



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

January 20, 2022

Charity Miller
Passionate Home LLC
465 W Pleasant Street
Hubbardston, MI 48845

RE: License #: AS340408187
Investigation #: 2022A1029021
Passionate Home LLC

Dear Ms. Miller:

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 (231) 922-5309.

Sincerely,

A handwritten signature in black ink that reads "Jennifer Browning". The script is cursive and fluid, with the first name and last name clearly distinguishable.

Jennifer Browning, Licensing Consultant
Bureau of Community and Health Systems

Browningj1@michigan.gov

989-444-9614

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AS340408187
Investigation #:	2022A1029021
Complaint Receipt Date:	01/05/2022
Investigation Initiation Date:	01/05/2022
Report Due Date:	03/06/2022
Licensee Name:	Passionate Home LLC
Licensee Address:	465 W Pleasant Street HUBBARDSTON, MI 48845
Licensee Telephone #:	(989) 436-3424
Administrator:	Charity Miller
Licensee Designee:	Charity Miller
Name of Facility:	Passionate Home LLC
Facility Address:	465 W Pleasant Street Hubbardston, MI 48845
Facility Telephone #:	(989) 981-6375
Original Issuance Date:	07/21/2021
License Status:	TEMPORARY
Effective Date:	07/21/2021
Expiration Date:	01/20/2022
Capacity:	6
Program Type:	PHYSICALLY HANDICAPPED DEVELOPMENTALLY DISABLED MENTALLY ILL AGED

II. ALLEGATION(S)

	Violation Established?
Licensee designee Charity Miller is allowing her boyfriend Preston Galvin to reside in the adult foster care home and he has been convicted of a felony.	Yes
Licensee designee Charity Miller and household member Preston Galvin are using the resident funds to pay for their own personal expenses.	No

III. METHODOLOGY

01/05/2022	Special Investigation Intake 2022A1029021
01/05/2022	Special Investigation Initiated – Telephone to Witness 1.
01/06/2022	Contact - Face to Face with licensee designee Charity Miller and direct care staff member Robin Miller
01/11/2022	Contact - Document Sent email to Pam Keefer Mid-Michigan Guardianship Services
01/12/2022	Contact - Telephone call made to Pam Keefer Mid-Michigan Guardianship Services
01/12/2022	Contact - Telephone call made to direct care staff member, Brittany Peirce
01/12/2022	Contact - Telephone call made to Preston Galvin
01/12/2022	Contact - Telephone call made to direct care staff member, Robin Miller
01/14/2022	Contact - Document Sent email to Charity Miller
01/14/2022	Exit conference with Charity Miller
01/18/2022	Document received – BCHS 100 signed by Mr. Galvin received and sent to licensing unit for processing.

ALLEGATION:

Licensee designee Charity Miller is allowing her boyfriend Preston Galvin to reside in the adult foster care home and he has been convicted of a felony.

INVESTIGATION:

On January 5, 2022 a complaint was received from the BCHS online complaint system that licensee designee Charity Miller was allowing her boyfriend to live in the home with the residents and he has a felony conviction.

On January 5, 2022, I spoke with Witness A. She stated she is familiar with a probate case Preston Galvin is currently involved in. She stated she knows he is residing at the home because she has "a feeling." Witness A stated Mr. Galvin he does not have an address and wants to have his visits there with his child. Witness A felt it was not an appropriate place to have a visit with a child since there is no way to know who lives there since it is an adult foster care facility and may not be appropriate for a child. Witness A alleged Mr. Galvin has a charge from three to five years ago for methamphetamine.

On January 5, 2022, I searched the name Preston Galvin on the Michigan Department of Corrections Offender Tracking Information System and there were no results for his name. According to the Michigan Department of Corrections website, this search does not contain information about offenders who have been off supervision for more than three years. I also searched his name on the Michigan Sex Offender Registry with no results for his name.

On January 6, 2022, an on-site inspection was completed to renew the adult foster care license at Passionate Home. Licensee designee Ms. Miller and her mother who is employed as a direct care staff member Robin Miller was present during the inspection. The concerns in this complaint were addressed at this time. During the renewal inspection, Ms. Miller was asked who resides in the adult foster care and she denied that anyone lived in the home with her with exception of the residents. She was asked if there are any volunteers that work in the home providing activities, maintenance, or volunteering in the home. She said she will have her boyfriend Preston Galvin perform maintenance tasks at the facility. She stated she does not have any concerns regarding him being around the residents. Ms. Miller stated she assures that Mr. Galvin does not perform any personal care tasks and he is not trained as a direct care staff member.

Ms. Miller stated Preston Galvin got into legal trouble years ago and served some jail time. She said he had a felony in the past but denied knowing exactly what it was for but stated it was drug related for marijuana. Ms. Miller denied that Mr. Galvin's child or child visitation has ever been at Passionate Home. Ms. Miller stated Mr. Galvin has stayed overnight at the home on the nights when she is not working. Ms. Miller stated she is in the process of moving out of the adult foster care home and does not plan to live there long-term.

