



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

May 24, 2022

Simbarashe Chiduma
Open Arms Link
Suite 130
8161 Executive Court
Lansing, MI 48917

RE: License #: AM190409578
Investigation #: 2022A0790006
Open Arms Stoll

Dear Mr. Chiduma:

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 (517) 284-9730.

Sincerely,

A handwritten signature in black ink that reads "Rodney Gill". The signature is written in a cursive style with a large, prominent 'R' and 'G'.

Rodney Gill, Licensing Consultant
Bureau of Community and Health Systems
611 W. Ottawa Street
P.O. Box 30664
Lansing, MI 48909

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AM190409578
Investigation #:	2022A0790006
Complaint Receipt Date:	03/28/2022
Investigation Initiation Date:	03/30/2022
Report Due Date:	05/27/2022
Licensee Name:	Open Arms Link
Licensee Address:	Suite 130 8161 Executive Court Lansing, MI 48917
Licensee Telephone #:	(517) 483-2489
Administrator:	Mascline Chiduma
Licensee Designee:	Simbarashe Chiduma
Name of Facility:	Open Arms Stoll
Facility Address:	Ste 130 3285 W Stoll Rd Lansing, MI 48906
Facility Telephone #:	(517) 455-8300
Original Issuance Date:	08/25/2021
License Status:	REGULAR
Effective Date:	02/25/2022
Expiration Date:	02/24/2024
Capacity:	9
Program Type:	PHYSICALLY HANDICAPPED

	DEVELOPMENTALLY DISABLED MENTALLY ILL AGED
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II. ALLEGATION(S)

	Violation Established?
Resident A was discharged back to the home from rehabilitation on 11-30-2021 and went three days without necessary medications, including seizure medication.	Yes
Resident A did not receive timely medical assistance after complaining of chest pain at 11:30PM on 12/2/2021. She was found deceased on 12/3/2021.	Yes
Licensee designee Simbarashe Chiduma and administrator Mascline Chiduma falsified documentation in facility daily log sheets and destroyed a medication administration record (MAR) that reflected the correct medication Resident A was supposed to be taking.	No
The direct care staff members at Open Arms Stoll are untrained.	Yes
Direct care staff members put residents to bed when residents do not want to go to bed or when staff are upset with them.	No
Additional Finding	Yes

III. METHODOLOGY

03/28/2022	Special Investigation Intake 2022A0790006
03/30/2022	Special Investigation Initiated – Telephone call made spoke to complainant via phone and gathered additional information regarding the allegations made.
03/31/2022	Contact - Document Received- Human Resources Assistant Manager Kimberly Solgat emailed the Open Arms Link Corporation Staff Directory.
03/31/2022	Contact - Telephone call made to speak to licensee designee Simbarashe Chiduma.
04/07/2022	Inspection Completed On-site

04/07/2022	Contact - Face to Face- Interviewed direct care staff member and assistant home manager Misael Saldivan.
04/07/2022	Contact - Face to Face- Interviewed direct care staff member Travon Rogers.
04/07/2022	Contact - Face to Face- Interviewed direct care staff member Silvie Mariam.
04/07/2022	Contact - Face to Face- Interviewed Resident B.
04/08/2022	Contact - Document Sent- Emailed Resident B's CMH case manager Trsyri Friar requesting information regarding allegations involving Resident B.
04/12/2022	Contact - Document Received- Email received from Resident B's case manager Trsyri Friar.
04/12/2022	Contact- Telephone calls made. Separate telephone interviews with direct care worker Catherine Funches, Michael McConnell, Oluwasegun Adebayo, Sifa James, Michelle Wells, and Dean Khaka.
04/21/2022	Contact - Face to Face with office manager Jason Zilka at the Open Arms Link Corporate Office to review employee records and gather additional information.
04/22/2022	Inspection Completed On-site. Interviewed administrator Mascline Chiduma, direct care staff member Misael Saldivan, and Resident C.
04/26/2022	Contact - Document Received: Received Open Arms Stoll AFC Home monthly schedules for March and April 2022.
04/29/2022	Contact - Telephone call made- Called the Dewitt Township Police Department to request a police report involving Resident A passing away in December of 2021.
04/30/2022	Contact - Document Sent- Dewitt Township Police report requested via email under the Freedom of Information Act.
05/10/2022	Inspection Completed-BCAL Sub. Compliance
05/16/2022	Interviewed and conducted an exit conference face to face with licensee designee Simbarashe Chiduma and administrator Mascline Chiduma.

