



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

ORLENE HAWKS  
DIRECTOR

June 15, 2022

Rodica Dafinescu  
Orchard Manor, Inc.  
25967 Power Rd  
Farmington Hills, MI 48336

RE: License #: AS630367886  
Investigation #: 2022A0605031  
Orchard Manor I

Dear Ms. Dafinescu:


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.

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 (248) 975-5053.

Sincerely,

A handwritten signature in cursive script that reads "Frodet Dawisha".

Frodet Dawisha, Licensing Consultant  
Bureau of Community and Health Systems  
Cadillac Place, Ste 9-100  
Detroit, MI 48202  
(248) 303-6348

enclosure

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

**I. IDENTIFYING INFORMATION**

<b>License #:</b>	AS630367886
<b>Investigation #:</b>	2022A0605031
<b>Complaint Receipt Date:</b>	05/03/2022
<b>Investigation Initiation Date:</b>	05/03/2022
<b>Report Due Date:</b>	07/02/2022
<b>Licensee Name:</b>	Orchard Manor, Inc.
<b>Licensee Address:</b>	25967 Power Rd Farmington Hills, MI 48336
<b>Licensee Telephone #:</b>	(248) 321-2378
<b>Administrator/Licensee Designee:</b>	Rodica Dafinescu
<b>Name of Facility:</b>	Orchard Manor I
<b>Facility Address:</b>	25967 Power Road Farmington Hills, MI 48336
<b>Facility Telephone #:</b>	(248) 321-2378
<b>Original Issuance Date:</b>	03/03/2015
<b>License Status:</b>	REGULAR
<b>Effective Date:</b>	09/03/2021
<b>Expiration Date:</b>	09/02/2023
<b>Capacity:</b>	6
<b>Program Type:</b>	MENTALLY ILL ALZHEIMERS AGED

## II. ALLEGATION(S)

	<b>Violation Established?</b>
The staff in the home are undocumented.	Yes
Resident A does not receive her mail.	No
Resident A's nutritional needs are not met. She has gained 25 pounds in the last six months. Resident A is only eating soup for lunch and dinner. They are not getting her any exercise or stimulation.	No

## III. METHODOLOGY

05/03/2022	Special Investigation Intake 2022A0605031
05/03/2022	Special Investigation Initiated - Telephone Left message for Relative A.
05/03/2022	Contact - Telephone call received Discussed allegations with Relative A.
05/03/2022	APS Referral Adult Protective Services (APS) made referral but will not be investigating allegations/denied.
05/04/2022	Inspection Completed On-site I conducted an unannounced on-site investigation. I interviewed Residents A, B, C, D, E, and F. I also interviewed direct care staff (DCS) Chriselle Cover, Josephine Foskin, and Sephora Dafinescu regarding the allegations. I reviewed the menus, residents' weight records and health care appraisals.
05/05/2022	Contact - Telephone call received I interviewed licensee designee Rodica Dafinescu regarding the allegations.
06/07/2022	Contact - Telephone call made I interviewed DCS Asia Gibson regarding the allegations.
06/07/2022	Contact - Document Received Licensee designee Rodica Dafinescu emailed employee files.

06/15/2022	Exit Conference Telephone call with licensee designee Rodica Dafinescu with my findings.
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**ALLEGATION:**

**The staff in the home are undocumented.**

**INVESTIGATION:**

On 05/03/2022, intake #186880 was assigned for investigation regarding Resident A's nutritional needs are not met. Resident A has gained 25 pounds in the last six months and is only eating soup for lunch and dinner. Resident A does not get her mail. The staff in the home are undocumented and live in the home for six months and then the owner/manager, Rodica Dafinescu brings in new staff.

On 05/03/2022, I interviewed via telephone Relative A regarding the allegations. Relative A stated whenever he visits with Resident A, he talks to staff who are present and has never heard of staff being undocumented that work there. Relative A stated, "it's pure foolishness," and that these allegations are made up by Resident A's sister who wants Resident A to live with her out of state. Relative A stated he has no concerns about staff caring for Resident A.

