



STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

GRETCHEN WHITMER
GOVERNOR

ORLENE HAWKS
DIRECTOR

April 5, 2022

Rene Parks
KJB TENANT BAY CITY LLC
Suite K
1584 Charlotte Circle
Naperville, IL 60564

| | |
|------------------|-------------------------------------|
| RE: License #: | AL090393451 |
| Investigation #: | 2022A0123024 |
| | Charter Senior Living at Bay City 1 |

Dear Ms. Parks:

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.

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 (906) 226-4171.

Sincerely,



Shamidah Wyden, Licensing Consultant
Bureau of Community and Health Systems
411 Genesee
P.O. Box 5070
Saginaw, MI 48607
989-395-6853

enclosure

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

I. IDENTIFYING INFORMATION

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|---------------------------------------|--|
| License #: | AL090393451 |
| Investigation #: | 2022A0123024 |
| Complaint Receipt Date: | 02/16/2022 |
| Investigation Initiation Date: | 02/17/2022 |
| Report Due Date: | 04/17/2022 |
| Licensee Name: | KJB TENANT BAY CITY LLC |
| Licensee Address: | Suite K 1584 Charlotte Circle Naperville, IL 60564 |
| Licensee Telephone #: | (312) 401-2118 |
| Administrator: | Rene Parks |
| Licensee Designee: | Rene Parks |
| Name of Facility: | Charter Senior Living at Bay City 1 |
| Facility Address: | 568 North Pine Road Bay City, MI 48708 |
| Facility Telephone #: | (989) 778-1713 |
| Original Issuance Date: | 08/02/2018 |
| License Status: | REGULAR |
| Effective Date: | 02/02/2021 |
| Expiration Date: | 02/01/2023 |
| Capacity: | 20 |
| Program Type: | PHYSICALLY HANDICAPPED DEVELOPMENTALLY DISABLED MENTALLY ILL AGED |

II. ALLEGATION(S)

| | Violation Established? |
|--|-----------------------------------|
| The quality and nutritious value of the food is subpar. The facility often runs out of staple products. The portions are very small and quite often inedible. The facility is serving cold food. | Yes |

III. METHODOLOGY

| | |
|------------|---|
| 02/16/2022 | Special Investigation Intake 2022A0123024 |
| 02/17/2022 | Special Investigation Initiated - Telephone I spoke with Complainant 1 via phone. |
| 02/23/2022 | Inspection Completed On-site I conducted an unannounced on-site visit at the facility. |
| 02/23/2022 | Contact - Document Received Requested information received via email. |
| 03/21/2022 | APS Referral An APS referral was completed. |
| 03/28/2022 | Inspection Completed On-site I conducted a follow-up unannounced on-site. |
| 04/05/2022 | Exit Conference I spoke with designated person Sondra Yantz via phone. |

ALLEGATION: The quality and nutritious value of the food is subpar. The facility often runs out of staple products. The portions are very small and quite often inedible. The facility is serving cold food.

INVESTIGATION: On 02/17/2022, I made a call to Complainant 1. Complainant 1 stated that the home had a designated cook, and the cook was out with COVID-19 for a while. Complainant 1 stated that the facility has high staff turnover. Complainant 1 stated that Resident A complains about the food daily. There have been group meetings with the resident and the facility’s director, in which they listen, but nothing changes. It does not matter who is working in the kitchen, the food is cold, and the residents receive small servings. Complainant 1 stated that the food is inedible per Resident A who cannot eat the food. Cold cabbage soup was served for dinner, along with lettuce for salad (with no toppings). The facility has run out of staples for multiple days (i.e., coffee, bread, and butter). Complainant 1 stated that residents cannot even get a hot cup of coffee. There are a lot of dementia patients who cannot speak for themselves. Resident A eats cereal for dinner at times. Resident A is on hospice, and hospice has not mentioned any weight loss.

Complainant 1 stated that it does not matter who is there, the food is cold, serving size is small, and they have gone multiple days without coffee, bread, or butter.

On 02/23/2022, I conducted an unannounced on-site visit at the facility. The lunch served today was green bean casserole, au gratin potatoes, and ham. I interviewed the dietary manager Holly Whyte in the kitchen. She stated that there have been some struggles with cooks. She stated that she had also been out for some time due to COVID-19. She stated that she took over the kitchen in July 2021 and has had staff helping. She stated that things are back to where it was before. She denied that they have run out of any food staples. She stated that if they do run out, they go across the street (to Meijer) to get it. She stated that there is one resident where staff will tell her that they ran out of items, when they have not. She stated that this has been addressed and corrected with staff.

During this on-site I observed the kitchen and pantry area of the home. The refrigerators were observed to be stocked fully with food. Plenty of butter was observed, as well as large cans of canned fruit (i.e., diced pears, pineapple, and fruit cocktail). There was a freezer stocked full of frozen vegetables, and a pantry full of food items. There was another freezer stocked with meats, bread items, etc.

