



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

April 28, 2022

Lorraine Morales
1050 W. Colonial Park
Grand Ledge, MI 48837

RE: License #: AS190300736
Investigation #: 2022A1029031
Eagles Nest Adult Assisted Living

Dear Ms. Morales:

Attached is the Special Investigation Report for the above referenced facility. Due to the violations identified in the report, a written corrective action plan was required. On April 14, 2022, you submitted an acceptable written corrective action plan. This was verified by my onsite inspection at your property.

It is expected that the corrective action plan be implemented within the specified time frames as outlined in the approved plan.

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".

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 #:	AS190300736
Investigation #:	2022A1029031
Complaint Receipt Date:	03/04/2022
Investigation Initiation Date:	03/04/2022
Report Due Date:	05/03/2022
Licensee Name:	Lorraine Morales
Licensee Address:	1050 W. Colonial Park Grand Ledge, MI 48837
Licensee Telephone #:	(517) 622-0313
Name of Facility:	Eagles Nest Adult Assisted Living
Facility Address:	13282 S. Hinman Rd. Eagle, MI 48822
Facility Telephone #:	(517) 626-2190
Original Issuance Date:	03/11/2010
License Status:	REGULAR
Effective Date:	09/26/2020
Expiration Date:	09/25/2022
Capacity:	6
Program Type:	ALZHEIMERS AGED

ALLEGATION(S)

	Violation Established?
Resident A tested positive for cocaine and he does not have access to cocaine. There is concern Resident A was exposed to illegal drugs by direct care staff members.	No
The pole barn at Eagles Nest Assisted Living had two guns and marijuana in the closet that are accessible to residents.	Yes

II. METHODOLOGY

03/04/2022	Special Investigation Intake 2022A1029031
03/04/2022	Contact - Telephone call made to APS Tom Hilla and sent him an email
03/04/2022	Special Investigation Initiated – Telephone to PACE spoke to Kristen Ball RN
03/04/2022	Contact - Telephone call received from Tom Hilla APS
03/04/2022	Contact - Telephone call made to Guardian A1
03/04/2022	Contact - Telephone call made Leslie Herrguth AFC licensing consultant, no concerns regarding substance abuse at the AFC home.
03/08/2022	Contact - Telephone call received call from Tom Hilla, APS
03/08/2022	Contact - Face to Face with licensee Lorraine Morales and her husband Alejandro Morales at Eagles Nest Assisted Living, Resident A, Resident B, and observed Resident C, interviewed direct care staff member Melissa Martin
03/09/2022	Contact - Telephone call received from Lorraine Morales
04/01/2022	Contact - Telephone call received from Tom Hilla APS
04/14/2022	Contact - Face to Face with Lorraine Morales and direct care staff member Melissa Martin
04/22/2022	Contact - Telephone call to direct care staff member, Staff 1. Left message for her.

04/22/2022	Exit conference with licensee, Lorraine Morales. Left a message and sent a text message to her.
04/27/2022	Contact - Telephone call from Staff 1

ALLEGATION:

Resident A tested positive for cocaine and he does not have access to cocaine. Concern Resident A was exposed to illegal drugs by direct care staff members.

INVESTIGATION:

On March 4, 2022, a complaint was received from an assigned adult protective services complaint with concerns that Resident A tested positive for cocaine even though he does not have access to this type of substance at his AFC facility. Complainant stated there were concerns Mr. Alejandro Morales, member of the household, provided this to Resident A since they work together in the barn areas of the home.

According to the complainant for the Adult Protective Services referral, Resident A was drug tested at Community Mental Health to test for his prescription drug levels because he is on a controlled substance, Lorazepam, and tested positive for cocaine with no explanation. There was a three day period before the positive test and Resident A did not leave the AFC in that period of time. Consequently, Complainant concluded Resident A received cocaine while at the AFC.

On March 4, 2022, I interviewed Joanne Campbell from PACE. She gave Guardian A1's information and stated the drug test was completed on February 16, 2022. She initially thought it was an error but forensic fluids stated he would have had cocaine in the 72 hours prior to the test. She stated Resident A has no history of drug use and the PACE staff were surprised by these results. Ms. Campbell stated there was a second drug test done on February 24, 2022 and this test was negative.

On March 8, 2022, I received a call from Adult Protective Services Specialist Tom Hilla, who reported an adult protective services on-call worker went out to the AFC facility over the weekend and determined Resident A was safe and reported he likes living at the AFC.