05/17/2022	Contact – Documentation Received Daily Logs for Resident A for the following dates:12/01/2021 through 12/03/2021.
05/19/2022	Contact – Telephone calls made to interview previous direct care staff member Elisha Richardson and Sharon Edwards.

ALLEGATION:

Resident A was discharged back to the home from rehabilitation on 11-30-2021 and went three days without necessary medications including seizure medication.

INVESTIGATION:

On 04-07-2022, I conducted an unannounced onsite investigation at Open Arms Stoll Adult Foster Care Home. Direct care staff member Misael Saldivan was working and stated that he is the assistant home manager at Open Arms Stoll. Mr. Saldivan said three direct care staff members were currently working.

I conducted separate face-to-face interviews with direct care workers (DCW) Travon Rogers and Silvie Mariam, who both stated they had no information regarding the allegation.

I asked Mr. Saldivan to reviewed Resident A’s resident record. Mr. Saldivan provided Resident A’s resident record but was not able to locate any *Medication Administration Records* (MARs) for Resident A for any period. I reviewed the records provided but there was little documentation to help determine if Resident A was administered medication as prescribed. Given the facility did not have Resident A’s November 2021 or December 2021 MARs available for review, I could not determine if any medication was given as prescribed including seizure medication.

I conducted an unannounced onsite investigation at the Open Arms Link corporate office on 04/21/2022. Office manager Jason Zilka stated that a previous operations manager while working for Open Arms Link Corporation took *Incident Reports* and *Medication Administration Records (MAR)* belonging to Resident A when leaving the company.

I conducted a second onsite investigation on 04-22-2022 at Open Arms Stoll and interviewed administrator Mascline Chiduma regarding the allegation. Ms. Chiduma was unable to locate any of Resident A’s MARs including Resident A’s November 2021 or December 2021 MARs. Ms. Chiduma stated local law enforcement investigated events surrounding Resident A’s passing and she believes they took a lot of Resident A’s documentation with them for their investigation including Resident A’s MARs.

I interviewed Licensee designee Simbarashe Chiduma and administrator Mascline Chiduma and conducted an exit conference on 05-16-2022 at the Open Arms Link corporate office. Mr. Chiduma stated that Resident A had been in the hospital for a few

months for physical health issues related to kidney stones. Mr. Chiduma stated upon Resident A's release from the hospital, she was then placed in rehabilitation to continue to recover and returned to Open Arms Stoll Adult Foster Care home on or around 11-30-2021. He said that Resident A was still unable to walk when she returned to Open Arms Stoll.

Mr. Chiduma stated when Resident A returned from rehabilitation, she was sent with medication she was taking while in rehab along with her discharge paperwork. He said that they continued to administer the medication that she was receiving while in rehabilitation, but Resident A had also been prescribed many new medications prior to returning to Open Arms Stoll. Mr. Chiduma stated those new prescriptions were provided to facility direct care staff members and sent to the pharmacy to be filled. Mr. Chiduma stated the new medications for Resident A were received from the pharmacy on 12/03/22, the morning she passed away. No reason was given for the delay in getting the prescribed medication from the pharmacy.

I interviewed former direct care staff member Elisha Richards via telephone on 05-19-2022. Ms. Richards said that she had only been working at the Open Arms Stoll for approximately two weeks when Resident A passed away. Ms. Richards stated she and another direct care staff member by the name of Sharon Edwards were working on 12-03-2021. She said she passed medications for the first time on 12-02-2021. Ms. Richards stated she passed Resident A's medication that was available in the facility but did not match the MAR.

Ms. Richards stated Resident A had returned from the nursing care rehabilitation center a few days prior to passing away. She said Resident A returned to the facility with little to no medication and the medication she was sent with did not match her previous medication administration record. Ms. Richards stated she contacted the nurse at the rehabilitation center to determine what medications were currently prescribed to Resident A and to assure prescriptions had been sent to the pharmacy to be filled.

On 05-19-2022 I contacted former direct care staff member Sharon Edwards via phone. Ms. Edwards denied that she previously worked at Open Arms Stoll and hung up.

APPLICABLE RULE	
R 400.14312	Resident medications.
	(2) Medication shall be given, taken, or applied pursuant to label instructions.