On 02/23/2022, I spoke with licensee designee Rene Parks. She stated that there has never been a time where cold cabbage soup, and salad with no toppings were served. When asked if any residents complain about the food, she stated that Resident A complains about the food and complains to her children about it. She stated that Resident A does not come out of her room for meals. She stated that staff re-heats Resident A's food for her. She stated that coffee is not made until breakfast time, and Resident A does not like to wait on it and gets upset if coffee is not ready when she wants it to be ready.

On 02/23/2022, I interviewed Resident A in her room. Resident A stated that lunch today was not bad. She stated that the night before, pizza (two slices), and no salad was served, but they had cake and ice cream for dessert. She stated that some days breakfast is good, sometimes it is not. She stated that she eats in her room. Resident A stated that for breakfast today, they had pancakes and bacon. She stated that she asked for orange juice, and it was provided. Resident A stated that she feels that veggies are not served enough, and the other day she was served a "limp" salad. She stated that the lunch served today was good. She stated that they have meetings about the food, and nothing changes. She stated that pasta is served a lot, and some days pasta is more than half of the entrée. She stated that she understands they cannot satisfy everyone, and that the price of food has gone up and plays a role as well.

On 02/23/2022, I interviewed Resident B in her room. Resident B stated that she eats here daily and expects it to be fresh. She stated that the food is mostly fresh, sometimes half-warm. She stated that she can understand how that happens, but staff do a great job serving a variety of food. She stated that they do offer alternative

choices. She stated that she has only sent back food for staff to warm it up. She stated that three meals a day are served, and snack. She stated that she can have her own food in her room. She stated that occasionally the facility may run out of something. She stated that she is not picky. Resident B stated that the food is adequate, they meet the standard, she just wants the food to be warmer.

On 02/23/2022, I interviewed Resident C at the facility. Resident C stated that the food is good. Resident D, Resident C's husband came out of the bathroom, and stated that this was the first time he has heard Resident C say this. Resident D stated that they get three meals per day and snacks. He stated that half the time the facility does not have bananas, or they are half rotten. He stated that they are out of apples half the time. He stated that canned fruit is offered at the table. Resident D stated that some food is on the cool side, and there is no way to warm it up. He stated that the meals are balanced, and they are not starving. He stated that sometimes the food is not tasty. He denied ever eating cold cabbage soup and stated that there are always toppings for the salads.

On 02/23/2022, I interviewed Resident E at the facility. Resident E stated that she has lived at the facility for almost three weeks. She stated that the food has a lot to be desired and is served cold. She stated that she goes out to the table to eat. She stated that she does not know how the cooks coordinate things, and that staff assist with serving the food. Resident E stated that they (residents) are tired of fruit cocktail, even if it has whipped cream on it. She stated that the food served yesterday was good, and that the facility does offer alternative meals. She stated that some of the staff are learning what her likes and dislikes are. She stated that they ran out of milk, and staff went across the street to Meijer to get more milk. She stated that the cabbage soup that was served was lukewarm, and she could not eat it due to it being acidic. She stated that she chose an alternative meal instead. She stated that they serve salad, and then they come around and you choose your toppings. She stated that she thinks they should serve more meat. She stated that she thinks corporate has a lot to do with the menu. She stated that fresh fruit is not served every day, but there are days with fresh fruit. She stated that sometimes fruit is served in pudding. She stated that some of the residents with dementia are rude and give staff a hard time.

On 02/23/2022, I received requested documentation from the facility via fax. I received copies of the facility's menus from 11/28/2021 through 02/05/2022. The menus appear to be balanced with servings of meat, vegetables, fruit, bread, pasta etc. Serving sizes are also noted for each portion of the meal for some of the weekly menus. The menus show a variety of foods being served. Changes to the menus are also noted in handwriting as well.

On 03/28/2022, I conducted an unannounced follow-up visit at the facility. I interviewed Resident F at the facility. Resident F stated that the facility has been serving too much food for her liking, but they have cut back. She stated that everyone has their complaints. She stated that the facility serves three meals per

day. She stated that the food is not the best tasting because they cannot use salt, but they have the option to ask for salt. She stated that there could be more variety, but you run out of recipes eventually. She stated that the facility has a lot of fresh fruit. She stated that they do too many potatoes, but the scalloped ones are delicious. Resident F stated that she has never tasted anything bad or unsafe, she's never heard anyone complain about food running out, and they always have leftovers. When asked if the food is served hot, Resident F stated, "not always." She stated that breakfast is usually cold, and she hates cold eggs. She stated that most meals are not hot, but tolerable. She stated that the facility does good considering how many residents they must serve meals to, and that the quality of the food is good. She stated that they are very generous with fresh fruit and desserts.