On 05/04/2022, I conducted unannounced on-site investigation. Present were direct care staff (DCS) Chriselle Cover and Josephine Forskin and Residents A, B, C, D, E, and F. While I was at the home conducting interviews, DCS Sephora Dafinescu (licensee designee's daughter) arrived at the home.

I interviewed Resident A regarding the allegations. Resident A stated the staff here have been the same for about nine months or so. She stated she has no concerns regarding staff and does not have any information regarding staff being undocumented. Resident A stated she believes her sister is the person who is making up these allegations because her sister wants Resident A to move in with her (sister) out of state to gain access to Resident A's money. Resident A stated she likes it here very much and has no concerns about staff.

I interviewed Resident B regarding the allegations. Resident B's responses to all questions asked was "yeah." Resident B stated she has no concerns here.

I attempted to interview Resident C regarding the allegations, but Resident C was unable to carry a conversation. Resident C was being fed by DCS Chriselle Cover at the dining room table. Resident C was eating eggs for breakfast.

I attempted to interview Resident D, but Resident D was sitting at the dining room table in her reclined Geri chair sleeping.

I attempted to interview Resident E, but Resident E was also unable to carry a conversation. Resident E stated, "breakfast was ok."

I attempted to interview Resident F, but Resident F stated, "I do not want to talk to you." Resident F was sitting in her wheelchair watching TV.

I interviewed DCS Sephora Dafinescu regarding the allegations. Sephora stated she has been working for her mother's corporation for two years. She has completed all her trainings, background checks, and medical clearance and TB. Sephora stated all staff who work here have completed training and that all staff are documented.

I interviewed DCS Chriselle Cover regarding the allegations. Ms. Cover has only worked here for a couple of months. She stated she is a permanent resident and has completed all her training including her background checks. Ms. Cover stated she cannot speak of other staff as she has not been employed here long enough to state that all other staff are documented or not.

I interviewed DCS Josephine Forskin regarding the allegations. Ms. Forskin has been employed for this corporation since 2021. She stated she is documented and has completed all her training and her background checks. Ms. Forskin also stated she cannot speak as to other staff and to ask the owner, Rodica Dafinescu.

On 05/05/2022, I received a telephone call from licensee designee Rodica Dafinescu regarding the allegations. Ms. Dafinescu stated she began having staffing issues after the Covid pandemic where staff would come for two weeks and then quit. She stated she does not have any staff that is undocumented or any staff from New York. Ms. Dafinescu stated Josephine Forskin is staff, but that Ms. Forskin does not provide direct care services to residents. She stated that Ms. Forskin does the laundry, house maintenance and cooking. Ms. Dafinescu stated that Ms. Forskin does not have an employee record file because, "I did not think she needed a file if she wasn't working with the residents." Ms. Dafinescu understood that all individuals who have direct contact with residents must have an employee record and that all background checks must be completed as well as their medical and TB. Ms. Dafinescu stated she will have Ms. Forskin complete all required documents and if not, then Ms. Dafinescu stated she will terminate Ms. Forskin's employment.

On 05/11/2022, I emailed licensee designee Rodica Dafinescu requesting all staff fingerprints. Ms. Dafinescu emailed back stated she terminated Josephine Forskin who refused to get her fingerprints completed. I received Sephora Dafinescu and Asia Gibson's training, fingerprints, medical, and TB. I did not receive Chriselle Cover's employee records.

On 06/07/2022, I interviewed DCS Asia Gibson regarding the allegations. Ms. Gibson stated she has currently quit from this corporation and that she only worked at Orchard Manor 1 for two days as she was helping due to staff shortage. Ms. Gibson was working at the Power Home. Ms. Gibson stated she quit because she found another job. She stated that she completed her training and background checks, but that she was never trained at Orchard Manor 1 regarding how to care for the residents. Ms. Gibson stated she felt she was not prepared to care for the residents because she received “no training,” on the residents’ needs. She stated, “the owner’s husband told me it’s easy just do it,” but did not review any of the residents’ assessment plans with her. Ms. Gibson stated she worked at Orchard Manor 1 with DCS Josephine Forskin. Ms. Gibson stated that Ms. Forskin lives at the Power Home but also works at Orchard Manor 1 with the residents.