ANALYSIS:	Former direct care staff member Elisha Richards stated Resident A returned to the facility from rehabilitation with “little to no medication” and licensee designee also reported Mr. Chiduma all Resident A’s newly prescribed medications did not arrive at the facility until three days after she returned. Based on these statements Resident A did not receive all medications prescribed to her pursuant to label instructions.
CONCLUSION:	VIOLATION ESTABLISHED

APPLICABLE RULE	
R 400.14312	Resident medications.
	<p>(4) When a licensee, administrator, or direct care staff member supervises the taking of medication by a resident, he or she shall comply with all of the following provisions:</p> <p>(b) Complete an individual medication log that contains all of the following information:</p> <p>(i) The medication.</p> <p>(ii) The dosage.</p> <p>(iii) Label instructions for use.</p> <p>(iv) Time to be administered.</p> <p>(v) The initials of the person who administers the medication, which shall be entered at the time the medication is given.</p>
ANALYSIS:	The facility did not have Resident A’s <i>medication administration records</i> for November 2021 or December 2021 available for review. It is required for the facility to maintain at least a copy of resident medication administration records even if requested by law enforcement.
CONCLUSION:	VIOLATION ESTABLISHED

ALLEGATION:

Resident A did not receive timely medical assistance after complaining of chest pain at 11:30PM on 12/2/2021. She was later found deceased on 12/3/2021.

INVESTIGATION:

Complainant was contacted on 03-30-2022 and provided the following additional information regarding this allegation. Complainant alleged Resident A was complaining of chest pain at 11:30 PM on December 2, 2021, but direct care staff members placed

her in bed as she cried of pain. Complainant alleged third shift direct care staff member Dean Khaka checked on her at 3:30 a.m. and reported that Resident A was breathing funny. Mr. Khaka did not check on Resident A again during the remainder of his shift and he left at 7:00 a.m.

Complainant stated first shift direct care staff members arriving for work the next morning assumed Resident A was sleeping and did not attempt to wake her up until later that morning at which time she was found to be deceased.

I conducted an unannounced onsite investigation at Open Arms Stoll Adult Foster Care Home on 04-07-2022 however none of the direct care staff members working had any knowledge of Resident A's death.

I reviewed Resident A's daily logs for 12-01-2021 through 12-03-2021 which were provided by licensee designee Simbarashe Chiduma and administrator Masline Chiduma on 05-17-2022.

- The 12-01-2021 daily log indicated the following: "No Team Members listed. Overnight 3rd Shift - Staff provided supervision with one hour safety checks throughout the night. [Resident A] slept well with no issues. Woke up once to use the toilet. Morning 1st Shift – Staff assisted with [Resident A] getting up and dressed. Staff fed [Resident A] and helped her get up and watch tv. Meals prepared, medication given. Afternoon 2nd Shift - Watched Christmas movies, staff prepared dinner, administered medication per MAR, and monitored her for health and safety."
- The 12-02-2021 daily log indicated the following: No Team Members listed. Overnight 3rd Shift – Checked on [Resident A] 3 times during the night. She asked for juice @ 3 a.m. No issues or concerns. Morning 1st Shift – [Resident A] woke up at 10 a.m. Staff assisted with showering and haircare. Staff assisted with eating (feeding). [Resident A] wanted to color. Staff helped her with coloring. Afternoon 2nd Shift – No documentation.
- The 12-03-2021 daily log indicated the following: Team Member Name: Dean. Overnight 3rd Shift – Resident was assisted into bed at 11:30 p.m. during the night, she was changed when she was assisted in getting dressed into her pajamas. [Resident A] made a complaint about chest hurting and was given water to drink as well as checking at 1:30 a.m. and 3:30 a.m. and resident was still breathing. Morning 1st Shift – states, Please refer to I.R.

Given that "Dean", last name unknown, was listed as the person who worked during third shift on the date of Resident A's death, I interviewed previous direct care staff member Dean Khaka on 04-12-2022. During his interview Mr. Khaka stated he mainly worked at another home owned by the licensee but did occasionally fill in at other Open Arms homes. Mr. Khaka did not remember working at Open Arms Stoll however. Mr. Khaka stated that he does not remember ever caring for Resident A including during the overnight shift before her death.

I received and reviewed an *AFC Licensing Division – Incident / Accident Report on 04-22-2022* for Resident A dated 12/03/2021 which documented the below information:

- “Explain What Happened: The report explains that Alisha (employee) walked in Resident A’s room at Open Arms Link Stoll about 10:50 a.m. to check on her and get her up for breakfast and found Resident A unresponsive. Staff called 911 and group home management to let them know of the incident.
- Action taken by Staff: Upon closer observation staff noticed her body was still warm but the hands that were out of the blankets were cold. Alisha performed CPR until the paramedics got to the AFC. The resident had just got home 3 days ago after spending a little over a month in hospital (10/22/2021-11/30/21).
- Corrective Measures Taken to Remedy and/or Prevent Recurrence: The licensee and Mascline got to the home after getting the sad news. We talked to the officers and gave them all the information they needed. The officer mentioned that there was not going to be a postmortem since they considered it a natural death. Tiffany Funeral picked her up at about 1 pm.”

