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GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

April 6, 2022

Karen LaFave
Adult Learning Systems - UP, Inc
Suite-4
228 West Washington
Marquette, MI 49855

RE: License #: AS520300046
Investigation #: 2022A0234001
ALS Wright

Dear Ms. LaFave:

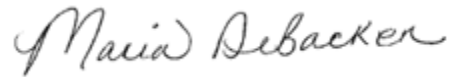
Attached is the Special Investigation Report for the above referenced facility. Due to the violations identified in the report, a written corrective action plan is required. The corrective action plan is due 15 days from the date of this letter and must include the following:

- 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 (906) 226-4171.

Sincerely,

A handwritten signature in cursive script that reads "Maria DeBacker".

Maria DeBacker, Licensing Consultant
Bureau of Community and Health Systems
234 W. Baraga Ave.
Marquette, MI 49855
(906) 280-8531

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AS520300046
Investigation #:	2022A0234001
Complaint Receipt Date:	02/25/2022
Investigation Initiation Date:	03/01/2022
Report Due Date:	04/26/2022
Licensee Name:	Adult Learning Systems - UP, Inc
Licensee Address:	Suite-4 228 West Washington Marquette, MI 49855
Licensee Telephone #:	(906) 250-9365
Administrator:	Karen LaFave
Licensee Designee:	Karen LaFave
Name of Facility:	ALS Wright
Facility Address:	1803 Wright St. Marquette, MI 49855
Facility Telephone #:	(906) 273-1212
Original Issuance Date:	05/05/2009
License Status:	REGULAR
Effective Date:	01/03/2022
Expiration Date:	01/02/2024
Capacity:	6
Program Type:	PHYSICALLY HANDICAPPED DEVELOPMENTALLY DISABLED

	MENTALLY ILL TRAUMATICALLY BRAIN INJURED
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II. ALLEGATION(S)

	Violation Established?
Resident A's roommate was taking naked pictures of her and sent them to her boyfriend.	No
Resident A has chosen to not sleep in her bedroom and sleeps in the basement on a couch instead.	Yes

III. METHODOLOGY

02/25/2022	Special Investigation Intake 2022A0234001
03/01/2022	Special Investigation Initiated - Telephone Message left for Cindy Lawrence of Recipient rights.
03/07/2022	Inspection Completed On-site
03/07/2022	Contact - Face to Face Interview with Assistant Home Manager Matthew Marrs and Resident A.
03/07/2022	Contact - Telephone call received Phone call with Recipient Rights Cindy Lawrence.
03/26/2022	Contact - Telephone call made Phone call to Karen LaFave, Licensee Designee.
04/04/2022	Exit Conference Exit interview with Licensee Designee Karen LaFave.
4/6/2022	Exit Conference Called Karen LaFave to discuss additions to investigation

ALLEGATION: Resident A's roommate was taking naked pictures of her and sent them to her boyfriend.

INVESTIGATION: The complainant reports that in November or December 2021, Resident A's roommate, Resident B, took naked pictures of Resident A and sent them to her boyfriend.

On 03/07/2022, this consultant spoke with Cindy Lawrence, Recipient Rights Officer, Pathways. Ms. Lawrence stated that she had investigated this allegation in November 2021 and found that Resident A had consented to having her picture taken and knew that the pictures were being sent to Resident B's boyfriend. Ms. Lawrence also stated that Resident A was able to make those decisions.

On 03/07/2022, this consultant and Consultant Theresa Norton interviewed Assistant Home Manager Matthew Marrs and Resident A.

Resident A's records indicate that she has a history of consensual relationships that were approved by her parents and guardian in the past. Her trauma screen indicated no history of sexual abuse or exploitation. There is no indication that she has a history of inappropriate sexual behavior or a need to be monitored.

Resident A stated she knew the naked pictures were being taken of her by Resident B. Resident A said she was not forced by Resident B to have the pictures taken.

Resident A stated she 'just got out of the psych ward', and explained she recently lost her mother and said, "I went off the edge".

APPLICABLE RULE	
R 400.14308	Resident behavior interventions prohibitions.
	(1) A licensee shall not mistreat a resident and shall not permit the administrator, direct care staff, employees, volunteers who are under the direction of the licensee, visitors, or other occupants of the home to mistreat a resident. Mistreatment includes any intentional action or omission which exposes a resident to a serious risk or physical or emotional harm or the deliberate infliction of pain by any means.
ANALYSIS:	Resident A admitted that she was aware that naked pictures were being taken of her and that Resident B did not 'force' her to do this.
CONCLUSION:	VIOLATION NOT ESTABLISHED

ALLEGATION: Resident A has chosen to not sleep in her bedroom and sleeps in the basement on a couch instead.

INVESTIGATION: The complainant states that Resident A is sleeping in the basement of the facility on a couch. The complainant suspects it is because of Resident A's roommate, Resident B, had taken naked pictures of her.

On 03/07/2022, Resident A was interviewed in the lower level (basement) of the facility by this consultant and Licensing Consultant Theresa Norton. The lower level is comfortably furnished like a living room with a large couch, TV, etc. When asked where she slept in the past, Resident A pointed to the couch. When asked why she slept on the couch, Resident A stated, "Because I wanted to."

Assistant Manager Marrs stated Resident A did sleep on the couch for a month or two and is now sleeping back in her own bedroom. Resident A also reported that she is now sleeping back in her bedroom with Resident B. When asked if she feels safe, Resident A stated, "Yes."


On 03/26/2022, a phone interview was conducted with Karen LaFave, Licensee Designee. Ms. LaFave was questioned on why Resident A was sleeping on the couch in the lower level of the home. Ms. LaFave stated that Resident A chose to sleep there. Ms. LaFave stated that due to the Home and Community Based Service rules of their contract, residents are allowed to sleep wherever they want in the home.

APPLICABLE RULE	
R 400.14408	Bedrooms generally.
	(2) A living room, dining room, hallway, or other room that is not ordinarily used for sleeping or a room that contains a required means of egress shall not be used for sleeping purposes by anyone.
ANALYSIS:	Resident A did choose to sleep on the couch in the lower level of the home for an extended period of time. Resident A states she is now sleeping back in her bedroom.
CONCLUSION:	VIOLATION ESTABLISHED

On 04/05/2022 an exit conference was held via telephone with Licensee Karen LaFave informing her of the findings of this investigation. On 4/6/2022 a follow up exit interview was held to request additional information.

IV. RECOMMENDATION

Contingent upon receipt of an acceptable plan of correction, I recommend no change to the status of this license.



4/6/2022

Maria DeBacker
Licensing Consultant

Date

Approved By:



4/6/2022

Mary E. Holton
Area Manager

Date