



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

November 22, 2021

Carl Schafer Jr.
2433 W. Ludington Dr.
Farwell, MI 48622

RE: License #: AF180401871
Investigation #: 2022A0783001
Schafer AFC

Dear Mr. Schafer Jr:

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 feel free to 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 (517) 284-9730.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Herrguth".

Leslie Herrguth, Licensing Consultant
Bureau of Community and Health Systems
611 W. Ottawa Street
P.O. Box 30664
Lansing, MI 48909
(517) 256-2181

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AF180401871
Investigation #:	2022A0783001
Complaint Receipt Date:	09/30/2021
Investigation Initiation Date:	10/01/2021
Report Due Date:	11/29/2021
Licensee Name:	Carl Schafer Jr.
Licensee Address:	2433 W. Ludington Dr. Farwell, MI 48622
Licensee Telephone #:	(989) 330-4041
Name of Facility:	Schafer AFC
Facility Address:	2433 W. Ludington Dr. Farwell, MI 48622
Facility Telephone #:	(989) 588-9472
Original Issuance Date:	04/09/2020
License Status:	REGULAR
Effective Date:	10/09/2020
Expiration Date:	10/08/2022
Capacity:	6
Program Type:	DEVELOPMENTALLY DISABLED AGED

II. ALLEGATION(S)

	Violation Established?
Licensee Carl Schafer and his wife (and household member) Davette Schafer got into a fight in front of the residents regarding the residents and Mrs. Schafer threatened the residents that their belongings would be on the street.	No
Staff member Davette Schafer bullied Resident A into eating her food.	Yes
Staff member Davette Schafer stated she would tell Resident B's case manager Resident B needed to move to a different facility if Resident B did not do what Mrs. Schafer wanted her to do such as wash dishes.	Yes
Staff member Davette Schafer yells at the residents.	Yes
Additional Findings	Yes

III. METHODOLOGY

09/30/2021	Special Investigation Intake –2022A0783001
09/30/2021	Contact - Document Received – Received written incident reports from MMI staff members Teresa Tessman and Julie Wallace
10/01/2021	Special Investigation Initiated – Telephone call with Complainant
10/01/2021	Contact - Telephone call made to Community Mental Health (CMH) case manager Brianna Cass
10/25/2021	Contact - Telephone call made to Mid-Michigan Industries (MMI) manager Stacie Smith
10/29/2021	Contact - Face to Face interviews with facility direct care staff member Toni Bunting, facility direct care staff member and household member Davette Schafer, Resident A, Resident B, Resident C, Resident D
10/29/2021	Inspection Completed On-site

11/17/2021	Contact - Telephone call made to MMI staff members Teresa Tessman and Julie Wallace
11/18/2021	Contact - Document Received – Received Resident A's written <i>Assessment Plan for AFC Residents</i>
11/19/2021	Exit Conference left message for licensee Carl Schafer

ALLEGATION:

Licensee Carl Schafer and his wife (and household member) Davette Schafer got into a fight in front of the residents regarding the residents and Mrs. Schafer threatened the residents that their belongings would be on the street.

INVESTIGATION:

On September 30, 2021, I received a complaint via centralized intake that stated licensee Carl Schafer and his wife Davette Schafer got into a fight in front of the residents. The written complaint stated Mr. Schafer was siding with the residents and Mrs. Schafer told the residents "You will not come between my husband and me. If this continues your stuff will be on the street."

On October 1, 2021, I spoke to Complainant who stated the "fight" between Mr. and Mrs. Schafer referenced in the complaint was a verbal argument that occurred in front of the residents. Complainant said Mr. and Mrs. Schafer argued about how the residents should be treated and Mr. Schafer "sided with" the residents so Mrs. Schafer became angry and threatened to discharge the residents and put their belongings in the street.