During the exit conference and interview with Mr. Chiduma, he stated he expected direct care staff members to call emergency services when a resident is experiencing chest pain.

Lisa Hicks-Betz from the Dewitt Township Police Department was called on 04-29-2022 and asked how to request a police report. She stated that she would need a detailed FOIA request emailed to Police@dewittwp.org. Ms. Hicks-Betz was provided with a detailed FOIA request via email, but I have yet to receive a copy of the police report surrounding the passing of Resident A. The police report was requested on 04-30-2022.

APPLICABLE RULE	
R 400.14310	Resident health care.
	(4) In case of an accident or sudden adverse change in a resident's physical condition or adjustment, a group home shall obtain needed care immediately.
ANALYSIS:	Resident A complained of chest pain during nighttime hours and no steps were taken to obtain emergency medical care or to have Resident A evaluated due to this change in condition. Direct care workers (DCW) did not ensure that Resident A obtained needed care immediately.
CONCLUSION:	VIOLATION ESTABLISHED

ALLEGATION:

The licensee designee Simbarashe Chiduma and administrator Mascline Chiduma came to the group home and falsified documentation and destroyed a medication administration record (MAR) that reflected the correct medication Resident A was supposed to be taking.

INVESTIGATION:

I conducted an unannounced onsite investigation at Open Arms Stoll Adult Foster Care Home on 04-07-2022. Direct care staff members Mr. Saldivan, Travon Rogers, or Silvie Marian when interviewed all denied having any knowledge of any resident record being destroyed or any documents being falsified at Open Arms Stoll.

Direct care staff member Oluwasegun Adebayo when interviewed stated that she had no knowledge of documents being falsified at Open Arms Stoll. Previous direct care staff member Dean Khaka when interviewed stated that he had no knowledge of documents being falsified at Open Arms Stoll.

Direct care staff workers (DCW) Sifa James, Catherine Funches, Michael McConnell, and Michelle Wells when interviewed stated that they had no knowledge of documents being falsified at Open Arms Stoll.

Mr. and Mrs. Chiduma stated that they have never destroyed or falsified documentation. Mr. Chiduma stated that they have had no reason to do so and have never done anything illegal. They also denied ever destroying any resident medication record, including Resident A's, or changing any record. Given Resident A's resident record did not include any medication administration records to review, I was not able to assure the document was intact.

APPLICABLE RULE	
R 400.14316	Resident records.
	(1) A licensee shall complete, and maintain in the home, a separate record for each resident and shall provide record information as required by the department. A resident record shall include, at a minimum, all of the following information: (a) Identifying information, including, at a minimum, all of the following: (i) Name. (ii) Social security number, date of birth, case number, and marital status. (iii) Former address. (iv) Name, address, and telephone number of the next of kin or the designated representative. (v) Name, address, and telephone number of the person and agency responsible

	<p>for the resident's placement in the home. (vi) Name, address, and telephone number of the preferred physician and hospital. (vii) Medical insurance. (viii) Funeral provisions and preferences. (ix) Resident's religious preference information. (b) Date of admission. (c) Date of discharge and the place to which the resident was discharged. (d) Health care information, including all of the following: Page 26 Courtesy of www.michigan.gov/orr (i) Health care appraisals. (ii) Medication logs. (iii) Statements and instructions for supervising prescribed medication, including dietary supplements and individual special medical procedures. (iv) A record of physician contacts. (v) Instructions for emergency care and advanced medical directives. (e) Resident care agreement. (f) Assessment plan. (g) Weight record. (h) Incident reports and accident records. (i) Resident funds and valuables record and resident refund agreement. (j) Resident grievances and complaints.</p>
ANALYSIS:	<p>Based on the evidence gathered during this investigation through interviews with current and former direct care staff members, other employees working for Open Arms Link Corporation, and review of documentation both at Open Arms Stoll and the Open Arms Link corporate office there was not enough evidence to find a violation that licensee designee Simbarashe Chiduma and administrator Mascline Chiduma came to the group home and falsified documentation and destroyed a medication administration record (MAR) that reflected the correct medication Resident A was supposed to be taking nor filled in daily logs that were not completed.</p>
CONCLUSION:	VIOLATION NOT ESTABLISHED

ALLEGATION:

Direct care staff members at Open Arms Stoll are untrained.

