



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

January 4, 2022

Lena Faling
3318 Vrooman Rd
Jackson, MI 49201

RE: License #: AS380389161
Investigation #: 2022A0122012
Senior Moments Assisted Living

Dear Lena Faling:

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.
ct.

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) 284-9720.

Sincerely,



Vanita C. Bouldin, Licensing Consultant
Bureau of Community and Health Systems
22 Center Street
Ypsilanti, MI 48198
(734) 395-4037

Enclosure

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

I. IDENTIFYING INFORMATION

License #:	AS380389161
Investigation #:	2022A0122012
Complaint Receipt Date:	12/15/2021
Investigation Initiation Date:	12/15/2021
Report Due Date:	02/13/2022
Licensee Name:	Lena Faling
Licensee Address:	3318 Vrooman Rd Jackson, MI 49201
Licensee Telephone #:	(517) 917-3988
Administrator:	N/A
Licensee Designee:	N/A
Name of Facility:	Senior Moments Assisted Living
Facility Address:	3200 Horton Rd Jackson, MI 49203
Facility Telephone #:	(517) 917-3988
Original Issuance Date:	04/06/2018
License Status:	REGULAR
Effective Date:	10/06/2020
Expiration Date:	10/05/2022
Capacity:	6
Program Type:	ALZHEIMERS AGED

II. ALLEGATION(S)

	Violation Established?
The number of residents admitted and cared for is over the licensed capacity.	Yes

III. METHODOLOGY

12/15/2021	Special Investigation Intake 2022A0122012
12/15/2021	Special Investigation Initiated - On Site Completed onsite inspection. Four staff members present, 13 residents present. Completed interview with Lena Failing, Licensee.
12/17/2021	Contact – Telephone call made Completed interview with Mahtina Rubritius, Licensing Consultant.
12/21/2021	Contact – Telephone call made Completed interview with Lena Failing.
12/21/2021	Exit Conference Discussed finding with Lena Failing, Licensee.
12/24/2021	Contact – Document sent Lena Failing, Licensee. Requested resident names, date of births, and next of kin/guardian.
12/27/2021	Contact – Document Sent Lena Failing, Licensee. Requested resident information. No response from 12/24/2021.
12/27/2021	Contact – Telephone call made Lena Failing, Licensee. Received voice message phone is not in working order.
12/28/2021	Inspection Completed Onsite Received resident information from direct care staff, Wendy Rasmussen. Pictures taken of new hall/wing.

ALLEGATION: The number of residents admitted and cared for is over the licensed capacity.

INVESTIGATION: On 12/15/2021, I completed an onsite inspection. There were 4 direct care staff present which included Shalonda Dawson. Ms. Dawson reported there were 13 residents admitted to the facility. Wendy Rasmussen and Michelle Cox, direct care staff members were present. Ms. Rasmussen verified there were 13 residents placed in the facility, she believed an application had been submitted for the new wing and there was a wait for a state representative to approve the wing. Ms. Rasmussen stated the new wing is called Senior Memories 2 and an application should be submitted to our department for processing.

I observed a new door off the main living area of the licensed adult foster care facility which included a hallway with new resident bedrooms, bathroom, and kitchen/dining areas. Senior Moments Assisted Living adult foster care facility has a licensed capacity of 6. The licensed facility houses bedrooms 1 – 4, which had a total of 7 resident names on the bedroom door signs.

In the new wing of the facility, I observed residents' names placed outside the resident bedroom doors. I observed bedrooms 5 – 8, with a total of 6 names placed on the bedroom door signs. Based upon my observations of the resident bedroom signs there are a total of 13 residents placed in the licensed facility. Pictures are included.

On 12/15/2021, I spoke with Lena Failing, Licensee Designee, informing her that I had completed an onsite inspection and observed the new wing. Arrangements would be made at a future date to assess the new wing and make recommendations. Ms. Failing stated that an application for the new wing had been submitted to the Department, Licensing and Regulatory Affairs – Bureau of Community Health and Systems.

On 12/15/2021, I completed an onsite inspection of Senior Meadows Assisted Living – UA380406994, located at 4940 E. Michigan Avenue, Jackson. I found the facility to be vacant with a “For Sale” sign placed at the front of the property. Picture included.

On 12/15/2021, I looked up Senior Memories 2 and Senior Moments 2 in the Bureau of Community Health and Systems data base for enrolled applications. There was no listing of enrolled applications under those names.