<b>APPLICABLE RULE</b>	
<b>MCL 400.734b</b>	<b>Employing or contracting with certain employees providing direct services to residents; prohibitions; criminal history check; exemptions; written consent and identification; conditional employment; use of criminal history record information; disclosure; failure to conduct criminal history check; automated fingerprint identification system database; report to legislature; costs; definitions.</b>
	<b>(2) Except as otherwise provided in this subsection or subsection (6), an adult foster care facility shall not employ or independently contract with an individual who has direct access to residents until the adult foster care facility or staffing agency has conducted a criminal history check in compliance with this section or has received criminal history record information in compliance with subsections (3) and (11). This subsection and subsection (1) do not apply to an individual who is employed by or under contract to an adult foster care facility before April 1, 2006. On or before April 1, 2011, an individual who is exempt under this subsection and who has not been the subject of a criminal history check conducted in compliance with this section shall provide the department of state police a set of fingerprints and the department of state police shall input those fingerprints into the automated fingerprint identification system database established under subsection (14). An individual who is exempt under this subsection is not limited to working within the adult foster care facility with which he or she is employed by or under independent contract with on April 1, 2006 but may transfer to another adult foster care facility, mental health facility, or covered health facility. If an individual who is exempt under</b>

	<b>this subsection is subsequently convicted of a crime or offense described under subsection (1)(a) to (g) or found to be the subject of a substantiated finding described under subsection (1)(i) or an order or disposition described under subsection (1)(h), or is found to have been convicted of a relevant crime described under 42 USC 1320a-7(a), he or she is no longer exempt and shall be terminated from employment or denied employment.</b>
<b>ANALYSIS:</b>	Based on my investigation and information gathered, DCS Chriselle Cover (hired 01/2022) and staff member Josephine Foskin (hired 2021) did not have their fingerprints/background checks completed at the time of their hire.
<b>CONCLUSION:</b>	<b>VIOLATION ESTABLISHED</b>

<b>APPLICABLE RULE</b>	
<b>R 400.14206</b>	<b>Staffing requirements.</b>
	<b>(2) A licensee shall have sufficient direct care staff on duty at all times for the supervision, personal care, and protection of residents and to provide the services specified in the resident's resident care agreement and assessment plan.</b>
<b>ANALYSIS:</b>	During my unannounced on-site investigation on 05/04/2022, DCS Chriselle Cover and staff member Josephine Forskin were the only staff on duty; however, both Ms. Cover and Ms. Forskin had not had their background checks, nor their training completed. Therefore, there were insufficient direct care staff on duty for the supervision, protection, and personal care of Residents A, B, C, D, E, and F.
<b>CONCLUSION:</b>	<b>VIOLATION ESTABLISHED</b>

<b>APPLICABLE RULE</b>	
<b>R 400.14206</b>	<b>Staffing requirements.</b>
	<b>(3) Any individual, including a volunteer, shall not be considered in determining the ratio of direct care staff to residents unless the individual meets the qualifications of a direct care staff member.</b>



<b>ANALYSIS:</b>	Based on my investigation and information gathered, licensee designee Rodica Dafinescu stated that staff Josephine Forskin was not providing direct care services to Residents A, B, C, D, E, and F, but that Ms. Forskin was only assisting with laundry and house maintenance. However, Ms. Forskin was considered as DCS on 05/04/2022 when she was on shift with DCS Chriselle Cover. Ms. Forskin had not completed her criminal background check nor her training.
<b>CONCLUSION:</b>	<b>VIOLATION ESTABLISHED</b>

**ALLEGATION:**

**Resident A does not receive her mail.**

**INVESTIGATION:**

On 05/03/2022, I interviewed Relative A regarding the allegations. Relative A stated Resident A's mail is given to Resident A by staff and that staff are not withholding her mail. Relative A is Resident A's durable power of attorney (DPOA) therefore, much of Resident A's mail goes to him, but when the mail is received by staff and it is addressed to Resident A, Resident A receives that mail.

On 05/04/2022, I interviewed Resident A regarding the allegations. Resident A stated she rarely gets mail, but when she does staff always bring the mail to her and the mail is unopened. She has no concerns about not receiving her mail at this home.