On October 1, 2021, I spoke to Brianna Cass who is the case manager from Community Mental Health for all the residents in the home. Ms. Cass said Resident B told her that Mr. and Mrs. Schafer got into a verbal argument in front on the residents and that the argument was concerning Mrs. Schafer's treatment of the residents. Ms. Cass said according to Resident B, Mrs. Schafer told the residents that they would not come between her and her husband and that all the residents' belongings would be "on the street" if this continued.

On October 25, 2021, I spoke to Mid-Michigan Industries (MMI) manager Stacie Smith who stated MMI staff members told her that Resident B said licensee Carl Shafer and his wife, who is a household and staff member, got into an argument because Mrs. Schafer "was being hard on" the residents. Ms. Smith said allegedly Mrs. Schafer said the residents would not come between her and her husband and rather, she would "throw [the residents'] crap on the lawn."

On November 17, 2021, I spoke to MMI staff members Teresa Tessman and Julie Wallace who said they did not hear nor see anything directly but Resident B told them that Mr. and Mrs. Schafer argued and Mrs. Schafer said the residents' belongings would be in the street before she would allow them to come between her and Mr. Schafer.

On October 29, 2021, I interviewed Resident B who confirmed that Mrs. Schafer threatened to put hers and the other residents' belongings in the street after Mr. and Mrs. Schafer argued about Mrs. Schafer "being hard on" the residents. Resident B said Mrs. Schafer said the residents would not come between her and Mr. Schafer. Resident B said the incident made her feel upset.

On October 29, 2021, I interviewed Residents A, C, and D who all denied that they ever observed Mr. and Mrs. Schafer argue. All three residents denied hearing any comment about them coming between Mr. and Mrs. Schafer nor that their belongings would be placed on the street.

On October 29, 2021, I interviewed facility staff member and household member Davette Schafer who denied that she ever argued with her husband Carl Schafer in front of Resident B nor any other resident. Mrs. Schafer said she never commented that the residents would not come between her and Mr. Schafer, nor that she would put the residents' belongings on the street.

On October 29, 2021, I interviewed licensee Carl Schafer who denied that he and Mrs. Schafer ever argued about the residents nor that Mrs. Schafer ever commented that the residents' belongings would be in the street or that the residents wouldn't get in between Mr. and Mrs. Schafer.

APPLICABLE RULE	
R 400.1409	Resident rights; licensee responsibility.
	(1) Upon a resident's admission to the home, the licensee shall inform and explain to the resident or the resident's designated representative all of the following resident rights: (o) The right to be treated with consideration and respect, with due recognition of personal dignity, individuality, and the need for privacy. (2) A licensee shall provide the resident and the resident's designated representative with a written copy of the rights outlined in subrule (1) of this rule upon a resident's admission to the home.

ANALYSIS:	Though Resident B was consistent with her account of Mr. and Mrs. Schafer arguing and Mrs. Schafer commenting the residents would not come between her and Mr. Schafer and that residents' belongings would be on the street, after interviewing Mr. and Mrs. Schaffer who both denied the alleged argument and comments, as well as Complainant, Ms. Cass, Ms. Smith, Ms. Tessman, Ms. Wallace, Resident A, Resident C, and Resident D the allegations were not witnessed nor corroborated so there is lack of evidence to prove that the argument occurred, the comments were made, nor that the residents' right to be treated with consideration and respect was not safeguarded by the licensee in this instance.
CONCLUSION:	VIOLATION NOT ESTABLISHED

ALLEGATION:

Staff member Davette Schafer bullied Resident A into eating her food.

INVESTIGATION:

On September 30, 2021, I received a complaint via centralized intake that stated Davette Schafer told Mid-Michigan Industries (MMI) staff that Resident A was not eating the way she was supposed to and that Ms. Schafer was going monitor Resident A's eating while Resident A was in the community. The complaint stated Mrs. Schafer came the park and watched Resident A eat. The complaint stated it was later found out that Resident A "cheeked" the food and spit it out despite Mrs. Schafer's effort to get Resident A to eat the food. The complaint stated it is not part of Resident A's plan to have that level of monitoring for meals and Mrs. Schafer was trying to bully Resident A into eating her food.