INVESTIGATION:

An unannounced onsite investigation was conducted at Open Arms Stoll Adult Foster Care home on 04-07-2022. Direct care staff member Misael Saldivan was working at the time and stated that he completed all the required training to work independently as a direct care staff member.

Direct care staff member Travon Rogers when interviewed stated that his first day of work at Open Arms Stoll was 03-31-2022. Mr. Rogers stated that he has completed

most of the required training. He specifically said that he has completed CPR and First Aid training.

Direct care staff member Silvie Mariam when interviewed said that she began working at Open Arms Stoll on 3-09-2022. She stated that she has completed CPR and First Aid training. Ms. Mariam said that she has completed both online and in-person trainings on many topics related to resident care.

Direct care staff member Oluwasegun Adebayo when interviewed on 04-12-2022 stated that he has completed all training necessary to work independently as a direct care staff member other than the Recipient Rights training, which he will be completing on 04-13-2022. Mr. Adebayo specifically stated that he has completed CPR/First Aid and Medication training.

Direct care staff member Catherine Funches when interviewed on 04-12-2022 stated that the only training she has not completed is Recipient Rights training, which she will be completing on 04-13-2022.

Direct care staff member Michael McConnell when interviewed on 04-12-2022 stated that he has assumed the house manager position at Open Arms Stoll. Mr. McConnell stated that he has worked at Open Arms Stoll for one week. He said that he has completed Medication and Recipient Rights training, as well as CPR and First Aid.

Direct care staff member Michelle Wells when interviewed on 04-12-2022 stated that she has completed all necessary trainings to work independently as a direct care staff member.

Direct care staff member Sifa James when interviewed on 04-13-2022 stated that she has completed medication training and is scheduled to complete additional training later this week.

An unannounced onsite investigation took place at the Open Arms Link corporate office on 04/21/2022 to review direct care staff member training records.

- Direct care staff member Travon Rogers' employee records were reviewed and all required employee documents were present including training records. Mr. Rogers' employee records were found to have a driver's license, social security card, employment agreement, job application with at least two references that had been contacted and had responded in writing, work history, education, duties of direct care staff members, job description, onboarding documentation, Michigan Workforce Background letter indicating that Mr. Rogers is eligible to work in an Adult Foster Care home, a medical examination, an up to date negative TB test, employer health appraisal form, and all necessary training including: reporting requirements, personal care, supervision, and protection of residents, CPR, First Aid, Medication, Recipient Rights, Safety and Fire

Prevention, and Prevention and Containment of Communicable diseases were found in Mr. Rogers' employee record.

- Direct care staff member Silvie Mariam's employee records were reviewed. Upon my review of Ms. Mariam's employee records, it was found that Ms. Mariam had a United States of America Permanent Resident card, social security card, employment agreement, job application with at least two references that had been contacted and had responded in writing, work history, education, duties of direct care staff members, job description, onboarding documentation, Michigan Workforce Background letter indicating that Ms. Mariam is eligible to work in an Adult Foster Care home, a medical examination, employer health appraisal form, and all necessary training including: reporting requirements, personal care, supervision, and protection of residents, CPR/First Aid/Medication/Recipient Rights, Safety and Fire Prevention, and Prevention and Containment of Communicable diseases were found in Ms. Mariam's employee record. Ms. Mariam did not have a negative TB test result in her employee file.
- Direct care staff member Oluwasegon Emmanuel Abebayo's employee records were reviewed. Upon my review of Mr. Abebayo's employee records, it was found that Mr. Abebayo had a driver's license, social security card, employment agreement, job application with at least two references that had been contacted and had responded in writing, work history, education, duties of direct care staff members, job description, onboarding documentation, Michigan Workforce Background letter indicating that Mr. Abebayo is eligible to work in an Adult Foster Care home, a medical examination, employer health appraisal form, but he did not have any training documentation in his employee records necessary to work independently as a direct care staff member. Office manager Jason Zilka indicated that they have repeatedly scheduled trainings for Mr. Abebayo to attend but he has so far failed to show up for any of the trainings. Mr. Abebayo began working at Open Arms Stoll on 02-08-2022.
- Direct care staff member Misael Saldivan's employee records were reviewed. Upon my review of Mr. Saldivan's employee records, it was found that Mr. Saldivan had all required documentation to work independently as a direct care staff member. Mr. Saldivan had a driver's license, social security card, employment agreement, job application with at least two references that had been contacted and had responded in writing, work history, education, duties of direct care staff members, job description, onboarding documentation, Michigan Workforce Background letter indicating that Mr. Saldivan is eligible to work in an Adult Foster Care home, a medical examination, employer health appraisal form, and all necessary training including: reporting requirements, personal care, supervision, and protection of residents, CPR, First Aid, Medication, Recipient Rights, Safety and Fire Prevention, and Prevention and Containment of Communicable diseases to work independently as a direct care staff member.

