



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

May 16, 2022

Kimberly Gee
Symphony of Brighton Health Care Center LLC
Suite 167
30150 Telegraph Road
Bingham Farms, MI 48025

RE: License #: AL470275345
Investigation #: 2022A0466032
Constable House Inn

Dear Mrs. Gee:

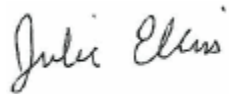
Attached is the Special Investigation Report for the above referenced facility. Due to the violations identified in the report, a written corrective action plan is required. The corrective action plan is due 15 days from the date of this letter and must include the following:

- 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) 284-9727.

Sincerely,

A handwritten signature in cursive script that reads "Julie Elkins".

Julie Elkins, 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 #:	AL470275345
Investigation #:	2022A0466032
Complaint Receipt Date:	03/24/2022
Investigation Initiation Date:	03/25/2022
Report Due Date:	05/23/2022
Licensee Name:	Symphony of Brighton Health Care Center LLC
Licensee Address:	Suite 167 30150 Telegraph Road Bingham Farms, MI 48025
Licensee Telephone #:	(219) 252-3904
Administrator:	Kimberly Gee
Licensee Designee:	Kimberly Gee
Name of Facility:	Constable House Inn
Facility Address:	1014 E. Grand River Brighton, MI 48116
Facility Telephone #:	(810) 220-5222
Original Issuance Date:	07/13/2005
License Status:	REGULAR
Effective Date:	04/18/2022
Expiration Date:	04/17/2024
Capacity:	16
Program Type:	AGED ALZHEIMERS

II. ALLEGATION

	Violation Established?
Resident A has a red eye and she has not received any medical care/treatment.	No
Additional Finding	Yes

III. METHODOLOGY

03/24/2022	Special Investigation Intake- 2022A0466032.
03/24/2022	Contact - Telephone call made to Complainant, message left.
03/25/2022	Special Investigation Initiated – Telephone call from Complainant, interviewed.
03/30/2022	Inspection Completed On-site.
05/09/2022	Contact- Document sent to Melissa Sevegney.
05/09/2022	Contact- Document received from Melissa Sevegney.
05/16/2022	Contact- Telephone call made to DCW Amanda Hawley, message left.
05/16/2022	Exit Conference with licensee designee Kim Gee.

ALLEGATION: Resident A has a red eye and she has not received any medical care/treatment.

INVESTIGATION:

On 03/24/2022, I received an Adult Protective Services (APS) Centralized Intake Referral which stated that for the past two weeks Resident A’s left eye has been “fireball red” and has been progressively getting worse as she has received no medical treatment. Complainant reported Resident A’s left eye has gotten so bad that it is affecting her right eye also. Complainant reported Resident A is just sitting in her wheelchair with both eyes shut and acts like it is very painful. Complainant reported Resident A is not eating as much, possibly due to the pain.

On 03/24/2022, I interviewed Relative A1 who reported she first noticed Resident A’s eye was red on 03/10/2022 after a hair appointment at the facility. Relative A1 reported direct care workers on shift were not able to provide her with any

information about Resident A's eye and if it had been treated medically. Relative A1 reported that she could not recall the name of the DCW she had spoken with that day. Relative A1 reported Relative A2 makes medical decisions for Resident A. Relative A1 reported that Relative A2 may have told the facility to not discuss Resident A's medical conditions/needs with her (Relative A1).

On 03/30/2022, I conducted an unannounced investigation at the facility. I observed Resident A to be sleeping at the dining room table in a wheelchair.

I interviewed DCW Brianna Kruger who reported she is not trained to administer medications so she is not aware of what medications Resident A is currently prescribed. DCW Kruger reported that she has not noticed Resident A's right eye as being red and believes that the infection has been contained to the left eye.

I interviewed DCW Amanda Hawley, assisted living director who reported that Resident A exhibited signs of an eye infection on 03/24/2022. DCW Hawley reported that Resident A was seen by the doctor on 03/24/2022 and prescribed eye drops which have helped the eye. DCW Hawley reported that Resident A's right eye is not red and reported that the left eye was the only eye infected.

I interviewed DCW Geri King who reported that she is a trained medication passer and reported that Resident A saw the doctor and was prescribed eye drops for a red eye. DCW King reported that the eye drops are administered every 12 hours at 5 am and 5pm. DCW King reported that the prescription was for seven days. DCW King reported that Resident A does not like to open her eye. DCW King reported that Resident A was up all day yesterday and that she is sleepier today. DCW King reported that Resident A saw the house doctor right away when the eye turned red. DCW King reported that the facility has a doctor available at the facility every Monday, Tuesday, and Thursday. DCW King could not recall the dates of when Resident A's eye turned red, when the medication was prescribed or when the medication began being administered. DCW King reported that she has not noticed Resident A's right eye as being red and believes that the infection has been contained to the left eye.

