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GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

October 11, 2021

Deborah Daly
Summertree Residential Centers, Inc.
210 N Lake Street
Boyne City, MI 49712

RE: License #: AS280069661
Investigation #: 2021A0230027
Elmwood AFC

Dear Ms. Daly:

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 cursive script that reads "Rhonda Richards".

Rhonda Richards, Licensing Consultant
Bureau of Community and Health Systems
Suite 11
701 S. Elmwood
Traverse City, MI 49684
(231) 342-4942

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AS280069661
Investigation #:	2021A0230027
Complaint Receipt Date:	06/23/2021
Investigation Initiation Date:	06/23/2021
Report Due Date:	08/22/2021
Licensee Name:	Summertree Residential Centers, Inc.
Licensee Address:	210 N Lake Street, Boyne City, MI 49712
Licensee Telephone #:	(231) 582-2225
Administrator:	Barn Rhody
Licensee Designee:	Deborah Daly
Name of Facility:	Elmwood AFC
Facility Address:	5861 Tilton Road, Traverse City, MI 49684
Facility Telephone #:	(231) 946-7939
Original Issuance Date:	02/21/1996
License Status:	REGULAR
Effective Date:	03/11/2021
Expiration Date:	03/10/2023
Capacity:	6
Program Type:	PHYSICALLY HANDICAPPED DEVELOPMENTALLY DISABLED

II. ALLEGATION(S)

	Violation Established?
Staff member Jazzmon Koon was transporting three residents and two additional staff members to an outing in Grand Rapids when the van she was driving crossed the centerline, hit a concrete guardrail and the rolled over. All three residents and staff were taken to various hospitals and received medical treatment. One of the residents died as a result of the accident.	Yes

III. METHODOLOGY

06/23/2021	Special Investigation Intake 2021A0230027
06/23/2021	Special Investigation Initiated - Telephone Staff member Joe Beagle
06/24/2021	Inspection Completed On-site Interview with staff member Terri Cieslik observed Residents D and E
06/24/2021	Contact - Telephone call made Administrator Barb Rhody
06/24/2021	Contact - Telephone call made Osceola County Sheriff's Department (OCSD) Cathleen Hoag
06/24/2021	Contact- Telephone call made Left message for Deputy Salinas-OCSD
06/28/2021	Contact - Telephone call made Sherriff Cool OCSD
06/28/2021	Contact- Telephone call made Administrator Barb Rhody
06/28/2021	Contact - Telephone call made Staff member Jazzmon Coon
06/28/2021	Contact - Telephone call made Paul Keller Recipient Rights Officer (RRO)
06/29/2021	Inspection Completed On-site interviews with staff members Jackie Vincent, Noah Wilberding, Alberto Dimas

07/01/2021	Contact - Telephone call made Left message Deputy Salinas
07/01/2021	Contact - Telephone call received Sherri Jakke mother of Jazzmon Koon
07/01/2021	Contact - Telephone call made Administrator Barb Rhody
07/02/2021	Contact - Telephone call made Deputy Salinas-OCSD
07/29/2021	Contact - Telephone call received Paul Keller-RRO
07/30/2021	Contact - Telephone call made Barb Rhody
08/13/2021	Contact - Document Sent Email sent Deputy Salinas
08/16/2021	Contact - Document Received email received Deputy Salinas
09/10/2021	Contact - Document Sent Email sent Deputy Salinas
09/21/2021	Contact - Document Received email received Deputy Salinas
09/21/2021	Contact - Telephone call made RRO-Paul Keller
09/29/2021	Contact- Telephone call made Brittany Vincent
09/29/2021	Document Received from Licensee Designee Deb Daly
10/05/2021	Contact- Telephone call Received Telephone call from Deputy Salinas
10/08/2021	Exit Conference- With Licensee Designee Deb Daly

ALLEGATION: Staff member Jazzmon Koon was transporting three residents and two additional staff members to an outing in Grand Rapids when the van she was driving crossed the centerline, hit a concrete guardrail and rolled over. All three residents and staff were taken to various hospitals and received medical treatment. One of the residents died as a result of the accident.

INVESTIGATION: On 06/23/2021, I was contacted by Elmwood AFC staff member Joe Beagle who reported that around 11:20 a.m. two facility vans were traveling from Traverse City on the way to Grand Rapids to attend an outing with residents at John Ball Park Zoo. Just outside of Reed City one of the vans crossed the centerline and hit a guardrail. The three residents and three staff members traveling in the vehicle that crashed were sent to surrounding hospitals. Two of the residents (Resident A and B) were listed as being in critical condition. Mr. Beagle stated that management personnel were currently in Grand Rapids at the hospitals with residents and would be contacting me as soon as they were able.