On October 1, 2021, I spoke to complainant who said she did not witness the alleged event but heard that direct care staff member Davette Schafer came to the park in the community where Resident A was at approximately 1:00 om September 28, 2021, and "watched [Resident A] and made sure she ate." Complainant said Resident A does not require that level of supervision according to her written treatment plan, so it was inappropriate and a violation of Resident A's resident rights. Complainant said Resident A did not want the food and spit it out after Mrs. Schafer left.

On October 1, 2021, I spoke to Brianna Cass who is Resident A's case manager and she said Resident A has been diagnosed with diabetes and Mrs. Schafer wants Resident A to eat certain snacks at certain times to regulate her blood sugar. Ms. Cass said she was not present, but she was told that Mrs. Schafer came to the park where Resident A was and "intimidated" Resident A into eating a snack.

On October 25, 2021, I spoke to MMI manager Stacie Smith who said facility staff member Davette Schafer told MMI staff that Resident A needs to eat a snack in the afternoon to stabilize her blood sugar and since Resident A had not been eating the snack while in the community with MMI staff, Ms. Schafer would come to where Resident A was the following day to ensure Resident A ate her snack. Ms. Smith said MMI staff told her the following day while Resident A was in a park in the community Ms. Schafer came and “sat at the table and made sure [Resident A] ate her snack.” Ms. Smith said her understanding is that Mrs. Schafer would not leave the table until Resident A finished her snack, which was “intimidating” for Resident A.

On November 17, 2021, I spoke to MMI staff member Teresa Tessman who said on September 28, 2021, she was present with Resident A in the community when facility staff member Davette Schafer came to the park where Resident A was and “sat there and watched [Resident A] eat.” Ms. Tessman stated Mrs. Schafer told her before this happened that she was going to come watch Resident A eat because Resident A had not been eating the afternoon snack sent by Mrs. Schafer and it affected Resident A’s blood sugar. Ms. Tessman denied that Resident A said anything after Mrs. Schafer left but stated she appeared “humiliated” and that Mrs. Schafer “treated [Resident A] like a child.”

On November 17, 2021, I spoke to MMI staff member Julie Wallace who said she was present with Resident A in the community when Mrs. Schafer came to the park to “make” Resident A eat her snack. Ms. Wallace said Mrs. Schafer stood in front of Resident A and watched Resident A eat. Ms. Wallace said Mrs. Schafer told her before this happened that she was going to come watch Resident A eat because Resident A had not been eating the afternoon snack sent by Mrs. Schafer and it affected Resident A’s blood sugar. Ms. Wallace said after Mrs. Schafer left the park Resident A appeared upset and “was shaking like a leaf.”

On October 29, 2021, and November 18, 2021, I interviewed facility household member and staff member Davette Schafer who said she has been working for two years to get Resident A’s diabetes under control with diet adjustments. Mrs. Schafer said Resident A continuously came home from outings through MMI without having eaten her snack, which caused a drop in Resident A’s blood sugar. Mrs. Schafer said she told Resident A that since she had not been eating her snack, she would need to come monitor Resident A in the community and encourage her to eat her snack. Mrs. Schafer acknowledged that she went to the park where Resident A was and watched her eat her snack because she wanted Resident A’s blood sugar to remain stable. Mrs. Schafer said Resident A “does not like to be the center of attention,” but denied that Resident A was upset by Mrs. Schafer being at the park. Mrs. Schafer said Resident A acted as if she wasn’t there.

On October 29, 2021, I interviewed Resident A who denied having any recollection of Mrs. Schafer watching her eat her snack in the park.

On September 30, 2021, I received a written *Incident Report* dated September 28, 2021 and completed by MMI staff member Julie Wallace which stated, “when staff picked up the girls in Farwell the home manager Davette stated she would be at the fairground to watch [Resident A] eat her 1:30 pm snack due to her not eating it on Monday and smashing it on her kitchen floor. Davette showed up at 1:15 with her granddaughter and watched [Resident A] eat her cracker/peanut butter. She told [Resident A] she had 15 minutes to eat her crackers. She left at 1:30 pm. After Davette left [Resident A] went into the restroom. Staff member Teresa Tessman stated that [Resident A] had pocketed her crackers in her cheeks and spit them out in the trash.”