On 05/04/2022, I interviewed DCS Sephora Dafinescu regarding the allegations. Sephora stated whenever mail arrives for Resident A or any other resident, the mail is taken directly to that resident, and it is unopened unless a staff member has accidentally opened it.

On 05/04/2022, I interviewed DCS Chriselle Cover regarding the allegations. Ms. Cover stated whenever a package or mail is received for Resident A or any other resident, it is given directly to that resident. Ms. Cover stated she never opens any residents' mail or packages.

On 05/04/2022, I interviewed Josephine Forskin regarding the allegations. Ms. Forskin also reported that she gives Resident A and all the other residents' their packages and mail that is addressed to them and has never opened any mail prior to giving it to Resident A or the other residents.

On 05/05/2022, I interviewed licensee designee Rodica Dafinescu regarding the allegations. Ms. Dafinescu stated that her staff are aware that if a resident receives mail, it is unopened and given directly to that resident including Resident A. Ms.

Dafinescu stated she has never been informed by Resident A or Relative A that Resident A did not receive her mail or that her mail was opened.

On 06/07/2022, I interviewed DCS Asia Gibson regarding the allegations. Ms. Gibson stated she was not at this home long enough to observe any concerns regarding residents not receiving their mail.

<b>APPLICABLE RULE</b>	
<b>R 400.14304</b>	<b>Resident rights; licensee responsibilities.</b>
	<b>(1) Upon a resident's admission to the home, a licensee shall inform a resident or the resident's designated representative of, explain to the resident or the resident's designated representative, and provide to the resident or the resident's designated representative, a copy of all of the following resident rights: (d) The right to write, send, and receive uncensored and unopened mail at his or her own expense.</b>
<b>ANALYSIS:</b>	Based on my investigation, Resident A's mail is given directly to Resident A unopened. Resident A stated she does not receive much mail but when she does, staff bring her mail to her and it has always been unopened.
<b>CONCLUSION:</b>	<b>VIOLATION NOT ESTABLISHED</b>

**ALLEGATION:**

**Resident A's nutritional needs are not met. She has gained 25 pounds in the last six months. Resident A is only eating soup for lunch and dinner. They are not getting her any exercise or stimulation.**

**INVESTIGATION:**

On 05/03/2022, Relative A stated after Resident A's sister visited Resident A, the sister contacted Relative A making a comment, "Resident A has gained weight." Relative A stated he visited Resident A and Resident A enjoys eating soup with her sandwich for lunch. Relative A stated whenever he visits Resident A, there is a nutritional meal served and that he has no concerns about Resident A's weight or nutrition.

On 05/04/2022, Resident A was interviewed regarding the allegations. Resident A stated she enjoys eating soup with her sandwich for lunch and gets soup along with her dinner. She stated she likes sandwiches for lunch and for dinner, she gets whatever is on the menu, which is not only soup. Resident A stated she had eggs for breakfast with her coffee and that she gets enough food to eat here and really likes it here. Resident A

stated prior to me arriving at the home, Resident A was ambulating with her walker up and down the hallway. Resident A stated, "I get tired fast, so I can only walk for about 10 minutes. I walk about twice a day if not more." Resident A stated, "I have no issues about anything here."

On 05/04/2022, I interviewed DCS Sephora Dafinescu regarding the allegations. Sephora stated soup is not the only food being served to residents. She stated Resident A specifically asks for soup for lunch along with her sandwich and at dinner time, all residents get soup along with dinner that is being served that day. Sephora stated for breakfast, all residents had eggs and sausage. Sephora stated Resident A gets enough exercise daily as much as she can. Resident A is in a wheelchair but ambulates using a walker; therefore, staff assist Resident A during ambulation walking up and down the hallway as much as Resident A can tolerate.

On 05/04/2022, I interviewed DCS Chriselle Cover regarding the allegations. Ms. Cover stated Resident A enjoys having soup with her sandwich during lunch and that soup is made during dinner in addition to other food that is being offered that day. Ms. Cover stated all residents eat nutritious meals and there is no concern with Resident A's weight. Ms. Cover stated that Resident A uses a walker to ambulate and usually does her walk after breakfast for about 10 minutes because Resident A gets tired fast.