On March 8, 2022, I interviewed licensee Lorraine Morales and her spouse Alejandro Morales, whose role is a household member, at Eagles Nest Assisted Living. Ms. Morales stated Resident A has resided at Eagles Nest Assisted Living since November 1, 2021. Ms. Morales denied there was any cocaine in or around her home that any resident could access. She stated Resident A does spend a lot of time with her husband in the outside areas of the AFC including the barn and fenced in horse area. Mr. Morales stated he provided chewing tobacco to Resident A about four months ago and then again two weeks ago he gave him a tin of chewing tobacco. Guardian A1

informed him and the facility staff that he did not want Resident A using chewing tobacco and he stated he will not give this to him in the future. Mr. Morales denied he had any access to cocaine and denied providing this to any resident include Resident A. Mr. Morales stated he would not provide any drugs to a resident.

Ms. Morales stated a former direct care staff member, Staff 1, admitted to having illegal drugs on the property and she terminated her employment after this allegation came to light. Ms. Morales stated Staff 1 admitted to having methamphetamine in her purse while she was working at the facility. Staff 1 stated there was methamphetamine in a bag that was enclosed in her purse. At some point during her shift, the purse was in the laundry room area and bathroom during her shift at the facility. Ms. Morales stated it was possible Resident A went into former direct care staff member Staff 1 purse while she was working and took the methamphetamine out of her burse. Ms. Morales stated former direct care staff member Staff 1 recently told her she relapsed and she was sorry she brought illegal drugs into the AFC home.

I reviewed the employee record for former direct care staff member Staff 1. Former direct care staff member Staff 1 self-disclosed on the application she filled out that she had a drug felony in 2005. There was a letter from *MI Workforce Background Check* confirming that she was eligible for employment and there were no concerns regarding discipline or previous instances of substances at the facility.

Resident A's resident record was reviewed during the onsite investigation. According to his *Assessment Plan for AFC Residents*, under household chores is marked "Yes- likes to be helpful may do chores per Guardian A1." There is also documentation he needs supervision in the community and will go on errands Mr. Morales. Guardian A1 has given permission for Resident A to be supervised by Mr. Morales and to leave with Mr. Morales.

I interviewed Resident A who stated he was familiar with former direct care staff member Staff 1. He stated she has never given him any drugs other than prescribed medications and he did not think that she had any at the AFC. Resident A denied going into her purse or taking any of her items. Resident A stated he was not aware of his recent drug screen results and denied having used cocaine or drugs in the past. Resident A stated he did not use chewing tobacco anymore because Guardian A1 did not want him to use it. He said the last time he used it, he received it from the store and denied this came from Mr. Morales.

I interviewed direct care staff member, Melissa Martin. She stated she has gone to the garage area to get groceries out of the freezer and has been in the barn maybe two or three times while working there and has not observed any illegal substances in those spaces. She stated she has no idea how Resident A would have tested positive for cocaine while living there. She has never observed any drugs in the home and did not have concerns of Mr. Morales gave Resident A drugs while Resident A helped him outside with the horses. She has not had concerns of Resident A using any illegal drugs. She did know he was provided chewing tobacco in the past by Mr. Morales but

she said Guardian A1 informed them he did not want Resident A using this so this was stopped.

On March 8, 2022, I interviewed Guardian A1 who stated he has been very pleased with Resident A residing at Eagles Nest Assisted Living. He stated this facility was a good placement for him and he wanted him to stay living there. Guardian A1 did not have any concerns regarding Mr. or Ms. Morales and did not think they would have given Resident A cocaine. Guardian A1 also had no explanation how Resident A would have tested positive for cocaine.

On April 1, 2022, a telephone call was received from Tom Hilla, adult protective services. Mr. Hilla stated he met with former direct care staff member Staff 1 along with her significant other at their residence. Mr. Hilla stated he addressed the allegations and former direct care staff member Staff 1 admitted she was fired from the AFC because she made a "huge mistake." Former direct care staff member Staff 1 admitted to Mr. Hilla she should have not had illegal drugs in her bag and stated she had methamphetamine in her purse. Mr. Hilla stated former direct care staff member disclosed she is an addict and "fell off the wagon after being clean" for over two years. Former direct care staff member Staff 1 also denied to Mr. Hilla that while working at the facility that she was ever in possession of any cocaine nor was the methamphetamine laced with cocaine to her knowledge.

On April 14, 2022, I interviewed licensee Lorraine Morales and direct care staff member Melissa Martin at Eagles Nest Assisted Living. Ms. Morales stated she still does not have any explanation how Resident A received the positive drug test and stated the only explanation is the test result was a false positive test. Ms. Morales seemed concerned regarding the drug test and stated she wanted to ensure this did not occur again.

On April 27, 2022, I received a call from former direct care staff member Staff 1. She stated that she was not sure how Resident A would have tested positive for cocaine. She has never observed any of the residents have access to drugs at the facility. Staff 1 stated she had been clean for two years and "fell off the wagon". Staff 1 stated she took drugs (Methamphetamine) to work in her purse but she had them in her bag. She said looking back it was a stupid thing to do and it cost her the job. She did not believe anyone would have gotten this out of her bag because it did not appear to be tampered with. She did not have any concerns regarding Resident A using drugs in the past. She denied she ever used drugs at the facility.