On November 18, 2021, I spoke to Davette Schafer who denied that there was a written *Assessment Plan for AFC Residents* completed for Resident A since Carl Schafer became licensed in 2020. Mrs. Schafer provided a written assessment plan completed by the former licensee and dated October 9, 2018, which indicated Resident A did not require staff assistance with eating.

APPLICABLE RULE	
R 400.1409	Resident rights; licensee responsibility.
	<p>(1) Upon a resident's admission to the home, the licensee shall inform and explain to the resident or the resident's designated representative all of the following resident rights:</p> <p>(o) The right to be treated with consideration and respect, with due recognition of personal dignity, individuality, and the need for privacy.</p> <p>(2) A licensee shall provide the resident and the resident's designated representative with a written copy of the rights outlined in subrule (1) of this rule upon a resident's admission to the home.</p>
ANALYSIS:	Based on statements from Complainant, Ms. Cass, and Ms. Smith, along with Ms. Tessman and Ms. Wallace who directly witnessed it, as well as a written report provided by MMI, Mrs. Schafer appeared in the community where Resident A was socializing with peers and stood before Resident A until Resident A ate the food that Mrs. Schafer wanted her to eat. Based on interviews from witnesses this act was intimidating and/or upsetting for Resident A. Resident A’s right to be treated with consideration and respect was not safeguarded when she was intimidated into eating a snack that she did not want.
CONCLUSION:	VIOLATION ESTABLISHED

ALLEGATION:

Staff member Davette Schafer stated she would tell Resident B's case manager Resident B needed to move to a different facility if Resident B did not do what Mrs. Schafer wanted her to do such as wash dishes.

INVESTIGATION:

On September 30, 2021, I received a complaint via centralized intake that stated on September 20, 2021, Davette Schafer told MMI staff that she threatened to tell Resident B's case manager that Resident B needs to move if Resident B does not do what Mrs. Schafer wants her to do such as wash dishes. The complaint stated Resident B told MMI staff that she gets worried about this.

On October 1, 2021, I spoke with Complainant who said she was not familiar with the details of the allegation but understood that Mrs. Schafer told an MMI staff member that she told Resident B that she would need to move to a different facility if she did not do the dishes. Complainant stated an MMI staff member completed a written incident report regarding the allegation.

On November 17, 2021, I spoke to MMI staff member Teresa Tessman who said that Mrs. Schafer told her face to face that she told Residents A and B that she would call their case managers and request that they be placed in another facility because the residents were not doing the dishes. Ms. Tessman said Mrs. Schafer told her she did not and would not really call the case manager but telling the residents she would do so got them to do what she wanted them to do.

On October 1, 2021, I spoke to Brianna Cass who is Resident A's and Resident B's case manager. Ms. Cass said she was not familiar with the allegation that Mrs. Schafer threatens to call her and said neither Resident A, Resident B nor Mrs. Schafer ever said anything about that to her.

On October 29, 2021, I interviewed Resident B who said that Davette Schafer told her she was going to call her case manager to make her move. Resident B was unable to recall any additional details. Resident B said it made her feel "upset" when Mrs. Schafer made the comment.

On October 29, 2021, I interviewed Residents A, C, and D who all denied hearing Mrs. Schafer say she would call Resident B's case manager to request that Resident B be discharged. All three residents denied that Mrs. Schafer made such a comment to any of them.

On October 29, 2021, I interviewed direct care staff member and household member Davette Schafer who denied telling Resident A or Resident B that she would call her case manager to request that either resident be discharged from the facility.

On October 29, 2021, I interviewed licensee Carl Schafer who denied ever hearing Mrs. Schafer tell Resident A or Resident B that they would have to move nor that she would call their case manager to request that they move.