On 12/17/2021, I completed an interview with Mahtina Rubritius, Licensing Consultant. Ms. Rubritius reported that she completed an unlicensed investigation for the property of 4940 East Michigan Avenue, Jackson, MI 49201. According to Ms. Rubritius she received an intake which stated allegations that an adult foster care facility was being operated by Lena Failing without a license. Per Ms. Rubritius she completed an investigation and found that the allegations were true. She issued her findings to Ms. Failing and directed her to submit an adult foster care licensing

application to operate a small group home. Ms. Rubritius stated that the application was received by Licensing and Regulatory Affairs – Bureau of Community Health and Systems, processed, and she completed the enrollment process until the license was issued for the above property for AS380405366 – Senior Meadows Assisted Living.

On 12/21/2021, I completed an exit conference with Lena Failing. My findings were discussed with Ms. Failing. Ms. Failing stated the following: In regard to being over capacity for the licensed facility, she stated that a family member has resided in the facility since it opened, and she did not know that person had to be counted the same as a resident. Ms. Failing stated that failing to provide a written statement of the changes made to the facility in terms of the new wing addition was part of an emergency plan she developed to address staffing issues and needing to close another facility. She wanted to accommodate all the residents safely and it was her intention to follow licensing protocol. Ms. Failing acknowledged that the facility located at 4940 E. Michigan Avenue, Jackson MI 4920, was part of an unlicensed investigation. However, she believed the previous license was active during her transition of acquiring the facility and caring for residents.

Ms. Failing stated she will submit a corrective action plan to address all rule violations found in this investigation.

APPLICABLE RULE	
R 400.14105	Licensed capacity.
	(1) The number of residents cared for in a home and the number of resident beds shall not be more than the capacity that is authorized by the license.
ANALYSIS:	<p>On 12/15/2021, direct care workers, Shalonda Dawson and Wendy Rasmussen reported that there were 13 residents admitted to the adult foster care facility, Senior Moments Assisted Living, 3200 Horton Rd, Jackson, MI 49203.</p> <p>On 12/15/2021, I observed 8 bedrooms in the facility with 13 resident bedroom door signs identifying residents placed in the bedrooms.</p> <p>Based upon my investigation, I have determined that the residents cared for, and the number of resident beds are more than the capacity authorized by the license.</p>
CONCLUSION:	VIOLATION ESTABLISHED

APPLICABLE RULE	
R 400.14103	Licenses; required information; fee; effect of failure to cooperate with inspection or investigation; posting of license; reporting of changes in information.
	(5) An applicant or licensee shall give written notice to the department of any changes in information that was previously submitted in or with an application for a license, including any changes in the household and in personnel-related information, within 5 business days after the change occurs.
ANALYSIS:	<p>On 12/15/2021, I observed a new door off the main living area of the licensed adult foster care facility which included a hallway with new resident bedrooms, bathroom, and kitchen/dining area. A new wing had been added to the licensed facility of Senior Moments Assisted Living.</p> <p>On 12/15/2021 and 12/21/2021, Lena Failing admitted that she failed to give written notice to the department of changes made to the licensed facility of Senior Moments Assisted Living.</p>
CONCLUSION:	VIOLATION ESTABLISHED

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:	<p>On 12/15/2021, direct care workers, Shalonda Dawson and Wendy Rasmussen reported that there were 13 residents admitted to the adult foster care facility, Senior Moments Assisted Living, 3200 Horton Rd, Jackson, MI 49203.</p> <p>On 12/15/2021, I observed 8 bedrooms in the facility with 13 resident bedroom door signs identifying residents placed in the bedrooms.</p> <p>Based upon my investigation the number of residents being provided care to requires the property to be inspected by the Bureau of Fire and Safety to make certain all Fire Safety rules and regulations are met. Lena Failing, Licensee, failed to report the increased capacity; therefore, an inspection by the Bureau of Fire and Safety was not completed on the property placing residents at potential risk.</p>
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

Contingent upon receipt of an acceptable corrective action plan, I recommend modification of the license to provisional with the agreement that an application for increased capacity will be submitted within one week of receipt of this report.



Vanita C. Bouldin
Licensing Consultant

Date: 12/28/2021

Approved By:



Ardra Hunter
Area Manager

Date: 01/04/2022