



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

September 23, 2021

Cynthia Duzenbury
Altam Inc
6300 Douglas Road
Riverdale, MI 48877

RE: License #: AM590091656
Investigation #: 2021A1029023
Pine Point

Dear Ms. Duzenbury:

Attached is the Special Investigation Report for the above referenced facility. No substantial violations were found.

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 black ink that reads "Jennifer Browning".

Jennifer Browning, Licensing Consultant
Bureau of Community and Health Systems
Browningj1@michigan.gov
(989) 444-9614

enclosure

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

I. IDENTIFYING INFORMATION

| | |
|---------------------------------------|--|
| License #: | AM590091656 |
| Investigation #: | 2021A1029023 |
| Complaint Receipt Date: | 08/09/2021 |
| Investigation Initiation Date: | 08/09/2021 |
| Report Due Date: | 10/08/2021 |
| Licensee Name: | Altam Inc |
| Licensee Address: | 6300 Douglas Road, Riverdale, MI 48877 |
| Licensee Telephone #: | (989) 560-0292 |
| Administrator: | Cynthia Duzenbury |
| Licensee Designee: | Cynthia Duzenbury |
| Name of Facility: | Pine Point |
| Facility Address: | 6300 Douglas Road, Riverdale, MI 48877 |
| Facility Telephone #: | (989) 833-5274 |
| Original Issuance Date: | 03/01/2000 |
| License Status: | REGULAR |
| Effective Date: | 02/05/2020 |
| Expiration Date: | 02/04/2022 |
| Capacity: | 12 |
| Program Type: | PHYSICALLY HANDICAPPED DEVELOPMENTALLY DISABLED MENTALLY ILL |

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| | AGED ALZHEIMERS |
|--|--------------------|

ALLEGATION:

| | Violation Established? |
|---|-----------------------------------|
| The direct care staff members at Pine Point failed to protect Resident A after she had been sexually assaulted by Resident B. | No |

II. METHODOLOGY

| | |
|------------|--|
| 08/09/2021 | Special Investigation Intake 2021A1029023 |
| 08/09/2021 | Special Investigation Initiated - On Site – face to face with Resident A, Resident B, direct care staff member, Becky Race |
| 08/09/2021 | Contact - Document Sent email to Leslie Brugel, APS. |
| 09/07/2021 | Contact - Telephone call made to Leslie Brugel, APS |
| 09/14/2021 | Contact - Telephone call made to Guardian A1 |
| 09/14/2021 | Exit Conference with licensee designee, Cynthia Duzenbury |

ALLEGATION:

The direct care staff members at Pine Point failed to protect Resident A after she had been sexually assaulted by Resident B.

INVESTIGATION:

On August 9, 2021, a complaint was received via a rejected adult protective services referral to BCHS centralized intake regarding Resident B sexually harassing Resident A. There were concerns that he pulled his pants down and told her that he wanted to “eff her” a week prior and had made sexually advanced comments to her since that time before she disclosed to a direct care staff member. Resident A wanted to press charges against Resident B.

An *AFC Licensing Division – Incident / Accident Report* was received and signed by Rebecca Race on August 7, 2021, with the following explanation of what occurred:

“When arriving to work on the morning of August 7, 2021 {Resident A} reported to me that she was approached by {Resident B} and he said he wanted to “F” her and pulled down his pants. He also requested that she join him in his room. The

original incident occurred Tuesday August 3. {Resident A} was watching TV in a common area of the house and he exposed himself to her. I had an idea something was up. I spoke to him and said that can't happen here and let Cindy know. He constantly does things to make {Resident A} telling people don't want to come see her. He always wants her to come to his room. {Resident A} is a kind loving person and is always trying to place others. {Resident B} is always picking on another resident. To me, he has a very demanding domineering attitude and has to have things his way. He needs to know this behavior is not OK.

The action taken by staff was that it was reported to licensee designee Cynthia Duzenbury, called 911, police, adult protective services, and both guardians and continued to keep the residents apart.”

On August 9, 2021, I interviewed Resident A at Pine Point. Resident A stated that she shares her bedroom with two other residents. She was aware why I was there to speak with her and stated it was because Resident B did “stuff to her” when he was in the garage. She said he took his pants down and he did not have any underwear on so she saw his penis. During this incident, he touched her on the breast and her vagina over her clothes. Directly after the incident with Resident B, she did not feel comfortable telling anyone but she did tell direct care staff members Anita Reynolds and Becky Race.

Resident A stated she also told Ms. Duzenbury after the incident and told her that she wanted to press charges against Resident B. Resident A stated she has been thinking about the incidents because they went on for two weeks. Resident B touched her more than one time and she told him to stop by smacking him and Resident B told her not to be mean to him.

Resident A stated the incident occurred with Resident B four times within a two week time frame but did not know what date or day of the week. The “garage” is an addition to the home and where Resident B’s room is and she was standing near the entry to the addition. There was no one else around when this occurred. Resident B still resides in the home and she was informed by the other direct care staff members to not talk to him. Resident A stated that she was sexually abused in the past and was fearful to talk to staff about this incident until recently.

I interviewed direct care staff member, Becky Race at Pine Point. She said that Resident A has a guardian. Resident A moved into the home on April 6, 2021. Resident B moved into the home on June 13, 2021. When Resident A and Resident B were watching television in the common area he exposed himself to Resident A. Ms. Race stated she noticed they were sitting on the couch close together and wanted to make sure it was okay so she talked to Resident A about it. That is when Resident A disclosed what occurred. Resident A told her that it happened two times. Ms. Race has not talked to Resident B about the incident. He typically stays near the addition where his room is since there is a resident living area space with a television in that area.

