



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

November 8, 2021

Sheri Loomis
Michigan Care, L.L.C.
PO Box 139
Battle Creek, MI 49016-0139

RE: License #: AS130292696
Investigation #: 2021A1024047
Michigan Care

Dear Mrs. Loomis:

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 (616) 356-0183.

Sincerely,

A handwritten signature in cursive script that reads "Ondrea Johnson".

Ondrea Johnson, Licensing Consultant
Bureau of Community and Health Systems
427 East Alcott
Kalamazoo, MI 49001

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AS130292696
Investigation #:	2021A1024047
Complaint Receipt Date:	09/14/2021
Investigation Initiation Date:	09/15/2021
Report Due Date:	11/13/2021
Licensee Name:	Michigan Care, L.L.C.
Licensee Address:	P.O. Box 2738 Kalamazoo, MI 49003
Licensee Telephone #:	(269) 964-8000
Administrator:	Sheri Loomis
Licensee Designee:	Sheri Loomis
Name of Facility:	Michigan Care
Facility Address:	201 North Avenue Battle Creek, MI 49017
Facility Telephone #:	(269) 962-2399
Original Issuance Date:	01/11/2008
License Status:	REGULAR
Effective Date:	08/29/2020
Expiration Date:	08/28/2022
Capacity:	6
Program Type:	DEVELOPMENTALLY DISABLED MENTALLY ILL

II. ALLEGATION(S)

	Violation Established?
Staff does not provide protection in the home because Resident A was hit in the head with a rock by another resident.	No

III. METHODOLOGY

09/14/2021	Special Investigation Intake 2021A1024047
09/15/2021	Special Investigation Initiated – Telephone left voicemail with complainant
09/15/2021	Contact - Telephone call made with Resident A
10/18/2021	Inspection Completed On-site with direct care staff members Anna McCray, Sabrina Maxson, medical coordinator Maggie Tuohy, Residents A, B, and C
11/02/2021	Contact - Document Received Resident A, B, <i>Assessment Plan for AFC Residents, Incident Report</i> and Resident A's hospital discharge paperwork
11/02/2021	Exit Conference with licensee designee Sheri Loomis

ALLEGATION:

Staff does not provide protection in the home because Resident A was hit in the head with a rock by another resident.

INVESTIGATION:

On 9/14/2021, I received this complaint through the Bureau of Community and Health Systems online complaint system. This complaint alleged staff does not provide protection in the home because Resident A was hit in the head with a rock by another resident. This complaint further stated Resident A sustained a head injury and damage to his hand when he was hit in the head.

On 9/15/2021, I left a voicemail with the complainant and asked for a return telephone call.

On 9/15/2021, I conducted an interview with Resident A regarding this allegation. Resident A stated he was hit in the head with a rock by Resident B however did not

see Resident B actually hit him as he was not facing in the direction of Resident B. Resident A stated he and Resident B were the only residents outdoors at the time and they did not have any type of conflict prior to Resident B hitting him with the rock. Resident A stated he usually does not have any issues with Resident B and he “tries to be friends with Resident B.”

On 10/18/2021, I conducted an on-site investigation at the facility with direct care staff members Anna McCray, Sabrina Maxson, medical coordinator Maggi Tuohy, regarding this allegation. Ms. McCray stated on 9/13/2021, Resident A approached frantically informed her that Resident B hit him in the head with a rock. Ms. McCray stated she checked his head and did not see any physical injuries to his head however noticed his knuckles were bloody and saw that his pupils were dilated. Ms. McCray stated she immediately notified her medical coordinator and called Emergency Medical Services (EMS). Ms. McCray stated prior to Resident A informing her about this incident, she observed Resident A sitting outside on the porch along with Resident B which is part of their normal routine. Ms. McCray further stated she works regularly with both Resident A and Resident B and they usually get along well with each other and there were no precipitating factors of arguing that led to this incident. Ms. McCray stated Resident A has not been consistent with his recollection of the incident and Resident B denied hitting Resident A with a rock. Ms. McCray stated she has never heard or observed Resident B to be physically aggressive towards anyone.

