> floor men's West bathroom; several missing floor tiles in the 2<sup>nd</sup> floor men's East bathroom; a pile of garbage, including potato chip bags and empty pop bottles on the floor of Resident B's room; and a fly strip stuck to the inside of a window in a lounge used by the residents. We did not go into every resident's bedroom as many of them were sleeping. When we were finished, I expressed my concern regarding what I had observed as well as what Ms. Miller had reported. Mr. Beltran restated that they would be contracting with a professional cleaning service, and that Beacon was also going to take out the carpet in the entire building and put in brand new laminate/pergo flooring and have the floor retiled in the bathroom that had missing tiles.

On 07/22/2021, I sent an email to Mr. McClellan and Jennifer Russo from Recipient Rights of Hiawatha Behavioral Health, informing them of what I observed during my onsite inspection.

On 07/26/2021, I sent an email to Ms. Miller asking her if there was a cleaning schedule/log for The Oaks, and if so, to send it to me.

On 07/26/2021, I received an email from Ms. Miller stating that she requested that Ms. Alexander send me the cleaning schedule.

On 07/27/2021, I sent an email to Ms. Alexander, reminder her to send me the cleaning schedule.

On 07/28/2021, I sent Ms. Miller another request for the cleaning schedule as I had not received it yet.

On 07/28/2021, Ms. Miller sent me an email stating, "I called her (Holly Alexander, Home Manager) this morning and she said the staff have not been filling out/completing the cleaning logs. I have attached the staff checklist that should be completed daily."

On 07/29/2021, I called and held an exit conference with Ramon Beltran, II, Licensee Designee. I informed Mr. Beltran that I was citing a violation of this rule and recommending a 1<sup>st</sup> Provisional License due to the severity of the physical plant violations. Mr. Beltran accepted this finding. I asked Mr. Beltran how this facility was allowed to fall into such a state of uncleanliness and disrepair, and he stated that it was a combination of the lack of accountability on the part of the Home Manager by her not checking to see if the staff members were cleaning according to their cleaning schedule, and staff members being "burned out" from working double shifts. Mr. Beltran informed me that some staff members had called him to apologize for not keeping the facility clean, and that he has been "popping in" unannounced to see how things were going. During these visits, he has Ms. Alexander, the Home Manager, go with him throughout the building, and if he finds something that needs to attention, he tells Ms. Alexander to address it. He reported that things have been going much better since he started doing this.

<b>APPLICABLE RULE</b>	
<b>R 400.2431</b>	<b>Home environment.</b>
	<b>(1) A congregate facility shall be so constructed, arranged and maintained as to provide adequately for the health, safety and well-being of occupants.</b>
<b>ANALYSIS:</b>	Feces with maggots were found under Resident A's bed and dried feces were found smeared on her wall; dead flies were found in standing water in one of the washer machines; piles of debris were found throughout the building, including in Resident B's bedroom; a dark ring of dirt was found around the base of one of the residents' bathrooms; several floor tiles were missing from another of the residents' bathrooms; and a fly strip was observed stuck to the inside of a window in a lounge room used by the residents.



	<p>I requested a cleaning schedule/log and was informed that staff members have not been filling it out. Therefore, it is difficult to determine how long the residents' bedrooms, shared living areas, and bathrooms have been unclean.</p> <p>This facility has not been maintained to adequately provide for the health, safety and well-being of occupants.</p> <p>My findings support that this rule had been violated.</p>
<b>CONCLUSION:</b>	<b>VIOLATION ESTABLISHED</b>

**IV. RECOMMENDATION**

Due to the severity of the uncleanliness of this facility, I recommend placing this license on a six-month, 1<sup>st</sup> Provisional status for physical plant violations.



July 29, 2021

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Ian Tschirhart  
Licensing Consultant

Date

Approved By:



July 29, 2021

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Jerry Hendrick  
Area Manager

Date