On October 29, 2021, I interviewed facility staff member Toni Bunting who said Mrs. Schafer encourages the residents to learn and complete household tasks such as washing dishes or dirty clothing. Ms. Bunting said Resident B typically had no problem completing those tasks but one day she stated she would not wash the dishes and Mrs. Schafer asked Resident B if she was happy living at the facility. Ms. Bunting said she never heard Mrs. Schafer never tell Resident B nor any other resident that she would call the case manager and request the resident be moved for any reason.

On September 30, 2021, I received a written *Incident Report* dated September 20, 2021 and completed by MMI staff member Teresa Tessman that stated Resident B “appeared upset when she came out of the house to get in the transport vehicle.” The written incident report stated Resident B then had to go back into the house to change clothes and facility staff member Davette Schafer stayed outside and spoke to MMI staff. The written incident report stated, “Davette Schafer told staff that she was upset with [Resident B] for not doing the dishes. Davette Schafer then stated she told [Resident B] that she was going to call her case worker and ask that [Resident B] be placed in a different home. Davette Schafer looked at the staff member, laughed, and stated she wouldn’t really call the case manager but that it was enough to say so to get [Resident B] to do what she wanted her to do.” The written complaint went on to state that MMI staff spoke to Resident B after Ms. Schafer made that comment and Resident B said “that Davette Schafer threatened to call her case worker to have her placed in a new home. [Resident B] told staff that it scared her.”

APPLICABLE RULE	
R 400.1409	Resident rights; licensee responsibility.
	<p>(1) Upon a resident's admission to the home, the licensee shall inform and explain to the resident or the resident's designated representative all of the following resident rights:</p> <p style="padding-left: 40px;">(o) The right to be treated with consideration and respect, with due recognition of personal dignity, individuality, and the need for privacy.</p> <p>(2) A licensee shall provide the resident and the resident's designated representative with a written copy of the rights outlined in subrule (1) of this rule upon a resident's admission to the home.</p>

ANALYSIS:	Ms. Tessman’s verbal and written statements were consistent wherein she explained that Mrs. Schafer told her she told Resident B she would call her case manager and request that Resident B move to another facility because Resident B did not wash the dishes. The allegation was confirmed by Resident B who stated Mrs. Schafer told her she would call her case manager and request that Resident B move to another facility, which was upsetting to Resident B according to Ms. Tessman’s verbal and written statement and Resident B. Resident B’s right to be treated with consideration and respect was not safeguarded when direct care staff member Davette Schafer told Resident B she would have to move if she did not do the dishes.
CONCLUSION:	VIOLATION ESTABLISHED

ALLEGATION:

Staff member Davette Schafer yells at the residents.

INVESTIGATION:

On September 30, 2021, I received a complaint via centralized intake that stated the residents in the home stated Davette Schafer “yells at the residents a lot.”

On October 1, 2021, I spoke to Complainant who said multiple residents have been observed visibly upset and crying and have commented it was due to being yelled at by Mrs. Schafer.

On October 1, 2021, I spoke to case manager Brianna Cass who provides case management services to all the residents in the home and speaks to them regularly. Ms. Cass stated she has never observed Mrs. Schafer yell at the residents and the residents tell her they are happy in the home. Ms. Cass said the residents told her Mrs. Schafer can be “cranky” or that she “yells,” but all residents’ guardians are satisfied, and the residents are “very well cared for.”

On October 29, 2021, I interviewed Resident A who stated Mrs. Schafer has yelled at her but could not or would not provide any additional details nor answer any specific questions.

On October 29, 2021, I interviewed Resident B who said Mrs. Schafer “yells about everything.” Resident B said Mrs. Schafer regularly “yells” at “most of” the residents who live in the home. Resident B said it makes her “upset” when Mrs. Schafer yells.

On October 29, 2021, I interviewed Resident C who said Mrs. Schafer “yells sometimes when she’s in a bad mood.” Resident C stated the yelling has made her

cry in the past. Resident C indicated Mrs. Schafer yells at all the residents in the home.

