



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

November 17, 2021

Don Adams
Moriah Incorporated
3200 E Eisenhower
Ann Arbor, MI 48108

RE: License #: AS810321336
Investigation #: 2022A0575005
The Loft of Manchester

Dear Mr. Adams:

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 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.

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. If I am not available, and you need to speak to someone immediately, please contact the local office at (517) 284-9720.

Sincerely,



Jeffrey J. Bozsik, Licensing Consultant
Bureau of Community and Health Systems
(734) 417-4277

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

I. IDENTIFYING INFORMATION

License #:	AS810321336
Investigation #:	2022A0575005
Complaint Receipt Date:	11/01/2021
Investigation Initiation Date:	11/01/2021
Report Due Date:	12/01/2021
Licensee Name:	Moriah Incorporated
Licensee Address:	3200 E Eisenhower Ann Arbor, MI 48108
Licensee Telephone #:	(734) 677-0070
Administrator:	Don Adams
Licensee Designee:	Don Adams
Name of Facility:	The Loft of Manchester
Facility Address:	8737 M-52 Manchester, MI 48158
Facility Telephone #:	(734) 428-0369
Original Issuance Date:	11/16/2012
License Status:	REGULAR
Effective Date:	07/12/2021
Expiration Date:	07/11/2023
Capacity:	6
Program Type:	DD; MI; TBI

II. ALLEGATION(S)

	Violation Established?
The licensee's management purposely left facilities without any staff.	Yes

III. METHODOLOGY

11/01/2021	Special Investigation Intake 2022A0575005
11/01/2021	Special Investigation Initiated – Telephone- (a) Stephanie Harris-program coordinator; (b) complainant
11/01/2021	APS Referral-made
11/09/2021	Inspection Completed On-site-interviews with: (1) (a) Priscilla Scovic-program coordinator; (b) Desiree Brown-unit manager; (c) Deon Lewis-residential coordinator; (d) Don Adams-licensee designee; and (e) Stephanie Harris- program coordinator. (2) (a) Manchester House residents-Resident A, B, and C; (b) Loft residents-Resident A, B, and C. (3) direct care staff-Staff #1
11/09/2021	Contact - Telephone call made- (1) Site Coordinators-(a) Andrew Williams and (b) Darren Tigney. (2) Alexa Salazar-program coordinator. (3) Direct care staff-Staffs #3, #5, #7 and #8.
11/10/2021	Contact - Telephone call made- Direct care staff #6.
11/10/2021	Inspection Completed-BCAL Sub. Non-Compliance
11/10/2021	Corrective Action Plan Requested and Due on 11/24/2021
11/10/2021	Exit Conference with Don Adams, licensee designee
11/11/2021	Contact- Telephone call made- (a) Direct care Staff #2, and (b) Ann Pendley, Eisenhower Center CEO
11/17/2021	Referral-Recipient Rights

ALLEGATION:

The licensee's management purposely left facilities without any staff.

INVESTIGATION:

An APS referral was made on 11/1/21. ORR referral made on 11/17/21.

On 11/09/21, I interviewed Priscilla Scovic-program coordinator, Desiree Brown- unit manager, Deon Lewis-residential coordinator, Don Adams-licensee designee, and Stephanie Harris- program coordinator, simultaneously, at the Manchester House facility (AS810312281).

Priscilla Scovic provided the staff schedules for both, The Loft of Manchester located at 8737 M-52, and for Manchester House located at 8735 M-52, the facility across the parking lot. She showed that one staff, on 10/31/21 Staff #1, and on 10/26/21 Staff #2, was assigned to work the same shift at both facilities due to staffing shortage. She stated she could not provide shift coverage herself because she had a family commitment.

Desiree Brown stated she could not provide shift coverage because she has a young child at home.