On 06/24/2021, I conducted an on-site investigation at the facility and spoke with staff member Terry Cieslik. She stated that she had received word that Resident A was not doing well and may not survive. Two residents, D and E were at the facility. Both had been traveling to the outing in the 2nd vehicle that was not a part of the accident and were therefore uninjured. I was not able to interview them due to their cognitive limitations and the sensitive nature of the traumatic event.

On 06/24/2021, I spoke with Administrator Barb Rhody who confirmed the above information. She stated that Resident A had severe injuries and has been placed on life support, Resident B had a ruptured spleen and was scheduled for surgery, and Resident C suffered a neck fracture and was placed in a halo device.

On 06/24/2021, I contacted Cathleen Hoag, an administrative support person for Osceola County Sheriff's Department. She informed me that she had no information yet on the vehicle accident as the report was not completed. She provided me with the name of the Deputy assigned to the case (Deputy Salinas). I subsequently left a message for Deputy Salinas regarding the accident.

On 06/28/2021, I contacted Administrator Barb Rhody to request an update regarding the status of Resident A. She informed me that Resident A's mother had made the decision to remove all life supports and he passed away over the weekend. She explained that Resident A had extensive internal injuries and a fractured skull.

On 06/28/2021, I contacted Sheriff Cool with the Osceola County Sheriff's Department as I had not yet received a call back from Deputy Salinas. Sheriff Cool stated he was aware of the accident but was unaware of Resident A's death. He stated this outcome (Resident A's death) impacts the investigation as it is now considered a fatal accident. He referred me to Deputy Salinas.

On 06/28/2021, I contacted staff member Jazzmon Koon who was the driver of the vehicle that crashed. She stated that she was not sure if she could talk with me and that she would have to call me back after speaking with her attorney.

On 06/28/2021, I spoke with Northern Lakes Community Mental Health Recipient Rights Officer (RRO) Paul Keller who informed me that he was investigating this matter as Elmwood AFC has a contract with Community Mental Health (CMH). We made plans to interview staff the following day at the facility.

On 06/29/2021, Mr. Keller and I spoke with facility manager Jackie Vincent who was traveling in the vehicle driving behind the van that crashed. Jackie Vincent stated the van that crashed contained staff members Jazzmon Koon, Alberto Dimas, and Noah Wilberding. As well as Residents A, B, and C. Jackie Vincent stated she was driving the van that did not crash with staff member Brittany Vincent traveling with her. Also traveling in her van were Residents D, and E, along with a resident from another Summertree facility. She stated that prior to the accident she had been following Jazzmon Koon on County Road 633 where the speed limit is 55 MPH. Jackie Vincent stated Ms. Koon was traveling much faster and had gotten further ahead. She stated she asked her front passenger Brittany Vincent to text a message to Ms. Koon's front passenger Alberto Dimas to tell Ms. Koon to slow down. At this point Ms. Koon slowed down. Approximately 20-30 minutes later while on the US-131 freeway Ms. Koon was driving faster again but Jackie Vincent thought it was likely the speed limit which is 75 MPH. Jackie Vincent stated she kept her speed at 65 MPH on cruise control as she felt it was safer with the large van and residents. Jackie Vincent stated that somewhere near the Reed City area she observed the van driven by Ms. Koon veer over the centerline and continue to drift. Jackie Vincent stated she blew the horn at Ms. Koon and watched the van crash into a guard rail causing the van to spin around, launch into the air and roll multiple times down an embankment. She stated she put her van in park and directed Brittany Vincent to call 911 while she ran to help the passengers in the van that had crashed. Jackie Vincent stated she left staff member Brittany Vincent with the residents in the other van and Brittany Vincent remained in the other van keeping the residents calm and feeding them lunch.

On 06/29/2021, Mr. Keller and I interviewed staff member Alberto Dimas who was a passenger in the van that Ms. Koon was driving. Mr. Dimas stated during the drive to Grand Rapids he noticed Ms. Koon was speeding and then received a text from staff member Brittany Vincent via Jackie Vincent's phone, telling him to tell Ms. Koon to slow down as she was going too fast. Mr. Dimas stated he told Ms. Koon to slow down, which she did. He recalled during the drive he observed Ms. Koon several times puff on something with a bit of smoke as he was turning around to interact with Resident C. Afterward when he leaned back to his seat Ms. Koon handed him a white vape pen. He stated he did not know what it was, so he put it in the middle console of the vehicle. A few minutes later he was looking at his phone and he observed Ms. Koon leaning toward the driver's side and felt a little jolt of speed. Next, he noticed she was slumped over, and the vehicle crashed into the guardrail.

