



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

January 3, 2022

Trina Watson
Waterford Oaks Senior Care Inc.
6474 Oak Valley Rd.
Waterford, MI 48237

RE: License #: AL630337056
Investigation #: 2022A0605007
Waterford Oaks Senior Care, Inc. West

Dear Ms. Watson:

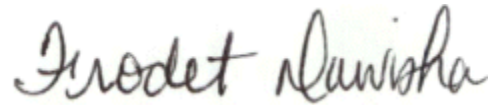
Attached is the Special Investigation Report for the above referenced facility. Due to the violations identified in the report, a written corrective action plan is required. The corrective action plan is due 15 days from the date of this letter and must include the following:

- 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 (248) 975-5053.

Sincerely,

A handwritten signature in cursive script that reads "Frodet Dawisha".

Frodet Dawisha, Licensing Consultant
Bureau of Community and Health Systems
Cadillac Place, Ste 9-100
Detroit, MI 48202
(248) 303-6348

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AL630337056
Investigation #:	2022A0605007
Complaint Receipt Date:	11/09/2021
Investigation Initiation Date:	11/09/2021
Report Due Date:	01/08/2022
Licensee Name:	Waterford Oaks Senior Care Inc.
Licensee Address:	3385 Pontiac Lake Road Waterford, MI 48328
Licensee Telephone #:	(248) 390-6602
Administrator/Licensee Designee:	Trina Watson
Name of Facility:	Waterford Oaks Senior Care, Inc. West
Facility Address:	3387 Pontiac Lake Road Waterford, MI 48328
Facility Telephone #:	(248) 682-6788
Original Issuance Date:	05/14/2013
License Status:	REGULAR
Effective Date:	01/09/2020
Expiration Date:	01/08/2022
Capacity:	20
Program Type:	AGED

II. ALLEGATION(S)

	Violation Established?
A direct care staff (DCS) Dominiqua Johnson pushed Resident A and made abusive statements towards Resident A after Resident A made a racist statement towards the staff member.	Yes

III. METHODOLOGY

11/09/2021	Special Investigation Intake 2022A0605007
11/09/2021	Special Investigation Initiated - Telephone I contacted the general manager Fritzie Vader regarding the allegations.
11/15/2021	Inspection Completed On-site I conducted an on-site investigation. I interviewed Resident A, Resident B, Resident C, supervisor Rachel Clink and chef Roger Pool-Blaire regarding the allegations.
12/14/2021	Contact - Telephone call made I interviewed direct care staff (DCS) Brianna McMurray regarding the allegations.
12/16/2021	Contact - Telephone call made I interviewed DCS Dominique Johnson regarding the allegations.
01/03/2022	Exit Conference I conducted the exit conference via telephone with licensee designee Trina Watson with my findings.

ALLEGATION:

A direct care staff (DCS) Dominiqua Johnson pushed Resident A and made abusive statements towards Resident A after Resident A made a racist statement towards the staff member.

INVESTIGATION:

On 11/09/2021, intake #183243 was assigned per incident report dated 11/08/2021 regarding Resident A called, direct care staff (DCS) Dominiqua Johnson a “black bitch.” Ms. Johnson stated, “Oh hell no, you’re not talking to me like that,” and then pushed Resident A away. Ms. Johnson’s employment was immediately terminated.