On October 29, 2021, I interviewed Resident D who said Mrs. Schafer “yells, but it’s okay.” Resident D could not or would not elaborate further.

On October 29, 2021, I interviewed direct care staff member Toni Bunting who denied that she ever heard Mrs. Schafer yell at any resident at the facility. Mrs. Bunting acknowledged that the residents might “get a butt chewing” from Mrs. Schafer for not doing chores or putting things away.

On October 29, 2021, I interviewed household member and direct care staff member Davette Schafer who acknowledged that she has “raised her voice” when communicating with residents, however, Mrs. Schafer described the yelling as “yelling to” the residents as opposed to “yelling at” the residents.

On November 17, 2021, I spoke to MMI staff member Teresa Tessman who said on one occasion she saw Resident C crying and Resident C told her she was upset because Mrs. Schafer yelled. Ms. Tessman said on another occasion she was with Resident D and noted she was crying and when asked Resident D reported that Mrs. Schafer was “mad at her” and that Mrs. Schafer “yelled at” Resident D. Ms. Tessman said it was unusual for both residents to cry. Ms. Tessman said on another occasion Resident B told her Mrs. Schafer yelled at her for not doing the dishes and Resident B was upset. Ms. Tessman denied that she ever directly observed Mrs. Schafer yelling at the residents, however, she stated that Mrs. Schafer verbally told her that she was mad and yelled at Resident B.

On November 17, 2021, I spoke to MMI staff member Julie Wallace who stated all the residents who live at the home “seem afraid of” Mrs. Schafer. Ms. Wallace said she never saw Resident C crying, but she did hear Resident C say things like, “I don’t want [Mrs. Schafer] to get mad.” Ms. Wallace said she was present when Resident D was crying and indicated it was due to something at home but did not elaborate. Ms. Wallace said it is very unusual for Resident D to cry. Though Ms. Wallace stated she never observed Mrs. Schafer yell at the residents, she described her as “cold” and “short with” the residents.

On September 30, 2021, I received a written *Incident Report* completed by MMI staff member Teresa Tessman that stated on September 20, 2021, Resident C “appeared upset and was visibly crying when transport showed up to pick her and her housemates up. [Resident C] continued to cry until staff was able to talk to her and assure her things were okay. When staff asked [Resident C] why she was crying she said that she was tired of all the yelling. [Resident C] stated that when people don’t do what they are supposed to do Davette Schafer yells, [Resident C] also stated that when Davette Schafer is having a bad day she yells at her house mates. When staff asked [Resident C] what she does in those situations [Resident C] said she goes to her room and tries to ignore the situation.”

On September 30, 2021, I received a written Incident Report completed by MMI staff member Julie Wallace that stated on September 9, 2021, Resident D “was sitting at the table and began to cry. When staff asked what was wrong, she stated that her and the homeowner had an argument.”

APPLICABLE RULE	
R 400.1409	Resident rights; licensee responsibility.
	<p>(1) Upon a resident's admission to the home, the licensee shall inform and explain to the resident or the resident's designated representative all of the following resident rights:</p> <p>(o) The right to be treated with consideration and respect, with due recognition of personal dignity, individuality, and the need for privacy.</p> <p>(2) A licensee shall provide the resident and the resident's designated representative with a written copy of the rights outlined in subrule (1) of this rule upon a resident's admission to the home.</p>
ANALYSIS:	<p>Based on statements from Resident A, Resident B, Resident C, and Resident D, Mrs. Schafer has yelled at them which was upsetting. The statements the residents made to me are consistent with statements and observations of Ms. Cass, Ms. Tessman, and Ms. Wallace as well as written documentation provided by MMI. Though she indicated it was not in a disrespectful nor intimidating matter, Mrs. Schafer acknowledged that she raises her voice at Residents. Though staff member Toni Bunting denied that Mrs. Schafer yells, she described Mrs. Schafer’s approach to residents as “a butt chewing.” Due to the fact the residents were upset by these interactions their right to be treated with consideration and respect was not safeguarded when the residents were yelled at or subject to “a butt chewing.”</p>
CONCLUSION:	VIOLATION ESTABLISHED

ADDITIONAL FINDINGS:

INVESTIGATION:

On November 18, 2021, I spoke to Davette Schafer who denied that there was a written *Assessment Plan for AFC Residents* completed for Resident A since Carl Schafer became licensed in 2020. Mrs. Schafer stated she was not made aware that she could not use the assessment plan completed by the previous licensee in 2018. Mrs. Schafer provided a copy of a written assessment plan completed by the previous licensee.