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>There is no indication that Resident A was not treated with dignity or that his personal need of protection and safety was not attended to at all times.</p> <p>After interviews with Residents A and B, direct care staff member Melissa Martin, former direct care staff member Staff 1, and licensee Ms. Morales and Mr. Morales it is unknown how Resident A would have tested positive for cocaine. Staff 1 denied bringing cocaine into the facility and neither licensee Lorraine Morales nor Alejandro Morales denied providing cocaine to Resident A.</p>
CONCLUSION:	VIOLATION NOT ESTABLISHED

ALLEGATION:

The pole barn at Eagles Nest Assisted Living had two guns and marijuana in the closet that are accessible to residents.

INVESTIGATION:

On March 8, 2022, a tour was given of the pole barn and garage in the back of the property. In the pole barn, on the right hand side near the door, there was a pellet gun and shot gun leaning up against the wall of the barn. The guns were not kept in a safe and it's unknown if they were loaded. In the closet in the barn, there were marijuana plants growing with black lights. There were approximately 8 marijuana plants observed in various stages of growth. Licensee Lorraine Morales agreed to move the marijuana off the property to her private residence which is not licensed as an adult foster care facility. Licensee Morales also agreed to buy a safe for the guns.

I interviewed Resident A who stated he regularly goes out to the barn to help feed the horses and liked helping with the outside chores. He stated he worked with Mr. Morales by going with Mr. Morales to the barn to get the hay for the horses. Resident A denied ever observing drugs in the facility or in the barn. Resident A stated he has never seen marijuana in the barns and the only drugs he sees are prescription drugs. Resident A stated there is a pellet and shot gun in the pole barn but he has never used either one. He has never observed anyone else to use them either but he stated they are probably for hunting.

I interviewed Resident B who stated he has lived there for four years. He said he has gone to the barn and garages but he does not think Mr. Morales likes him going there because "that's his territory" to work in. He said that he is eager for PACE to open back up so he has somewhere to go during the days. Resident B stated he was not sure why Mr. Morales did not want him going to the barn. He said he thinks it because Mr. Morales asked for his help on a project one time and Resident B did not want to help him. Resident B said he spends most of his time coloring, reading, and watching

television. He has never observed any drugs or guns in the barns but he has not been out there in over a year.

I interviewed direct care staff member, Melissa Martin. She stated she has gone to the garage area to get spare groceries out of the freezer and has been in the barn maybe two or three times while working there. Ms. Martin has never observed any unsecured firearms or marijuana in the pole barn or garage area.

On March 9, 2022, I received a telephone call from Lorraine Morales informing me the firearms and marijuana will be moved out of the barn area by March 10, 2022. She stated the barn is still locked up and there are no residents entering the barn area.

On April 1, 2022, a telephone call was received from Adult Protective Services Specialist Tom Hilla. He went out to the Eagles Nest Assisted Living and he did not have further concerns for Resident A and did not notice any safety concerns present in the home or in the pole barns.

On April 14, 2022, I interviewed Lorraine Morales and direct care staff member Melissa Martin at Eagles Nest Assisted Living. I observed the barn area and a new gun safe was observed in the pole barn. There were no unsecured guns observed and the marijuana that was in the closet had been cleaned out. Ms. Morales stated this was moved and they will no longer have unsecured marijuana or firearms on the Eagles Nest Assisted Living property.

On April 27, 2022, I interviewed former direct care staff member Staff 1 who stated she had been out to the barn area to feed the chickens but did not notice marijuana in the closet area. Staff 1 stated that she has heard guns go off during hunting season but she has never noticed them in the yard or garage.

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:	On March 8, 2022, I observed two unsecured firearms in the barn along with marijuana plants growing in a closet located in the barn. This barn space was observed to be easily accessible to any resident utilizing the barn space. Resident A stated he often frequents the barn to assist with outside chores and thus has regular access to this space and therefore the unsecured firearms and/or marijuana plants. Resident A knew the guns were out in the pole barn but stated they were for hunting. Licensee Lorraine Morales responded to this by moving the marijuana from this licensed AFC and purchasing a safe for the firearms. These corrective measures were approved by this AFC consultant during an on-site inspection of the property on April 14, 2022. No additional corrective measure is required.
CONCLUSION:	VIOLATION ESTABLISHED

III. RECOMMENDATION

An acceptable corrective action plan has been received, therefore I recommend no change in the license status.

Jennifer Browning

04/27/2022

Jennifer Browning
Licensing Consultant

Date

Approved By:

Dawn Timm

04/28/2022

Dawn N. Timm
Area Manager

Date