On 11/09/2021, I interviewed General Manager of Waterford Oaks Senior Care Fritzie Vader regarding the allegations. Ms. Vader stated Resident A has traumatic brain injury (TBI) due to being in a severe car accident. Resident A uses "foul language," consistently with "a smile on her (Resident A) face." Ms. Vader stated when a new staff is hired, new staff is made aware of Resident A's disability and the foul language Resident A uses. Ms. Vader stated DCS Dominiqua Johnson was hired on 11/08/2021 and this was her first day of training as well. Ms. Vader stated that Ms. Johnson was informed of Resident A's disability and that "Resident A says inappropriate things at times, including uses foul language." Ms. Vader stated Ms. Johnson was paired up with DCS Brianna McMurray for shadowing. Resident A had a large bowel movement (BM), so Ms. McMurray and Ms. Johnson went to assist in changing Resident A's adult briefs. Ms. Vader stated as both staff were assisting in changing Resident A, Resident A said to Ms. Johnson, "black bitch." Ms. Johnson then said, "Oh hell no, you're not talking to me like that," and then pushed Resident A away. Resident A rolled onto her back. Resident A was not injured. Resident A was assisted by two other staff as a verbal altercation occurred between Ms. Johnson and Ms. McMurray. Ms. Vader heard Ms. Johnson make statements of violent intent towards Ms. McMurray, but Ms. Johnson did not follow through. Ms. Johnson was terminated immediately and escorted out of Waterford Oaks Senior Care. Ms. Vader stated their hiring process will now include making sure new staff understand that residents with disabilities; dementia and/or TBI may make racist statements at times, but that staff must remain professional and not react to the statements.

On 11/15/2021, I conducted an on-site investigation at Waterford Oaks Senior Care. I interviewed Resident A, Resident B, and Resident C. I also interviewed the supervisor Rachel Clink and the chef Roger Pool-Blaire who were present during the incident on 11/08/2021.

On 11/15/2021, I interviewed Resident A in her bedroom regarding the allegations. Resident A is wheelchair bound. She stated, "I don't remember," when asked about the incident with DCS Brianna McMurray and DCS Dominiqua Johnson. Resident A stated, "staff is fine," and then said, "alright, we're done." The interview was ended.

On 11/15/2021, I interviewed Resident B inside her bedroom regarding the allegations. Resident B is also wheelchair bound. She stated, "some staff are better than others," but she "is not good with names," therefore, she was unable to provide further details. Resident B stated, "whenever I need something, I use the pull and staff come to assist me." She stated staff always showed up whenever she used the pull and needed assistance.

On 11/15/2021, I interviewed Resident C regarding the allegations. Resident C is ambulatory and stated she does not require any durable medical equipment. Resident C stated, "I get very good care. The food is good, and I like the companionship, it's nice. My room is always clean." Resident C stated there was one staff that was not nice who "ignored her." She stated, "this was a new younger staff because another staff was

training her.” Resident C does not recall the names of the staff because she stated, “I have difficulty remembering things.” She went on to say that she said “Hi,” to the new staff but, “she ignored me. I didn’t like that.” Resident C was unable to provide any further details.

On 11/15/2021, I interviewed the supervisor Rachel Clink regarding the allegations. Ms. Clink began employment with Waterford Oaks Senior Care a month ago. She was present during the incident on 11/08/2021 but did not witness what happened. However, Ms. Clink stated, “I heard the argument only.” Ms. Clink was in Resident B’s bedroom which is a couple of doors down from Resident A’s bedroom. Ms. Clink heard “yelling and screaming,” coming from the direction of Resident A’s bedroom and then she heard, Ms. Johnson and Ms. McMurray arguing. Ms. Clink heard Ms. Johnson say to Ms. McMurray, “I’ll shove you to the ground too.” Then Ms. Clink heard Ms. McMurray say, “You don’t treat residents that way.” Ms. Clink came outside of Resident B’s bedroom and saw Resident A’s bedroom call light on and then saw Ms. Johnson and Ms. McMurray outside of Resident A’s bedroom arguing and walking towards the front office. Ms. Clink went into Resident A’s bedroom and observed that Resident A was undressed from the waist down and a brief was covering her genitals. Ms. Clink stated, “Resident A seemed aloof,” to what happened and had no marks or injuries after Ms. Clink examined her body. Ms. Clink called a manager who assisted in changing Resident A who is a two person assist. Ms. Clink stated she does not know what happened after Ms. Johnson and Ms. McMurray walked towards the office. She stated, “I was told that Dominiqua was fired.”