- Direct care staff member Michael McConnell's employee records were reviewed. It was found that Mr. McConnell had all required documentation to work independently as a direct care staff member in his employee records. Mr. McConnell had a driver's license, social security card, employment agreement, job application with at least two references that had been contacted and had responded in writing, work history, education, duties of direct care staff members, job description, onboarding documentation, Michigan Workforce Background letter indicating that Mr. McConnell is eligible to work in an Adult Foster Care home, a medical examination, employer health appraisal form, and all necessary training including: reporting requirements, personal care, supervision, and protection of residents, CPR, First Aid, Medication, Recipient Rights, Safety and Fire Prevention, and Prevention and Containment of Communicable diseases to work independently as a direct care staff member.
- Direct care staff member Jada Layne Moore's employee records were reviewed. Upon my review of Ms. Moore's employee records, it was found that Ms. Moore had all required documentation to work independently as a direct care staff member. She had a driver's license, social security card, employment agreement, job application with at least two references that had been contacted and had responded in writing, work history, education, duties of direct care staff members, job description, onboarding documentation, Michigan Workforce Background letter indicating that Ms. Moore is eligible to work in an Adult Foster Care home, a medical examination, employer health appraisal form, and all necessary trainings including: reporting requirements, personal care, supervision, and protection of residents, CPR, First Aid, Medication, Recipient Rights, Safety and Fire Prevention, and Prevention and Containment of Communicable diseases to work independently as a direct care staff member.
- Direct care staff member Catherine S. Funches' employee records were reviewed. Upon my review of Ms. Funches' employee records, it was found that Ms. Funches had all required documentation to work independently as a direct care staff member. She had a driver's license, social security card, employment agreement, job application with at least two references that had been contacted and had responded in writing, work history, education, duties of direct care staff members, job description, onboarding documentation, Michigan Workforce Background letter indicating that Ms. Funches is eligible to work in an Adult Foster Care home, a medical examination, employer health appraisal form, and all necessary training including: reporting requirements, personal care, supervision, and protection of residents, CPR, First Aid, Medication, Recipient Rights, Safety and Fire Prevention, and Prevention and Containment of Communicable diseases to work independently as a direct care staff member.
- Direct care staff member Sifa James' employee records were reviewed. Upon my review of Ms. James' employee records, it was found that she had all required documentation to work independently as a direct care staff member. Ms. James had a driver's license, social security card, employment agreement,

job application with at least two references that had been contacted and had responded in writing, work history, education, duties of direct care staff members, job description, onboarding documentation, Michigan Workforce Background letter indicating that she is eligible to work in an Adult Foster Care home, a medical examination, employer health appraisal form, and all necessary training including: reporting requirements, personal care, supervision, and protection of residents, CPR, First Aid, Medication, Recipient Rights, Safety and Fire Prevention, and Prevention and Containment of Communicable diseases to work independently as a direct care staff member.

- Direct care staff member Michelle Christine Wells’ employee records were reviewed. Upon my review of Ms. Wells’ employee records, it was found that she had all required documentation to work independently as a direct care staff member. Ms. Wells had a driver’s license, social security card, employment agreement, job application with at least two references that had been contacted and had responded in writing, work history, education, duties of direct care staff members, job description, onboarding documentation, Michigan Workforce Background letter indicating that she is eligible to work in an Adult Foster Care home, a medical examination, employer health appraisal form, and all necessary training including: reporting requirements, personal care, supervision, and protection of residents, CPR, First Aid, Medication, Recipient Rights, Safety and Fire Prevention, and Prevention and Containment of Communicable diseases to work independently as a direct care staff member.

An onsite investigation took place at Open Arms Stoll AFC home on 04-21-2022. Administrator Mascline Chiduma stated direct care staff member Oluwasegon Emmanuel Abebayo is no longer working at Open Arms Stoll.

Licensee designee Simbarashe Chiduma and administrator Mascline Chiduma were interviewed, and an exit conference was conducted on 05-16-2022. Mr. Chiduma admitted that they did not maintain complete employee records for the direct care staff members working at Open Arms Stoll and that many of them did not have the necessary documentation and training to work independently as a direct care staff member. Mr. and Mrs. Chiduma were informed that a follow-up unannounced on-site inspection would take place in two to three months to ensure compliance with the CAP.