I interviewed DCW Amber Gibbs who reported that she is a trained medication passer and she saw a *Physician Note* that documented that Resident A had a been seen by the doctor and had small blotchy part in her eye and that she was diagnosed with pink eye. DCW Gibbs reported that the doctor ordered a refill of Resident A's eye drops on 03/29/2022. DCW Gibbs reported that the eye is still red but just in the corner of the eye. DCW Gibbs reported that the eye looks the worse in the morning. DCW Gibbs reported that Resident A is typically up for meals and that she can open the eye. DCW Gibbs reported that Resident A cannot verbally express herself or report if she has pain due to her dementia diagnosis. DCW Gibbs reported that typically Resident A can answer yes or no questions but some days she can't. DCW Gibbs reported that she has not noticed Resident A's right eye as being red and believes that the infection has been contained to the left eye.

I interviewed DCW Makayla Brownlee who reported that she is not sure when Resident A got her eye infection but that she has been seen by the doctor and prescribed eye drops. DCW Brownlee reported that Resident A's eye is healing slowly. DCW Brownlee reported that Resident A's eye is closed due to the infection but that it has been opening up more since the eye drops have been administered. DCW Brownlee reported that she has not noticed Resident A's right eye as being red and believes that the infection has been contained to the left eye. DCW Brownlee reported that if there is a medical concern with a resident the doctor will come to the facility the next day.

Resident A's record contained a *Heath Care Appraisal* dated 03/02/2022 which documented that Resident A diagnoses were "dementia, anemia, afib, hypertension (HTN), anxiety and depression." The appraisal documented that Resident A is "non ambulatory" and uses a "wheelchair or Geri chair." The appraisal did not document that Resident A had a red eye.

I reviewed Resident A's record which contained a prescription dated 03/07/2022 which prescribed "Ciprofloxacin HCL Solution 0.3% in left eye. Instill 2 drops in left eye every eight hours for infection for seven days."

Resident A's record contained a *Progress Note* dated 03/07/2022 and created by Aaron Frey, nurse practitioner (NP) which documented in the "history of present illness" section "82-year-old woman in memory care assisted living and noted to have left eye redness and a puffy appearance over the weekend. Crusty yellow drainage along lower lid margin with a red conjunctiva this morning. Patient is forgetful but denies any pain or vision changes. No symptom of discomfort or level of consciousness changes noted."

Resident A's record contained a *Progress Note* dated 03/24/2022 and created by Aaron Frey, nurse practitioner (NP) which documented in the "history of present illness" section "82-year-old woman in memory care assisted living. Left eye has persistent redness and swelling- assisted living caregiver not sure she received all of her antibiotic eyedrops earlier this month when prescribed for 7 days they are in the cart now that she thinks delivery was delayed and they were hard to find for a while. [sc]. Her caregiver today notes she seems more lethargic and weak than usual. No focal or neurological changes, nausea, GI upset, cough or cold symptoms, fever, hypoxia. Incontinent of urine with some strong-smelling urine but no hematuria."

Resident A's record which contained a prescription dated 03/24/2022 which prescribed "Ciprofloxacin HCL Solution 0.3% in left eye. Instill 2 drops in left eye every eight hours for infection for seven days."

Resident A's record contained a *Progress Note* dated 03/27/2022 and created by Kristen Dziadula, physician assistant (PA-C) which documented in the "history of present illness" Resident is female and seen today in regard to left conjunctivitis

follow-up. She is sitting upright in chair leaning to the right in no acute distress. Resident is poor historian secondary to mention. She has been in treatment with Cipor ophthalmology drops and is seen today for follow-up.”

On 05/09/2022, I reviewed Resident A’s medication administration records (MAR)s for March 2022. The MAR documented that Resident A was prescribed “Ciprofloxacin HCL Solution 0.3% Instill 2 drops in left eye every eight hours for infection for 7 days. Start date 03/07/2022.” The MAR documented that Resident A was prescribed “Ciprofloxacin HCL Solution 0.3% Instill 2 drops in left eye every eight hours for infection for 7 days. Start date 03/24/2022.”

