



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

June 10, 2022

Paula Barnes
Central State Community Services, Inc.
Suite 201
2603 W Wackerly Rd
Midland, MI 48640

RE: License #: AM250083741
Investigation #: 2022A0779032
Lara House

Dear Ms. Barnes:

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) 284-9700.

Sincerely,

A handwritten signature in cursive script that reads "Christopher A. Holvey".

Christopher Holvey, Licensing Consultant
Bureau of Community and Health Systems
611 W. Ottawa Street
P.O. Box 30664
Lansing, MI 48909
(517) 899-5659

enclosure

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

This report contains content of a sexual nature

I. IDENTIFYING INFORMATION

License #:	AM250083741
Investigation #:	2022A0779032
Complaint Receipt Date:	04/12/2022
Investigation Initiation Date:	04/12/2022
Report Due Date:	06/11/2022
Licensee Name:	Central State Community Services, Inc.
Licensee Address:	Suite 201 2603 W Wackerly Rd Midland, MI 48640
Licensee Telephone #:	(989) 631-6691
Administrator:	Dale McAlpine
Licensee Designee:	Paula Barnes
Name of Facility:	Lara House
Facility Address:	6151 W. Lake Road, Clio, MI 48420
Facility Telephone #:	(810) 687-2350
Original Issuance Date:	06/22/2001
License Status:	REGULAR
Effective Date:	08/01/2020
Expiration Date:	07/31/2022
Capacity:	12
Program Type:	DEVELOPMENTALLY DISABLED MENTALLY ILL

II. ALLEGATION(S)

	Violation Established?
Resident A has been sexually assaulted by male staff named "Chris".	Yes - No
Additional Findings	Yes

III. METHODOLOGY

04/12/2022	Special Investigation Intake 2022A0779032
04/12/2022	Special Investigation Initiated - Telephone Spoke to recipient rights investigator, Pat Shepard.
04/13/2022	APS Referral Complaint was referred to AFC licensing by APS.
04/13/2022	Inspection Completed On-site
04/13/2022	Contact - Telephone call made Interview conducted with staff person, Jennifer Beatty.
04/13/2022	Contact - Telephone call made Interview conducted with staff person, Chris Walton.
04/13/2022	Contact - Telephone call made Interview conducted with staff person, Israel Thomas.
04/13/2022	Contact - Telephone call made Interview conducted with staff person, Lisa Pennyman.
05/23/2022	Contact - Telephone call made Spoke to recipient rights investigator, Ms. Shepard.
05/23/2022	Contact - Telephone call made Spoke to APS worker, Tiffany Williams.
06/02/2022	Contact - Telephone call made Spoke to Detective Sargent Deon Smith.
06/08/2022	Contact – Document sent Record request sent to Genesee County Sheriff's Record Division via e-mail.
06/10/2022	Contact – Document received

	E-mails exchanged with Genesee County Sheriff's Record Division.
05/10/2022	Exit Conference Conducted with administrator, Dale McAlpine.

ALLEGATION:

Resident A has been sexually assaulted by male staff named "Chris".

INVESTIGATION:

On 4/12/22, a phone conversation took place with recipient rights investigator, Pat Shepard, who confirmed that she was investigating the same allegations. Ms. Shepard stated that she had already interviewed Resident A and that resident A seemed uncomfortable speaking about the alleged incident. She reported that Resident A told her that staff person, Chris Walton, anally penetrated her on a recent Saturday in April 2022, but would not provide any further details. Ms. Shepard stated that Resident A claims that another staff person, Israel Thomas, was at the store and not in the home at the time of the assault and that the only other residents awake at the time were Resident B and Resident C. Ms. Shepard stated that Resident B has significant cognitive deficiencies that prohibit him from being interviewed and that Resident C denied knowing anything about the alleged assault.

On 4/13/22, an on-site inspection was conducted. An attempt was made to interview Resident C but he was not interested in being interviewed and would not talk. An interview was conducted with Resident A. Resident A claims that staff person, Chris Walton, sexually assaulted her around 11:00pm-12:00am on Saturday, April 2, 2022, and that there was anal penetration involved. When asked if there were any other staff working at the time of the incident, Resident A stated that staff person, Israel Thomas, was the only other staff at the home. Resident A stated that Ms. Thomas knew the assault was happening and did nothing but sit on the couch. Resident A reported that Mr. Walton asked if he could have sex with her and that she was afraid, so she just let him do it. Resident A stated that the assault took place in her bedroom and that no one else was around to actually see the assault take place. Resident A claims that after the assault, she went outside to smoke, then stayed in her room the rest of the night and that she did not say anything about the assault to anyone until she told staff person, Jenny Beatty on Wednesday April 6, 2022.

During the on-site inspection on 4/13/22, an interview was conducted with assistant manager, Jenny Beatty. She stated that Resident A came to her on Wednesday April 6, 2022, and said that Mr. Walton had anal sex with her and made her suck his dick on Thursday, March 31, 2022. Ms. Beatty stated that she asked Resident A twice if she was sure the incident happened on Thursday and that Resident A said "Yes", so she showed Resident A the staff schedule and that Mr. Walton did not work that Thursday.