APPLICABLE RULE	
R 400.14204	Direct care staff; qualifications and training.
	(3) A licensee or administrator shall provide in-service training or make training available through other sources to direct care staff. Direct care staff shall be competent before performing assigned tasks, which shall include being competent in all of the following areas: (a) Reporting requirements.

	<p>(b) First aid. (c) Cardiopulmonary resuscitation. (d) Personal care, supervision, and protection. (e) Resident rights. (f) Safety and fire prevention. (g) Prevention and containment of communicable diseases.</p>
ANALYSIS:	Based on the evidence gathered during this investigation through interviews with current direct care staff members, other employees working for Open Arms Link Corporation, and review of documentation both at Open Arms Stoll and the Open Arms Link corporate office it was found that all but one direct care staff member working at Open Arms Stoll Adult Foster Care home at the time of this investigation were fully trained. Direct care staff member Oluwasegon Emmanuel Abebayo, who was hired on 02-08-2022, did not complete any of the required trainings before working with residents.
CONCLUSION:	VIOLATION ESTABLISHED

ALLEGATION:

Staff put residents to bed when residents do not want to go to bed or when staff are upset with them.

INVESTIGATION:

I conducted an unannounced investigation at Open Arms Stoll Adult Foster Care Home on 04-07-2022 and interviewed Resident B. Resident B said she thinks she moved into the home on 10-31-2021. Resident B denied that she is put to bed or made to go to her room when she does not want to or when staff are upset with her.

Resident C was interviewed face to face on 04-22-2022. She stated that she has lived at Open Arms Stoll for approximately a year and said that direct care staff members have never made her go to her room or to bed. Resident C stated that she goes to her room and to bed when she wants to and has never been forced to do so. She is unaware of direct care staff members forcing residents to go to their room or to bed against their wishes.

Direct care staff member Travon Rogers when interviewed face to face on 04-07-2022 denied that he and/or other direct care staff members make residents go to their room or to bed when residents do not want to go to bed or when staff are upset with them.

Direct care staff member Silvie Mariam when interviewed on face to face on 04-07-2022 denied that she and/or other direct care staff members make residents go to their room or to bed when residents do not want to go to bed or when staff are upset with them.

Direct care staff member Oluwasegun Adebayo when interviewed on 04-12-2022 stated that he has worked at Open Arms Stoll Adult Foster Care home since February 2022 and goes by the name "Manny". Mr. Adebayo said that he and other direct care staff members treat all the residents at Open Arms Stoll the same and that is like a family. He denied that he and/or other direct care staff members put residents to bed when residents do not want to go to bed or when staff are upset with them.

Direct care staff member Catherine Funches when interviewed on 04-12-2022 denied that she and/or other direct care staff members make residents go to their room or to bed when residents do not want to go to bed or when staff are upset with them.

Direct care staff member Sifa James when interviewed on 04-13-2022 denied that she and/or other direct care staff members make residents go to their room or to bed when residents do not want to go to bed or when staff are upset with them.

Direct care staff member Michael McConnell when interviewed denied that he and/or other direct care staff members make residents go to their room or to bed when residents do not want to go to bed or when staff are upset with them.

Direct care staff member Michelle Wells was interviewed on 04-12-2022. Ms. Wells said that most of the residents at Open Arms Stoll are over 60 years old and spend most of their time in their own rooms. She said that she gets along well with the residents at Open Arms Stoll, and they tell her everything about how they are doing and treated in the home. Ms. Wells stated that none of the residents have complained to her about being forced to go to their rooms or to go to bed. The residents have never told her that the direct care staff members at Open Arms Stoll are mean to them nor yell at them. Ms. Wells stated that she has never heard from anyone else that the direct care staff members at Open Arms Stoll are mean to or yell at any of the residents.