APPLICABLE RULE	
R 400.15310	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:	Complainant reported that Resident A has a red eye and had not received any medical treatment. Relative A1 reported she noticed Resident A’s eye was red on 03/10/2022. Resident A’s record which contained progress notes dated 03/07/2022, 03/24/2022 and 03/27/2022 documented Resident A received medical attention for her eye on those dates. Resident A’s record also documented that she was prescribed “Ciprofloxacin HCL Solution 0.3% instill 2 drops in left eye every eight hours for infection for 7 days, start date 03/07/2022.” On 03/24/2022 a refill of the same medication was prescribed. Additionally, Resident A’s record contained a <i>Heath Care Appraisal</i> dated 03/02/2022 which did not note Resident A having a red eye. Resident A did receive immediate medical attention when the change of condition was noticed and therefore there is not enough evidence to establish a violation.
CONCLUSION:	VIOLATION NOT ESTABLISHED

ADDITIONAL FINDING:

INVESTIGATION:

On 03/24/2022, I interviewed DCW King who reported that Resident A was prescribed eye drops for a red eye. DCW King reported that the eye drops are administered every 12 hours at 5 am and 5pm. DCW King reported that the prescription was for seven days. DCW King reported there was some delay getting the medication from the pharmacy. DCW King could not recall the dates of when Resident A’s eye turned red, when the medication was prescribed and when it began being administered.

On 03/24/2022, I interviewed DCW Gibbs who reported the doctor ordered a refill of Resident A's eye drops on 03/29/2022. DCW Gibbs reported that there was not a problem with getting the initial eye drops and that a refill was ordered on 03/29/2022.

On 03/24/2022, I interviewed DCW Brownlee who reported that she was not aware of any delay in Resident A getting her prescribed eye drops. DCW Brownlee reported that typically medications are ordered as "stat" and that they are received the next day.

On 03/24/2022, I reviewed Resident A's record which contained a prescription dated 03/07/2022 which prescribed "Ciprofloxacin HCL Solution 0.3% in left eye. Instill 2 drops in left eye every eight hours for infection for seven days." Resident A's record which contained a second/refill prescription dated 03/24/2022 which prescribed "Ciprofloxacin HCL Solution 0.3% in left eye. Instill 2 drops in left eye every eight hours for infection for seven days."

Resident A's record contained a *Progress Note* dated 03/24/2022 and created by Aaron Frey, nurse practitioner (NP) which documented in the "history of present illness" section "82-year-old women in memory care assisted living. Left eye has persistent redness and swelling- assisted living caregiver not sure she received all of her antibiotic eyedrops earlier this month when prescribed for 7 days they are in the cart now that she thinks delivery was delayed and they were hard to find for a while. [sc]. Her caregiver today notes she seems more lethargic and weak than usual. No focal or neurological changes, nausea, GI upset, cough or cold symptoms, fever, hypoxia. Incontinent of urine with some strong-smelling urine but no hematuria."

On 05/09/2022, I reviewed Resident A's medication administration records (MAR)s for March 2022. The MAR documented that Resident A was prescribed "Ciprofloxacin HCL Solution 0.3% Instill 2 drops in left eye every eight hours for infection for 7 days. Start date 03/07/2022." The MAR documented that the medication was administered once on 03/07/2022, three times on 03/08/2022, 03/09/2022, 03/10/2022, 03/11/2022, 03/12/2022 and 03/13/2022. The medication was administered twice on 03/14/2022. The MAR documented that Resident A was prescribed "Ciprofloxacin HCL Solution 0.3% instill 2 drops in left eye every eight hours for infection for 7 days. Start date 03/24/2022." The MAR is blank on 03/24/2022 for the PM dose and all three slots on 03/25/2022 are also blank. The MAR documented that the medication was administered three times on 03/26/2022, 03/27/2022, 03/28/2022, 03/29/2022 and 03/30/2022. The medication was administered twice on 03/31/2022. Resident A's April 2022 MAR did not contain Ciprofloxacin HCL Solution 0.3%" and was not administered at all in April 2022.

APPLICABLE RULE	
R 400.15312	Resident medications.
	(2) Medication shall be given, taken, or applied pursuant to label instructions.
ANALYSIS:	Resident A's March 2022 MAR documented that Resident A was prescribed "Ciprofloxacin HCL Solution 0.3% instill 2 drops in left eye every eight hours for infection for 7 days." Resident A's MAR documented that Ciprofloxacin HCL Solution 0.3% was administered three times on 03/26/2022, 03/27/2022, 03/28/2022, 03/29/2022 and 03/30/2022. The medication was only administered twice on 03/31/2022. Resident A's April 2022 MAR did not contain Ciprofloxacin HCL Solution 0.3% and was not administered at all in April 2022. Resident A's medication was not administered for seven days as prescribed and therefore a violation has been established.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

Contingent upon receipt of an acceptable corrective action plan I recommend no change in the status of the license.

Julie Elkins

05/16/2022

Julie Elkins
Licensing Consultant

Date

Approved By:

Dawn Timm

05/16/2022

Dawn N. Timm
Area Manager

Date