APPLICABLE RULE	
R 400.1407	Resident admission and discharge criteria; resident assessment plan; resident care agreement; house guidelines; fee schedule; physicians instructions; health care appraisal.
	(3) In situations where a resident is referred for admission, the resident assessment plan shall be conducted in conjunction with the resident or the resident's designated representative, the responsible agency, and the licensee. A licensee shall maintain a copy of the resident's written assessment plan on file in the home.
ANALYSIS:	Based on a statement from Mrs. Schafer and a review of Resident A's most current written <i>Assessment Plan for AFC Residents</i> I determined that the resident assessment plan was not conducted in conjunction with the licensee, the resident, and/or the resident's designated representative, rather it was completed by the previous licensee and is no longer current.
CONCLUSION:	VIOLATION ESTABLISHED

INVESTIGATION:

On October 2, 2021, I spoke to Community Mental Health case manager Brianna Cass who said she was told that when Resident B did not do the dishes correctly, she lost the "privileges" of watching television or coloring. Ms. Cass said she was unable to provide any additional details.

On October 29, 2021, I interviewed direct care staff member Toni Bunting who stated the residents regularly tell her "they got in trouble" which means they could lose privileges such as coloring for the day. Ms. Bunting said if a resident "gets in an argument, is mean, or doesn't do their chore," there is a "consequence" for the residents such as not being allowed to eat dessert or color for the day.

On October 29, 2021, I interviewed direct care staff member and household member Davette Schafer who said she does not punish residents for not doing their chores. Ms. Schafer said she has restricted residents from using the facility owned colored pencils if they leave them out or restricts them from dessert or coloring if they have a behavior toward another resident.

On October 29, 2021, I spoke to Resident A, Resident B, Resident C, and Resident D who all said if they do not pick up the colored pencils, fail to do their chores, or behave in a way that is undesirable they lose privileges such as dessert or coloring. The residents indicated both Ms. Bunting and Mrs. Schafer have restricted them from things as a consequence for behavior.

APPLICABLE RULE	
R 400.1409	Resident rights; licensee responsibility.
	<p>(1) Upon a resident's admission to the home, the licensee shall inform and explain to the resident or the resident's designated representative all of the following resident rights:</p> <p>(o) The right to be treated with consideration and respect, with due recognition of personal dignity, individuality, and the need for privacy.</p> <p>(2) A licensee shall provide the resident and the resident's designated representative with a written copy of the rights outlined in subrule (1) of this rule upon a resident's admission to the home.</p>
ANALYSIS:	Based on statements from Ms. Cass, Ms. Bunting, Ms. Schafer, Resident A, Resident B, Resident C, and Resident D it can be determined that facility staff members are giving residents consequences or punishments which is a violation of the residents' right to be treated with consideration and respect.
CONCLUSION:	VIOLATION ESTABLISHED

On November 18, 2021, I spoke to Davette Schafer who stated all the residents I interviewed later came to her and apologized for lying when I interviewed them. On November 19, 2021, during the exit conference Carl Schafer stated he heard all the residents tell Mrs. Schafer they lied during their interview with me.

IV. RECOMMENDATION

Contingent upon receipt of an acceptable corrective action plan I recommend no change in the status of the license.

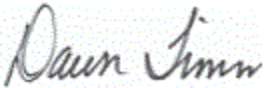


11/19/21

Leslie Herrguth
Licensing Consultant

Date

Approved By:



11/22/2021

Dawn N. Timm
Area Manager

Date