Ms. Beatty reported that Resident A then said the assault happened before the weekend, so it had to have happened on Friday April 1, 2022, and that she again showed Resident A that Mr. Walton did not work on that Friday. Ms. Beatty stated that she told Resident A that she needed to contact the Office of Recipient Rights (ORR) about this matter and that Resident A then just walked away. Ms. Beatty stated that Resident A did not bring up this subject again until ORR contacted the home on April 11, 2022. She stated that on April 11, 2022, she wrote an incident report (IR) about what Resident A had reported to her and took Resident A to the hospital and YWCA for an exam. Ms. Beatty reported that a sexual assault exam was not done as the YWCA staff said that too much time had passed since the alleged assault took place.

On 4/13/22, Ms. Beatty provided a copy of the IR that she had written on April 11, 2022. The information on the IR matches the information obtained during the interview with Ms. Beatty. The IR documented that law enforcement was called and that Resident A was taken to the emergency room. The corrective measures listed on the IR was that Mr. Walton was suspended from work pending further investigation.

On 4/13/22, an interview was conducted with staff person, Kanquasha Stevenson. She stated that she took Resident A to her primary care physician (PCP) on April 12, 2022, but that Resident A was uncomfortable and uncooperative with the sexual exam and asked the PCP to stop the exam halfway through. Ms. Stevenson stated that the PCP did not find any physical signs of trauma to Resident A.

On 4/13/22, a phone interview was conducted with staff person, Chris Walton, who confirmed that he was aware of the allegations made against him and denied that he ever sexually assaulted Resident A. Mr. Walton stated that Resident A changed her story a few times as to when the alleged assault took place and that Resident A first claimed that it happened on days he did not even work. He reported that there is always female staff working with him so he is never put in the position to be left alone with a female resident. Mr. Walton claims that he was never alone with Resident A on April 2, 2022, or in her bedroom that night/shift. Mr. Walton stated that Resident A is always telling him that she loves him and is hugging him. He stated that he has asked her repeatedly to not do those things, but she does not stop. Mr. Walton reported that he confronted Resident A on April 9, 2022, about making these allegations and that Resident A admitted to lying and apologize to him.

On 4/13/22, a phone interview was conducted with staff person, Israel Thomas, who confirmed that she worked with Mr. Walton on the night of April 2, 2022. She stated that Resident A is always inappropriately hugging on Mr. Walton and telling him that she loves him and that Mr. Walton respectfully asks Resident A not to do those things. Ms. Thomas stated that she believes that Resident A is lying about the sexual assault. Ms. Thomas reported that Mr. Walton was in the game room watching television with Resident B and Resident C all night and that Mr. Walton never went into Resident A's bedroom, but she did admit that she left the home during that shift for a short period of time. Ms. Thomas stated that she was present on April 9, 2022, when Mr. Walton

confronted Resident A regarding this issue and that she heard Resident A apologize to Mr. Walton and admit to lying on him.

On 4/13/22, a phone interview was conducted with staff person, Lisa Pennyman, who confirmed that she worked with Mr. Walton and Ms. Thomas on the night of April 2, 2022. She stated that her and Mr. Walton spent most of that shift watching television in the game room with Resident B and Resident C. Ms. Pennyman stated that staff make a point to know where each other are, knowing the nature of these residents and their mental illness, and that Mr. Walton was never alone with Resident A or in Resident A's bedroom that night. She stated that Resident A has never said anything to her about Mr. Walton sexually assaulting her or being uncomfortable around him. Ms. Pennyman reported that, on multiple occasions, she has witnessed Resident A hugging Mr. Walton and telling Mr. Walton that she loves him and that she has told Resident A that she should not be doing those things. She stated that she has seen Mr. Walton respectfully ask Resident A to stop doing those things.

On 5/23/22, a phone conversation took place with recipient rights investigator, Pat Shepard. She stated that she was informed that the Genesee County Sheriff Dept. had become actively involved in this situation and have started their own investigation into these allegations. Ms. Shepard stated that she has spoken to nurse practitioner, Lisa Lindsay, who told her that she had conducted a visual examination of Resident A, shortly after the alleged assault took place, and that she found no visual evidence of trauma to Resident A's vaginal or anal areas.

On 5/23/22, a phone conversation took place with APS worker, Tiffany Williams, who confirmed that she was at this home on May 11, 2022, with the Sheriff Dept., and they interviewed all the staff that were present at the home that day. She stated that the Sheriff Dept. has asked her to hold off on doing any further interviews until after they have concluded their investigation. Ms. Williams reported that the Sheriff Dept. had plans to schedule interviews with other residents of the home and take the information they obtain to the prosecutor's office and ask for a warrant against Mr. Walton to be authorized, but that she had not heard anything back yet. Ms. Williams provided her notes via e-mail regarding her interview with Resident A's nurse practitioner, Lisa Lindsay. The notes indicated that Ms. Lindsay became aware of the allegations approximately 4- days after the alleged incident, that Resident A refused a speculum physical exam, but that Ms. Lindsay was able to visually check Resident A's vaginal and anal area and found no visual trauma or tears.