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:	Based on the evidence gathered during this investigation through interviews with current direct care staff members and residents living at Open Arms Stoll, residents were not being made to go to their rooms or to bed against their will.
CONCLUSION:	VIOLATION NOT ESTABLISHED

ADDITIONAL FINDING:

INVESTIGATION:

During my unannounced onsite investigation at the facility, Resident B reported she was not getting her Gabapentin medication as prescribed and indicated it was causing her to have migraine headaches. Resident B stated she is supposed to talk to her doctor about it on 04/14/2022. Resident B stated she is now getting Ativan and it makes her feel sick. She is going to speak to her doctor about the Ativan causing her to feel sick as well. I reviewed Resident B's *medication administration record* and it did not indicate that Resident B's Gabapentin was discontinued. The *medication administration record* indicated Resident B was supposed to get Gabapentin 600 mg tablet three times per day and according to the record she had not received the medication from 04-01-2022 to 04-07-2022. There were lines drawn through each day in April 2022 as if Resident B had not been given the medication, but it did not indicate that it was discontinued. Direct care staff members working at the time of my onsite special investigation did not have an explanation why Resident B did not receive her Gabapentin medication as prescribed. No direct care staff member could provide any documentation that the medication had been discontinued. During the onsite investigation on 04/07/2022, direct care staff member Mr. Saldivan called and left voicemail messages with Resident B's case manager Trsyri Friar from Community Mental Health and her doctor to see if her Gabapentin had been discontinued. Mr. Saldivan admitted that he was unaware whether Resident B's Gabapentin had been discontinued.

I called and emailed Resident B's case manager Trsyri Friar at Community Mental Health on 04-08-2022 to ask about the Gabapentin. He responded on 04-12-2022 and stated he had met with Resident B on 04-06-2022 and she mentioned the issue of being out of Gabapentin. Mr. Friar stated he looked up her prescribed medications through per psychiatrist and was able to inform her the Gabapentin was not prescribed through Community Mental Health. He said Resident B was unsure why he could not find her Gabapentin prescription and at the time they both were

unsure who the prescriber of the Gabapentin was. Mr. Friar stated he followed up with the homes Director of Operations and was able to get a medication administration record to check if Resident B was being administered Gabapentin and found that she was not. He finally stated he was trying to get Resident B a bed at a local crisis residential unit to “give her a break” from Open Arms Stoll and make sure that she is getting and responding well to all her medications. Mr. Friar stated unfortunately this crisis unit did not have a bed at the time but that he would get her in as soon as possible.

A second onsite investigation took place at Open Arms Stoll on 04-22-2022. Resident B’s *Medication Administration Record (MAR)* was again reviewed by this consultant. Resident B’s MAR indicated that Resident B had begun taking her Gabapentin again. The MAR indicated that Resident B is to take Gabapentin three times per day. However, on 04-21-2022, the MAR indicated Resident B’s medication had only been administered twice rather than the three times it is prescribed. There were no initials for the person who administered the HS or afternoon dose of Resident B’s Gabapentin medication for 04-21-2022. Direct care staff member Misael Saldivan was working at the time of the inspection and in the office when this error was discovered. He admitted he was working on 04-21-2022 and he gave Resident B her Gabapentin but forgot to document his initial on her MAR thus indicating the Gabapentin medication had been administered as prescribed.

Administrator Mascline Chiduma was present during the second onsite investigation. She said that they have went through many direct care staff members and home managers at Open Arms Stoll recently, which has made it very difficult to keep up with training new direct care staff members, with paperwork, and ensuring that direct care staff members are always following proper protocol when caring for the residents. Ms. Chiduma said that she would reiterate with the direct care staff members working at Open Arms Stoll the importance of ensuring that they are initialing in residents’ *medication administration records* every time they administer a medication.

I interviewed Resident B again on 04-22-2022 and she stated that she is feeling better and she is again receiving her Gabapentin on a regular basis.

On 04-21-2022 an onsite investigation took place at the Open Arms Link Corporate Office and office manager Jason Zilka indicated that they had a training for all their home managers with licensing consultant Michelle Streeter on 04-14-2022, and that a portion of the training involved medication administration and proper documentation of *medication administration records*.

APPLICABLE RULE	
R 400.14312	Resident medications.
	(4) When a licensee, administrator, or direct care staff member supervises the taking of medication by a resident, he or she shall comply with all of the following provisions: (b) Complete an individual medication log that contains all of the following information: (v) The initials of the person who administers the medication, which shall be entered at the time the medication is given.
ANALYSIS:	Based on a review of Resident B's medication administration records and interviews with direct care staff members, Resident B did not receive the medication Gabapentin as prescribed from 04-01-2022 through 04-07-2022. Direct care staff members did not take any steps to assure the medication was refilled or a new prescription written even after Resident B complained of experiencing side effects from not receiving the medication.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

Upon the receipt of an acceptable corrective action plan, it is recommended that the status of the license remains unchanged.



05/23/2022

Rodney Gill
Licensing Consultant

Date

Approved By:



05/24/2022

Dawn N. Timm
Area Manager

Date