Ms. Maxson stated she was notified by Ms. McCray that Resident B hit Resident A with a rock which was reported to Ms. McCray by Resident A. Ms. Maxson stated she worked with both Resident A and Resident B prior to this report being made and did not see any signs of conflict between Resident A and Resident B. Ms. McCray stated neither Resident A nor Resident B have behaviors of demonstrating physical aggression therefore Ms. Maxson was very shocked to hear about this incident. Ms. Maxson stated prior to her leaving the facility, she observed both Resident A and Resident B sitting outside without incidents or showing signs of any alarming behaviors. Ms. Maxson stated she has talked to both Resident A and Resident B about the incident and Resident B denied hitting Resident A.

Ms. Tuohy stated she was very surprised to hear that Resident B hit another resident at the facility as this is very uncharacteristic of him. Ms. Tuohy stated she believed the staff members acted swiftly and appropriately by notifying her immediately of this report and contacting EMS. Ms. Tuohy stated the staff members are going to keep a closer eye on Resident B to ensure that he is not beginning a trend of physical aggression and notified his case manager.

While at the facility, I also interviewed Residents A, B, and C regarding this allegation. Resident A stated he has been doing fine and he does not talk much to Resident B anymore. Resident A stated he does not know why Resident B hit him in the head with a rock and he has not had any further incidents in the home. Resident A could not explain why his hand was bloody from the incident. Resident A stated

there were no other residents outside therefore, he is certain Resident B is the one that hit him. Resident A stated he feels safe and protected by staff members and he does not anticipate any future problems with Resident B.

Resident B denied hitting Resident A in the head and stated he is going to press charges because Resident A has accused him of hitting in the head with rock. Resident B stated he does not bother anyone and does not want to talk about this issue any further.

Resident C stated he talks to both Resident A and Resident B and has not seen any issues between the two. Resident C further stated he has never seen Resident B demonstrate physical aggression.

On 11/2/21, I reviewed the *Assessment Plan for AFC Residents (assessment plan)* for Resident A and Resident B. According to Resident A's plan dated 10/19/21 Resident A can move independently in the community.

According to Resident B's plan dated 2/17/2021, Resident B can move independently in the community however staff must refer to Resident B's behavior plan and follow the protocol in place if Resident B chooses to elope which is one of his past target behaviors. The plan also states Resident B has the ability to control aggressive behavior and gets along with others.

I also reviewed the facility's *AFC Licensing Division-Incident/Accident Report (report)* dated 9/13/2021 written by Baylie McCray. According to this report, Resident A came to staff and stated that he thinks Resident B threw a rock at the back of his head. Resident A did not see the Resident B throw the rock. According to the report, Resident A had a dilated pupil and bloody hand which alarmed staff therefore staff immediately called the medical coordinator on call and dialed 911. According to the report, staff followed EMS to Kalamazoo Bronson hospital and awaited results of Resident A's screening.

I reviewed Resident A's discharge paperwork from Bronson Hospital dated 9/13/2021. According to this paperwork, Resident A was evaluated and diagnosed with contusion of right ring finger without damage to nail. It should be noted a CT brain scan was conducted and there is no mention of a head injury written on this report.

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:	Based on my investigation which included interviews with direct care staff members Anna McCray, Sabrina Maxson, medical coordinator Maggie Tuohy, and Residents A, B, C there is no evidence to support the allegation staff does not provide protection in the home because Resident A was hit in the head with a rock by another resident. It is unclear how Resident A's hand was injured as Resident B denied hurting Resident A and Resident A could not explain the injury. According to Ms. McCray, she became alarmed and called 911 when Resident A was observed to have blood on his hand and dilated pupils when Resident A reported this incident to her. Both Ms. McCray and Ms. Maxson stated there were no indicators to show that there was prior conflict between Resident A and Resident B and Resident B has no history of demonstrating physical aggression. Resident A was not diagnosed with any head injury after being evaluated at the hospital. Resident A stated he feels safe and protected by staff members and he has not had any further issues with Resident B. Resident A personal needs, including safety and protection is attended to at all times.
CONCLUSION:	VIOLATION NOT ESTABLISHED

On 11/2/2021, I conducted an exit conference with licensee designee Lori Loomis. I informed Ms. Loomis of my findings and allowed her an opportunity to make comments or ask questions.

IV. RECOMMENDATION

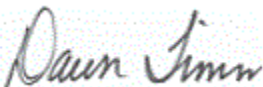
I recommend the current license status remain unchanged.



Ondrea Johnson
Licensing Consultant

11/2/2021
Date

Approved By:



11/08/2021

Dawn N. Timm
Area Manager

Date