On January 11, 2022, I emailed Pam Keefer from Mid-Michigan Guardianship Services who is the current guardian for all residents residing at Passionate Home. Ms. Keefer emailed noting that she had no concerns regarding the care that Ms. Miller has been providing. Ms. Keefer stated Ms. Miller was doing an excellent job providing care for the

residents at Passionate Home. Ms. Keefer said she had no concerns of anyone being around the residents that would cause concern. Ms. Keefer stated she saw a man last time she was there to visit with residents but did not know who he was however there was nothing alarming about his presence. Ms. Keefer stated she will also discuss this with Ms. Miller about having him around the residents.

On January 12, 2022, I spoke with direct care staff member Brittany Pierce who stated it was only Ms. Miller who resides in the home. There are currently three direct care staff members employed at Passionate Home. She has been employed at Passionate Home since November 28, 2021. Ms. Pierce denied that there were any volunteers at the home or any male at the home on a regular basis. Ms. Pierce stated she was familiar with Mr. Preston Galvin and stated he had done some maintenance work in the past but there has been nothing needed lately. She does not believe that he lives in the home. She works Thursday, Friday, and Saturday and she only sees him a couple times when she is working. She has never observed him to provide any personal care or assistance to the residents. She does not have any concerns with him being around the residents and described him as a "quiet and nice guy."

On January 12, 2022, I interviewed Charity Miller's boyfriend, Mr. Preston Galvin. He stated he is homeless and will stay overnight at the adult foster care home and a few other friends' homes each night. He will typically stay at the adult foster care facility a couple nights per week. He stated he has a felony on his record from five years ago for possession of marijuana. When asked about the offense, he stated during a drug raid the marijuana was found in a trash can. He was incarcerated at the Isabella County Jail and was then transferred to prison. After he was released, he was on probation and parole. He said he has talked to Ms. Miller about these charges in the past because they were together when this occurred. Mr. Galvin was asked about current drug use and he stated he still uses marijuana and has a current medical marijuana card due to some health conditions. He denied that he has used marijuana or any other drugs at Passionate Home. He denied providing any personal care to the residents in the home. Ms. Miller and he are looking at buying a home soon and Ms. Miller will be able to move out of the adult foster care home. He stated he was going through a rough patch in his life. Mr. Miller stated his address on his license was his old address in Crystal, Michigan but he does not reside there any longer. His mailing address is currently the same address at the AFC facility Passionate Home LLC so he can receive his court paperwork.

On January 12, 2022, I interviewed direct care staff member Robin Miller. Ms. R. Miller stated Preston Galvin has been at the adult foster care home once in a while. She stated she does not know if he is there at night because she works day shift until 8:00 p.m. but she does see him occasionally. Ms. R. Miller stated she did not believe he was living in the AFC home because she assumes she would see him a lot more often. Ms. R. Miller stated she was aware of Mr. Galvin's criminal history because she was told "he was in the wrong place at the wrong time when a raid went through." She said she does not have any concerns with him being at the adult foster care home. He has always been very kind when he is there. She said he is not working currently because he has

health concerns and is in the process of applying for disability. Ms. Miller stated she has known Mr. Galvin since he was five years old and does not have concerns regarding his criminal history putting the adult foster care residents at risk.

On January 14, 2022, the exit conference was completed with Ms. C. Miller. She stated she understood Preston Galvin was using her address as a mailing address for his court documents. An *Adult Foster Care Licensing Information Request (BCHS-100)* was sent to Ms. Miller for Mr. Galvin to be cleared as a household member. Ms. Miller stated Mr. Galvin agreed to complete this form and it was sent for processing to the adult foster care licensing unit on January 18, 2022. Ms. Miller completed a workforce background check for Mr. Galvin and on January 18, 2022 an exclusion notice with a permanent exclusion was received for Mr. Galvin which was forwarded to Ms. Miller.

APPLICABLE RULE	
R 400.14201	Qualifications of administrator, direct care staff, licensee, and members of the household; provision of names of employee, volunteer, or member of the household on parole or probation or convicted of felony; food service staff.
	(13) A licensee shall provide the department with the name of any employee, volunteer who is under the direction of the licensee, or member of the household who is on a court-supervised probation or parole or who has been convicted of a felony.
ANALYSIS:	<p>According to Mr. Preston Galvin and others interviewed, Mr. Galvin has been convicted of a felony in the past. Interviews with direct care staff members Brittany Pierce and Robin Miller as well as licensee designee, Charity Miller revealed that Mr. Galvin does not reside in the home. However, Mr. Galvin stated he uses the address of the adult foster care home as his mailing address because he is currently homeless and he also sleeps at the AFC facility approximately two nights per week.</p> <p>Since he is currently using the facility address as his mailing address, the address on his driver's license is his previous residence which he stated he no longer lives, and he is homeless, it appears that Passionate Home is his current address and he is residing at Passionate Home. Ms. Miller failed to notify the department that Mr. Galvin was living in the adult foster care facility and that he had a previous felony.</p>
CONCLUSION:	VIOLATION ESTABLISHED

ALLEGATION:

Licensee designee, Charity Miller and Preston Galvin are using the resident funds to pay for their own personal expenses.