On 6/2/22, a phone conversation took place with Detective Sergeant Deon Smith of the Genesee County Sheriff Dept. Sergeant Smith stated that his office is still actively investigating the alleged sexual assault of Resident A by Mr. Walton. He reported that information that they have obtained has been sent to the Genesee County Prosecutor's Office and that a warrant has been issued for the arrest of Mr. Walton, but that there is no timeframe for an actual arrest yet. Sergeant Smith stated that he could not provide any further detailed information or written report regarding their investigation at this time.

On 6/10/2022, e-mails were exchanged with Dawn Sharif-Coon from the Genesee County Sheriff's Record Division. Ms. Sharif-Coon stated that there was no reports/documents in their system regarding any interviews that their department may have completed regarding these allegations of sexual assault, other than the original report when the complaint was taken.

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 were no witnesses to the alleged sexual assault of Resident A by staff person, Kristoffer Walton. Mr. Walton stated that he was never left alone with Resident A and denies that he sexually assaulted her in any way. Staff persons, Israel Thomas and Lisa Pennyman, who worked with Mr. Walton on the day of the alleged assault, both stated that Mr. Walton was never left alone with Resident A on 4/2/2022. There was no physical evidence found and/or available to suggest that Resident A was sexually assaulted.</p> <p>There is a lack of evidence at this time to prove that Resident A was not provided adequate protection and safety.</p>
CONCLUSION:	VIOLATION NOT ESTABLISHED

ADDITIONAL FINDINGS:

INVESTIGATION:

On 4/13/22, Resident A stated that she went to assistant manager, Jenny Beatty, and reported that she had been sexually assaulted by staff person, Chris Walton. She stated that Ms. Beatty did not believe her and that she was not asked about these allegations again until April 11, 2022. Resident A admitted that she was confused as to the actual date of when the assault took place but was adamant that it did happen. Resident A reported that the assault took place on April 2, 2022, and that she was not taken for medical care and/or sexual exam until April 11, 2022.

On 4/13/22, assistant manager, Jenny Beatty, stated that Resident A came to her on April 6, 2022, alleging that staff person, Chris Walton, had sexually assaulted her on either March 31st or April 1, 2022. Ms. Beatty admitted that she did not believe Resident A, as the staff schedule showed that Mr. Walton did not work either of those two days. Ms. Beatty stated that Resident A dropped the subject and did not talk about it again until April 11, 2022. Ms. Beatty admitted that she did not tell any of her supervision and/or management about Resident A's allegations, that a police report was not made and that Resident A was not taken for a physical/sexual abuse exam until five days later, on April 11, 2022, and only when ORR got involved.

APPLICABLE RULE	
R 400.14204	Direct care staff; qualifications and training.
	<p>(2) Direct care staff shall possess all of the following qualifications:</p> <p style="padding-left: 40px;">(a) Be suitable to meet the physical, emotional, intellectual, and social needs of each resident.</p> <p style="padding-left: 40px;">(b) Be capable of appropriately handling emergency situations.</p>
ANALYSIS:	<p>Resident A went to assistant manager, Jenny Beatty, on April 6, 2022, and stated that she had been sexually assaulted by staff person, Chris Walton. Ms. Beatty admitted that she did not tell any of her supervision and/or management about Resident A's allegations, that a police report was not made and that Resident A was not taken for a physical/sexual abuse exam until five days later, on April 11, 2022, and only when ORR got involved.</p> <p>Staff person, Chris Walton, stated that he worked at this home on April 9, 2022, when he was able to confront Resident A about these allegations.</p> <p>Ms. Beatty's lack of action allowed Resident A to have further contact with her alleged and/or potential abuser, Mr. Walton. In this circumstance, Ms. Beatty has been found to not have been suitable to meet the physical and emotional needs of a resident and/or capable of appropriately handling a potential emergency situation.</p>
CONCLUSION:	VIOLATION ESTABLISHED

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 went to assistant manager, Jenny Beatty, on April 6, 2022, and stated that she had been sexually assaulted by staff person, Chris Walton. No action was taken until five days later, on April 11, 2022, when Resident A was taken to the hospital and then the YWCA. Due to the extended timeframe from the date of alleged sexual assault, a sexual assault exam could not be performed. Resident A was not provided needed immediate medical care.
CONCLUSION:	VIOLATION ESTABLISHED

On 6/10/22, an exit conference was conducted with administrator, Dale McAlpine. He was informed that a written corrective action plan was required to address the above-mentioned licensing rule violations.

IV. RECOMMENDATION

Upon receipt of an approved written plan of correction, it is recommended that the status of this home's license remain unchanged.

Christopher A. Holvey

6/10/2022

Christopher Holvey
Licensing Consultant

Date

Approved By:

Mary Holton

6/10/2022

Mary E Holton
Area Manager

Date