On 03/28/2022, I spoke with Staff Whyte at the facility. She stated that some residents get upset when they are not served fresh fruit daily, as some do not like canned fruit. She stated that they are in the process of ordering steam tables. She stated that the food is at the temperature where it is supposed to be when it is served, and that residents need to come out of their rooms at mealtimes. She stated that Resident A does get her meals microwaved but will not ask for staff to reheat her food up. She stated that Resident A will wait and then complain to staff.

During this on-site, I observed the kitchen again. The refrigerator, freezers, and pantry appeared sufficiently stocked. I observed multiple large boxes of coffee, and tea. I also observed in the hallway across from the kitchen where there was ample fresh fruit stored in boxes, as well as about 20 loaves of bread, burger buns, and bagels. The fresh fruit included strawberries, apples, oranges, and lemons.

On 03/28/2022, I interviewed staff Alyssa Vansumeren. Staff Vansumeren stated that she works first shift and has worked in the facility for about two years. She stated that she eats the facility's food. She stated that she thinks the food is good quality. She stated that she is a picky eater so some things she does not like. She stated that alternative meals are offered. She stated that staff notify kitchen staff when alternative meals are needed. She stated that three meals are served per day, and snack. She stated that she has not heard complaints of food being cold. She stated that there are three residents (including Resident A and Resident E) who complain. She stated that two of the three residents are tablemates, and when one complains the other will too. She stated that the portions served are sufficient, and there's usually enough left for seconds. She stated that if they run out of anything, they run out to Meijer, but this rarely occurs. She denied knowing about cold cabbage being served, or salad with no toppings. She stated that they offer cheese, cucumber, chicken, and staff comes around with the salad dressing. She denied hearing about any of the food being inedible. She stated that about a year ago, they had an old cook who would cook meals that appeared unrecognizable but tasted alright, but this has not happened lately. She stated that residents are told ahead of time to put in their alternative if they do not like what is on the menu, and then they wait until the meal is in front of them to ask for something else. She stated that when

residents make complaints, she writes them down and forwards them to management.

On 03/28/2022, I spoke with the facility's newly appointed licensee designee and administrator Sondra Yates who stated that steam tables and plate warmers are going to be ordered.

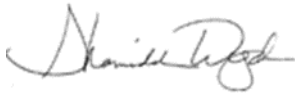
| APPLICABLE RULE | |
|------------------------|---|
| R 400.15313 | Resident nutrition. |
| | (1) A licensee shall provide a minimum of 3 regular, nutritious meals daily. Meals shall be of proper form, consistency, and temperature. Not more than 14 hours shall elapse between the evening and morning meal. |
| ANALYSIS: | <p>Complainant 1 reported the food the facility serves is cold, the facility runs out of things such as coffee, butter, bread, etc. and the servings are small.</p> <p>Staff Holly Whyte denied that the facility runs out of any food staples, and if they do run out staff go to Meijer across the street. She stated that staff were telling one resident that they were out of food when they were not, and this issue was corrected with staff. She stated that there had been some struggles with the kitchen staff, but things are back to normal. Staff White stated that food is at the temperature it is supposed to be when served, and Resident A gets her meals microwaved.</p> <p>I conducted two unannounced on-site visits on 02/23/2022 and 03/28/2022. The home was observed to have plenty of food during both visits.</p> <p>Licensee designee Rene Parks denied that food is served cold, and that staff will reheat food for Resident A.</p> <p>Resident A stated that meetings are had about the food, and nothing changes.</p> <p>Resident B, Resident C, Resident E, and Resident F were interviewed, and all reported that food is served on the cold side. Staff Vansumeren, Resident B, Resident C, and Resident F stated that three meals are served per day. Staff Vansumeren stated that she has not heard complaints of food being served cold.</p> <p>Menus were observed for the facility for the time frame of</p> |

| | |
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| | 11/28/2021 through 02/05/2022. No issues were noted. The menus indicate three meals per day are served. There is a preponderance of evidence to substantiate a rule violation in regards meals of proper temperature being served. |
| CONCLUSION: | VIOLATION ESTABLISHED |

On 04/05/2022, I conducted an exit conference with designated person Sondra Yates. I informed her of the findings and conclusion.

IV. RECOMMENDATION

Contingent upon the receipt of an acceptable corrective action plan, I recommend continuation of this AFC large group home license (capacity 20).

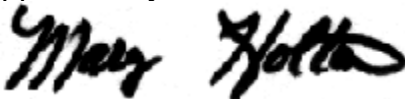


04/05/2022

Shamidah Wyden
Licensing Consultant

Date

Approved By:



04/05/2022

Mary E Holton
Area Manager

Date