On 11/15/2021, I interviewed Waterford Oaks Senior Care’s chef, Roger Pool-Blaire in the kitchen regarding the allegations. The call light panel is in the kitchen. Mr. Blaire stated he heard a commotion outside the kitchen and noticed Resident A’s call light was on. Ms. McMurray then came into the kitchen and told Mr. Blaire, “Resident A called Dominiqua something and then Dominiqua shoved Resident A.” Mr. Blaire stated then Ms. Johnson came into the kitchen and both Ms. Johnson and Ms. McMurray began arguing. Mr. Blaire told Ms. Johnson, “You can’t take anything Resident A says to heart. She has a disability.” Ms. Johnson continued to argue with Ms. McMurray, and both left the kitchen and went towards the office. Mr. Blaire stated Resident A’s call light was still on, so he went to check on Resident A. Mr. Blaire stated, “as I walked into her (Resident A) room, I noticed she was uncovered and her genitals were exposed. I picked up a brief and covered her genitals.” He stated then Ms. Rink and one of the managers arrived at Resident A’s bedroom and changed Resident A. He stated Resident A did not appear harmed or affected by what happened in any way. He stated Ms. Johnson was fired.

On 12/14/2021, I interviewed DCS Brianna McMurray via telephone regarding the allegations. Ms. McMurray stated it was DCS Dominiqua Johnson’s first day of training on 11/08/2021. It was getting towards the end of their morning shift when Resident A had a BM and needed to be changed. Resident A is wheelchair bound and a two-person assist. Ms. Johnson was holding Resident A to the side while Ms. McMurray was cleaning/changing Resident A’s brief. Resident A then said, “black bitch,” to Ms.

Johnson. Ms. Johnson said, "You can wipe your own ass. No one is going to talk to me like that." Then Ms. Johnson, "let go," of Resident A and then Resident A rolled onto her back on the bed. Ms. Johnson left the bedroom, leaving Ms. McMurray alone. Ms. McMurray stated she pulled the cord for assistance and then looked outside of Resident A's bedroom to see if the supervisor Rachel Rink was around. Ms. McMurray stated she saw Ms. Johnson walking back towards her and then Ms. Johnson said, "I'm not gonna let nobody talk to me like that." Ms. McMurray stated she tried to explain to Ms. Johnson that Resident A has a TBI and not to take anything Resident A says to heart. Ms. Johnson then said, "I don't give a fuck, they not gonna talk to me like that." Ms. McMurray asked Ms. Johnson to get the general manager Fritzie Vader and Ms. Johnson said, "No, you go get Fritzie." Ms. McMurray told Ms. Johnson, "You can't push residents like that." Ms. Johnson replied, "I don't give a fuck. I'll push you down too." Ms. McMurray left Resident A's bedroom and proceeded to walk towards the office to get Ms. Vader. Ms. Johnson followed me (Ms. McMurray) yelling and screaming at me (Ms. McMurray) and then told me, "I'm going to whoop your ass." Ms. McMurray stated, they reached the office and Ms. Vader "got in between us," and Ms. Vader told Ms. McMurray to leave the office, which Ms. McMurray did. Ms. McMurray stated she saw Ms. Vader walk Ms. Johnson out of the building and then was told by Ms. Vader that Ms. Johnson's employment was terminated. Ms. McMurray stated Resident A was not injured but seemed upset about what happened.