INVESTIGATION:

On January 5, 2022 a complaint was received from the BCHS online complaint system that Ms. Miller was spending the residents personal care funds on her personal groceries. There were concerns that she was keeping resident personal care funds for her own use.

On January 5, 2022, I spoke with Witness A. She stated that she is familiar with Ms. C. Miller because she is affiliated with a probate court case with Mr. Galvin. Witness A stated she knows resident funds were used by Ms. Miller and Mr. Galvin because, "You put it together" and that he is a "shady person" and it adds up. Witness A denied that she had spoken with any resident about their specific funds nor had she reviewed any of their records. Witness A also stated she thought Mr. Galvin was taking resident fund because he has different cars and dresses "nicer than a homeless no money person does." Witness A had no details regarding the allegation of residents being financially exploited.

On January 6, 2022, an on-site inspection was completed to renew the adult foster care license at Passionate Home. Licensee designee Ms. C. Miller, and her mother who is employed as a direct care staff member, Robin Miller were present during the inspection. The concerns in this complaint were addressed at this time. Both of them denied there had been any misuse of the residents' funds. Ms. Miller was able to show *Resident Funds Part I and II* for all residents. Residents personal care funds were counted for two residents and they both matched with the balance on the *Resident Funds Part II* form. Ms. Miller stated she is the only one person who has access to the resident funds. Mr. Galvin does not have access to any of the funds or resident records for the residents. She maintains this policy even when friends of hers come over because she does not want anything to be stolen.

On January 11, 2022, I emailed Pam Keefer from Mid-Michigan Guardianship Services to see if she has had concerns regarding Passionate Home. Ms. Keefer said she had no concerns of Ms. Miller or anyone else taking the residents' personal care funds for her own use. She stated she has been to the home unannounced and has never noticed anything amiss. Ms. Keefer stated Ms. Miller has never asked for more money for the residents. Ms. Keefer stated that she has offered to send more in the past but Ms. C. Miller reported the residents do not need anything. Ms. Keefer stated the residents residing at Passionate Home are cognitively impaired and would not be able to complete an interview or have any knowledge about their personal care funds. She stated they would not answer questions regarding this or would answer with a response unrelated to the question.

On January 12, 2022, I spoke with direct care staff member, Brittany Peirce. She stated that she does not have access to the residents' personal care funds and does not know where it is kept. She has never accessed the resident funds for Ms. Miller. While she was working one day, she noticed that Ms. Miller took money out of one of the residents' funds because a resident needed personal care spending money for a trip to the aquarium. She wrote a receipt for this so the resident could have spending money.

She has never observed Mr. Galvin to have access to the personal funds. Ms. Peirce does not ever notice Ms. Miller to buy groceries for herself while she has been there. She does not have any concerns regarding Ms. Miller using the personal care spending money.

On January 12, 2022, I interviewed Preston Galvin. Mr. Galvin denied that he has any part of the personal care funds or money. He said that he has nothing to do with the business. He does not have concerns that Ms. Miller is using the resident's money. He did not know where the personal funds are kept for the residents.

On January 12, 2022, I called direct care staff member, Robin Miller. She has never had any concerns regarding Charity Miller or Preston Galvin taking any of the resident funds or using this money inappropriately. She has never observed Ms. Miller, Mr. Galvin, or any other direct care staff members take funds for their own personal use. She has observed Ms. Miller take money out for different resident activities and she is always careful to document any transaction with their money and sees her lock the money back in the cupboard.

APPLICABLE RULE	
R 400.14315	Handling of resident funds and valuables.
	(10) A licensee, administrator, direct care staff, other employees, volunteers under the direction of the licensee, and members of their families shall not accept, take, or borrow money or valuables from a resident, even with the consent of the resident.
ANALYSIS:	There is no indication that Ms. Miller or Mr. Galvin are using the residents' personal funds for their own personal use. There is also no indication that her boyfriend Preston Galvin has access to the resident funds and denied knowing where they were kept or how to access them. During the on-site inspection for the licensing renewal on January 5, 2022, resident funds were counted for two residents that she keeps personal spending money for and the balance in the funds matched the balance on the Resident Funds Part II form. Pamela Keefer is the guardian from Mid-Michigan Guardianship Services for all five residents in the home. Ms. Keefer said that she has no concerns regarding Ms. Miller inappropriately using the funds.
CONCLUSION:	VIOLATION NOT ESTABLISHED

IV. RECOMMENDATION

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

Jennifer Browning

1/20/2022

Jennifer Browning
Licensing Consultant

Date

Approved By:

Dawn Timm

01/20/2022

Dawn N. Timm
Area Manager

Date