He stated the next thing he remembers is when the van finally landed, he was still buckled in but was upside down. He was able to unbuckle his seatbelt and stay with Resident C and try to offer support and comfort as her wheelchair had shifted to the front of the van at an area where she was close to Mr. Dimas. He waited there until police and ambulance personnel arrived and transported all of the residents and staff to various hospitals. Mr. Dimas stated he was transported to Big Rapids Hospital and treated for a broken shoulder.

On 06/29/2021, Mr. Keller and I interviewed staff member Noah Wilberding regarding the accident. Mr. Wilberding confirmed that Ms. Koon was the driver of the van that crashed, and Mr. Dimas was a passenger in the front next to Ms. Koon. Mr. Wilberding stated he was seated behind Mr. Dimas during the trip to Grand Rapids. At one point he learned that Jackie Vincent requested via text message that Ms. Koon Slow down. Mr. Wilberding stated Ms. Koon was laughing about this and found it humorous that Jackie Vincent had asked her to slow down. Just prior to the crash Mr. Wilberding stated that he observed Ms. Koon smoking on something but was unaware of what it was. He stated that the next thing he recalls is observing Ms. Koon drifting off to the side of the road and the van hitting the concrete guard rail and flipping several times. He recalls after the van stopped moving, he was underneath the seat he had been sitting on and the seat had broken. Mr. Wilberding stated Resident A was in the very back and Mr. Wilberding was able to get back to him. Emergency Medical Technicians gave him scissors to cut Resident A's seatbelt while he was still in his wheelchair upside down. He assisted Resident A for a few minutes until more medical personnel arrived and took over and he was able to get out of the van.

On 07/01/2021, I left a message again with staff member Jazzmon Koon. I received a phone call back on Ms. Koon's phone from her mother Sheri Jakke who told me that Ms. Koon would not be speaking with me as that was what her attorney advised.

On 07/02/2021, I spoke with Deputy Salinas with the Osceola County Sheriff's Department. He provided an update on the police report. He stated at this point in time he was still working on his investigation but that he was working in conjunction with the Michigan State Police as they were involved in the accident reconstruction portion of the case.

On 07/30/201, I spoke with Administrator Barb Rhody, who stated she had not heard from Ms. Koon but knew through the company human resource department that Ms. Koon had taken another job. Summertree officially terminated her employment after this notification.

On 09/21/2021, I received an email from Deputy Salinas indicating that the case was still on hold due to the Michigan State Police not being finished with their accident report. He indicated the prosecutor will likely subpoena the hospital for blood records of the driver Ms. Koon.

On 09/29/2021 I spoke with staff member Brittany Vincent, who was a passenger in the van being driven by Jackie Vincent on the day of the crash. She confirmed that while riding in the van behind Ms. Koon, Jackie Vincent asked her to text Ms. Koon because she was speeding. Brittany Vincent stated that she sent a text message to Mr. Dimas and requested he tell Ms. Koon to slow down. She stated that shortly after sending the text Ms. Koon did slow down. Approximately a half an hour later she observed the crash as the two vans were on US 131 outside of Reed City. Brittany Vincent stated that she observed Ms. Koon's van veer off to the side of the road and hit the concrete barrier and crash. Jackie Vincent immediately pulled off to the side of the road and then went down to attend to the other van's passengers while Brittany Vincent called 911 and stayed back with the residents in the van that did not crash.

On 09/29/2021, Licensee Designee Deb Daly sent copies of from Jazzmon Koon's criminal background check indicating she was eligible to work in AFC as well as a copy of her current valid driver's license which was obtained when she began her employment at the facility in May of 2021.

On 10/05/2021, spoke with Deputy Salinas who informed me that he had just received the accident investigation from the Michigan State Police and would now be submitting his report along with theirs to the Prosecuting Attorney. He stated charges will be pressed for "reckless driving causing a fatality". The Prosecuting Attorney will be issuing a subpoena for blood records on driver Jazzmon Koon and if it shows any marijuana or alcohol in her blood system the charges will be "operating under the influence causing death". Deputy Salinas indicated this process is likely to be lengthy.

On 10/08/2021, I conducted an exit conference with Licensee Designee Deb Daly and reviewed the findings of the investigation. She concurred with the findings and will be providing a plan of correction.

APPLICABLE RULE	
R 400.14305	Resident protection.
	(3) 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.

ANALYSIS:	Residents A, B and C were not protected and safe at all times when staff member Jazzmon Koon was driving recklessly causing the facility van to crash. As a result of the vehicle accident Resident A died and Residents B, and C had extensive injuries.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

Upon receipt of an acceptable plan of correction I recommend the status of this license remain unchanged.

Rhonda Richards

10/08/201

Rhonda Richards
Licensing Consultant

Date

Approved By:

Jerry Hendrick

10/11/2021

Jerry Hendrick
Area Manager

Date