On 05/04/2022, I interviewed DCS Josephine Forskin regarding the allegations. Ms. Forskin stated all the residents eat healthy and that the residents including Resident A do not only eat soup for lunch or dinner. Ms. Forskin stated, "we follow the menu."

On 05/04/2022, I observed the menu and soup is on the menu along with other items being served during lunch and dinner. I observed ample amount of nutritional food in the home for all the residents. I also reviewed Resident A's weight records from January 2022-May 2022 and Resident A's weight was the same at 179 with no changes.

On 05/05/2022, I interviewed the licensee designee Rodica Dafinescu regarding the allegations. Ms. Dafinescu stated staff follow the menu and sometimes substitute the menu when a food item is not available in the home. She stated that staff also keep a separate menu of what is prepared/cooked that day. (I reviewed the menu book and took pictures of the menus) Ms. Dafinescu stated Resident A eats very well and sometimes asks for extra food. She stated that Resident A did gain weight last year and Resident A's doctor was informed, but that the doctor did not have a concern. Resident A gets as much exercise as Resident A can tolerate. Resident A likes to walk the hallway using her walker.

On 06/07/2022, I interviewed DCS Asia Gibson regarding the allegations. Ms. Gibson stated that Resident A was eating nutritional food and enjoyed soup during lunch and dinner. She stated that there were no concerns about Resident A from what she knew being at the home for only two days. Ms. Gibson stated that staff served more than soup during lunch and dinner as they all followed the menu and there was always enough food for everyone in the home.

On 06/15/2022, I conducted the exit conference via telephone with licensee designee Rodica Dafinescu with my findings. Ms. Dafinescu stated she understands the rules that she is being cited for, but wanted me to know that since the pandemic, she has been having issues keeping staff. She stated that DCS Chriselle Cover was hired, and paperwork was sent for Ms. Cover to get her fingerprints completed, but Ms. Cover never followed through. Ms. Dafinescu stated she knows it is her responsibility to follow-up with Ms. Cover, but that as soon as Ms. she did, Ms. Cover quit. Ms. Cover refused to get her fingerprints and all other required paperwork completed. Ms. Dafinescu stated that DCS Asia Gibson was arriving at the home 45 minutes late so on the third day of Ms. Gibson's shift, Ms. Dafinescu advised Ms. Gibson she was going to receive a tardy notice, so Ms. Gibson became upset and left her shift and quit. Ms. Dafinescu agreed to submit a corrective action plan.

<b>APPLICABLE RULE</b>	
<b>R 400.14313</b>	<b>Resident nutrition.</b>
	<b>(2) Meals shall meet the nutritional allowances recommended pursuant to the provisions of "Appendix I: Recommended Dietary Allowances, Revised 1980" contained in the publication entitled "Basic Nutrition Facts: A Nutrition Reference," Michigan Department of Public Health publication no. H-808, 1/89. This publication may be obtained at cost from The Division of Research and Development, Michigan Department of Public Health, P.O. Box 30195, Lansing, Michigan 48909.</b>
<b>ANALYSIS:</b>	Based on my investigation and information gathered, Resident A and all the other residents are receiving nutritional meals daily for breakfast, lunch, and dinner. Resident A stated she enjoys having soup with her lunch and with her dinner, but that she gets enough food to eat. The staff was interviewed, and all staff reported that they follow the menu and prepare nutritious meals. I observed the menu and observed ample number of fruits, vegetables, and meat in the home for all the residents.
<b>CONCLUSION:</b>	<b>VIOLATION NOT ESTABLISHED</b>

**IV. RECOMMENDATION**

Contingent upon receiving an acceptable corrective action plan, I recommend no change to the license.



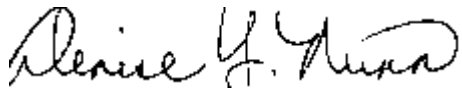
06/15/2022

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Frodet Dawisha  
Licensing Consultant

Date

Approved By:



06/15/2022

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Denise Y. Nunn  
Area Manager

Date