On 12/16/2021, I interviewed DCS Dominiqua Johnson via telephone regarding the allegations. Ms. Johnson stated 11/08/2021 was her first day of employment at Waterford Oaks Senior Care and first day of training. Ms. Johnson stated she was advised at hire that some of the residents, including Resident A uses foul language due to their disability. Ms. Johnson stated she understood, that but reacted when it happened. She stated it was toward the end of their shift around 2:30PM when she and DCS Brianna McMurray whom she was shadowing were going to change Resident A who is a two-person assist. Ms. Johnson stated, "I was holding Resident A towards me while Brianna was changing her. Resident A started saying derogatory things, so I let her go and walked out of the room." Ms. Johnson stated, "Brianna told the manager (Fritzie Vader), that I pushed Resident A, but I didn't. I just let go of Resident A and Resident A rolled onto her back. I never pushed or shoved her." Ms. Johnson stated after she left Resident A's bedroom, she walked back to the bedroom to help Ms. McMurray finish changing Resident A, but then Ms. McMurray began, "yelling at me." Ms. Johnson told Ms. McMurray, "I'm not going to let her (Resident A) call me black bitch. I left my other job because I wasn't getting respect from staff and I understand residents have rights, but I'm not going to work in an uncomfortable environment and let anyone call me names." Ms. Johnson stated she and Ms. McMurray began arguing and then went into the office where Ms. Vader asked Ms. Johnson to leave the building and Ms. Johnson stated, "I quit that place."

On 01/03/2022, I conducted the exit conference via telephone with licensee designee Trina Watson with my findings. Ms. Watson did not agree with my findings and stated that Waterford Oaks Senior Care did not have any control over DCS Dominiqua Johnson's actions. Ms. Watson stated it was Ms. Johnson's first day of hire and training

on 11/08/2021 when the incident occurred in front of Resident A. Ms. Watson stated Resident A was not harmed and the general manager Fritzie Vader terminated Ms. Johnson's employment immediately. Ms. Watson stated Ms. Vader hired Ms. Johnson and asked all the right questions during the interview which Ms. Johnson appeared to have responded correctly. In addition, Ms. Johnson completed the recipient rights training and was informed of Resident A's TBI and the use of foul language. Ms. Watson stated she and Ms. Vader have revamped their interviewing process to include examples of Resident A's use of foul language without using Resident A's name to see how the new hire responds. Ms. Watson hopes this will weed out the unsuitable staff; however, the new interviewing process cannot guarantee all new hires will not react the same way as Ms. Johnson did. Ms. Watson agreed to submit an acceptable corrective action plan regarding my findings.

APPLICABLE RULE	
R 400.15204	Direct care staff; qualifications and training.
	(2) Direct care staff shall possess all of the following qualifications: (a) Be suitable to meet the physical, emotional, intellectual, and social needs of each resident.
ANALYSIS:	<p>Based on my investigation and information gathered, DCS Dominiqua Johnson was not suitable to meet the physical, emotional, intellectual, and social needs of Resident A. Resident A has a TBI and because of her TBI, sometimes uses foul language towards staff. On 11/08/2021, it was Ms. Johnson's first day of hire and first day of training with DCS Brianna McMurray. Ms. Johnson completed her recipient rights training and was informed by the general manager Fritzie Vader that Resident A uses foul language due to her TBI and Ms. Johnson acknowledged. However, when Ms. McMurray and Ms. Johnson were assisting in changing Resident A, Resident A called Ms. Johnson a "black bitch." Ms. Johnson who was holding Resident A to one side while Ms. McMurray was changing Resident A's brief, let go of Resident A. Resident A rolled onto her back. Ms. Johnson said, "I'm not gonna let anyone talk to me like that," and then left the room. Resident A was not harmed during this incident; however, a verbal argument began between Ms. McMurray and Ms. Johnson in front of Resident A. Ms. Johnson was then terminated immediately by Ms. Vader.</p> <p>In addition to terminating Ms. Johnson's employment, the licensee designee Trina Watson has modified the interview process of new hires to include scenarios and/or examples of</p>

	Resident A's foul language to determine how new hires respond in those situations.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

Contingent upon receiving an acceptable corrective action plan, I recommend no modifications to the status of the license.

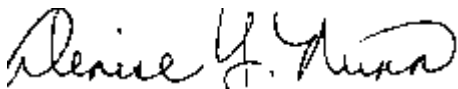


01/03/2022

Frodet Dawisha
Licensing Consultant

Date

Approved By:



01/03/2022

Denise Y. Nunn
Area Manager

Date