Deon Lewis stated as the residential coordinator he is responsible for the scheduling of staff at these two Manchester facilities. He stated he had already worked a double shift (16 hours) and therefore could not work another 8 hours due to a wage and hour law restriction. He admitted he assigned one staff to cover both the Loft of Manchester and the Manchester House facilities for 8 hour shifts because they are across the parking lot from one another and there were only three residents in each facility. He stated he used the Eisenhower Center protocol for requesting staffing and called available staff, then Desiree Brown, unit manager, and Priscilla Scovic, program coordinator and could not get shift coverage. He stated he then called Andrew Williams and Darren Tigney, two site coordinators. He stated Andrew Williams stated he had no one to provide coverage and Daren Tigney did not answer the telephone. Next, he stated he continued up the telephone call list to Alexa Salazar, program manager. He stated she could not provide shift coverage. Finally, he stated he had one staff cover both facilities because he was prohibited from working another 8 hour/consecutive shift.

Don Adams stated he was made aware of staffing shortages on 10/2/21 by the complainant.

Stephanie Harris stated the level of supervision for the three residents in both facilities ranged from 5 minutes to 1 hour.

On 11/9/21, I interviewed Resident A from Manchester House (Residents B and C were unavailable for interview), and Residents A, B, and C from the Loft of Manchester. All the residents stated they could not remember a time when there were no staff in the facility.

On 11/9/21, I interviewed Staff #1 who stated she covered both facilities for an 8-hour shift on 10/31/21. She stated there was another day, she couldn't remember the day, when she covered both facilities for 2 hours.

On 11/9/21, I interviewed Andrew Williams and Darren Tigney, both Eisenhower Center site coordinators, and Alexa Salazar, program coordinator. Andrew Williams stated Deon Lewis called him for staff coverage, but he had no staff to provide shift coverage. Darren Tigney stated he did not receive a telephone call. Alexa Salazar stated she was contacted by Deon Lewis but did not understand that he had no staff coverage. She stated if she had understood he needed staff coverage she would have come in and covered the shift.

On 11/9/21 I interviewed direct care Staffs #3, #5, #7, and #8. (Staffs #4 and #9 were unavailable for interview.) Staffs #3 and #5 stated they were never requested to and/or assigned to be the sole staff on duty for both the Loft of Manchester and Manchester House facilities. Staffs #7 and #8 stated they could not remember the exact dates, but they were requested to be the sole staff on duty for both facilities, Loft of Manchester, and Manchester House, on multiple occasions.

On 11/10/21, I interviewed Staff #6 who stated she was requested to be the sole staff on duty to cover both facilities. She stated she could not remember the exact dates, but it was on numerous occasions, and she refused the request.

On 11/10/21, I conducted an exit conference with Don Adams, licensee designee. I stated that I would recommend a provisional license and he had the option of requesting a hearing if he chose.

On 11/11/21, I interviewed Staff #2 who stated she had been the sole staff to cover both facilities on multiple occasions and that it was an ongoing problem.

On 11/11/21, I discussed this complaint with Ann Pendley, Eisenhower Center CEO. I emphasized that leaving the residents unsupervised could never be considered a viable option in a licensed facility. We discussed other options to deal with staffing shortages.

APPLICABLE RULE	
R 400.14206	Staffing requirements.
	(1) The ratio of direct care staff to residents shall be adequate as determined by the department, to carry out the responsibilities defined in the act and in these rules and shall not be less than 1 direct care staff to 12 residents and children who are under the age of 12 years.
ANALYSIS:	Even though the management admitted to two instances of not providing at least one staff on duty for these two licensed facilities, several direct care staff reported the practice to be more frequent, and they were found to be credible. Simply put, the management staff knew about this staffing scheme and decided the avoidance of a potential wage and hour law violation was of greater importance than providing the six residents at two of their licensed facilities with the minimum level of supervision required by this administrative rule.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

I recommend the status of the license be modified to a six-month provisional license.

Jeffrey J. Bozsik
Licensing Consultant

Date: 11/17/21

Approved By:

Ardra Hunter
Area Manager

Date: 11/17/21