Resident B is not allowed to go to Resident A's room. There have been no further incidents of which she is aware. Resident A is typically on one end of the AFC home away from Resident B's bedroom. After the incident, Resident B left Pine Point for a psychiatric evaluation and returned to Pine Point.

I was able to review the resident record for Resident A. Resident A's *Assessment Plan for AFC Residents (BCAL-3265)* was signed on April 6, 2021. There is no documentation that Resident A requires one on one supervision from the direct care staff members at Pine Point.

I also reviewed the resident record for Resident B. Resident B's *Assessment Plan for AFC Residents (BCAL-3265)* is checked "Yes" for controls sexual behavior. Ms. Race was not aware of any previous incidents of sexually inappropriate behavior with Resident B. His *Resident Health Care Appraisal (BCAL-3947)* signed by Dr. Douglas Poff, DO stated that he had confusion at times which led to a limited ability to care for himself.

I interviewed Resident B at Pine Point. He stated he lived there for about a month and feels like it is going okay. He said that he gets along well with the other residents and was sad his roommate passed away last Tuesday. At first, he denied knowing Resident A. He stated he did not want to be involved with anyone because "he does not want to break anyone's heart." He denied exposing himself to Resident A or any other resident at the home. He denied that he has ever told another resident that he wanted to "F" them. He responded, "why tell them when I can't?" He said he has been staying mostly to himself watching television lately. There is a separate dining room table near his room and television area and that is where he typically eats dinner. As I was leaving the facility, Resident B was sitting outside and he called me over to him to say he did not know why Resident A was saying things about him. I asked him why he denied knowing who she was and he would not answer. He kept insisting that he would never expose himself or make a comment like that to anyone in the home.

On September 9, 2021, I emailed Montcalm County DHHS adult protective services (APS) worker, Leslie Brugel to inquire if she knew of any sexually inappropriate behaviors or incidents which would have put the other residents at risk when placing Resident B at Pine Point. Ms. Brugel confirmed that she did have an APS case with Resident B which resulted in him moving to Pine Point. She confirmed she was not aware of any sexually inappropriate behaviors that would have put another resident at risk.

On September 14, 2021, a telephone call was made to Relative A1 who is in the process of becoming Resident A's guardian. Relative A1 felt the home handled it appropriately to keep Resident A safe. Relative A1 stated licensee designee, Cynthia Duzenbury called her first thing the next morning and assured Relative A1 that Resident A was fine and they were keeping both residents separated. There was never an issue with this resident in the past.

Relative A1 explained she is not sure Resident A has enough knowledge of boundaries to know what is appropriate or not at times. She visited her after this incident at Pine Point and she noticed that Resident B is still living there but Resident A did not seem fearful of him. She feels comfortable with the judgement that the staff and licensee designee use and feels that Resident A is properly cared for and protected at Pine Point.

On September 14, 2021, I spoke with licensee, Cynthia Duzenbury who stated she contacted Montcalm County Sheriff Department after the incident. Ms. Duzenbury stated there were never any accusations against Resident B until Resident A thought she was going to get into trouble. Ms. Duzenbury stated she told Resident A that she was going to talk to her sister about the two of them spending time together. Ms. Duzenbury stated Resident A and B do not spend as much as they used to but they do talk in passing to each other. Ms. Duzenbury confirmed Resident B mostly stays in another part of the house while Resident A stays in another. Ms. Duzenbury stated Resident B has never made any inappropriate comments with any of the other residents but he tried to touch one of the employees in the past. Ms. Duzenbury stated he was reminded that behavior was not appropriate, he apologized, and he has not done it since.

Resident A does not have any guidelines in her plan that she needs to have direct one on one supervision throughout the day. She used to live with a family member but they were taking advantage of her so she was moved to Pine Point through adult protective services intervention. She does not talk about the incident any longer. Ms. Duzenbury stated throughout the day, the direct care staff members are walking through the house to check on residents.

| APPLICABLE RULE | |
|------------------------|--|
| R 400.14303 | Resident care; licensee responsibilities. |
| | (2) A licensee shall provide supervision, protection, and personal care as defined in the act and as specified in the resident's written assessment plan. |
| ANALYSIS: | <p>Resident A was sexually assaulted by Resident B on August 3, 2021, however the direct care staff members and licensee designee, Cynthia Duzenbury handled the situation appropriately to protect Resident A once she disclosed.</p> <p>Neither assessment plan specified that Resident A or Resident B needed one on one staffing while in the home. The direct care staff members walk throughout the home during the day to ensure the safety of the residents. They did not fail to protect her after the incident occurred because she disclosed all incidents at the same time on August 7, 2021.</p> <p>There have been no further incidents and Resident A has not mentioned any additional concerns regarding Resident B. Licensee designee, Cynthia Duzenbury ensured that Resident A was safe, contacted law enforcement, and made sure that both residents are provided supervision, protection, and personal care to ensure that another incident does not occur.</p> |
| CONCLUSION: | VIOLATION NOT ESTABLISHED |

III. RECOMMENDATION

I recommend no change in the license status.

Jennifer Browning

9/22/2021

Jennifer Browning
Licensing Consultant

Date

Approved By:

Dawn Timm

09/23/2021

Dawn N. Timm
Area Manager

Date