



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

August 11, 2022

Jason Schmidt
New Life Services Inc
36022 Five Mile Road
Livonia, MI 48154

RE: License #: AS630012681
Investigation #: 2022A0602038
McGinnis

Dear Mr. Schmidt:


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 (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
CAUTION: THIS REPORT CONTAINS PROFANITY**

I. IDENTIFYING INFORMATION

License #:	AS630012681
Investigation #:	2022A0602038
Complaint Receipt Date:	06/29/2022
Investigation Initiation Date:	07/13/2022
Report Due Date:	08/28/2022
Licensee Name:	New Life Services Inc
Licensee Address:	36022 Five Mile Road Livonia, MI 48154
Licensee Telephone #:	(734) 744-7334
Administrator/Licensee Designee:	Jason Schmidt
Name of Facility:	McGinnis
Facility Address:	4473 McGinnis Holly, MI 48442-0204
Facility Telephone #:	(248) 634-1499
Original Issuance Date:	02/13/1991
License Status:	REGULAR
Effective Date:	01/19/2021
Expiration Date:	01/18/2023
Capacity:	5
Program Type:	PHYSICALLY HANDICAPPED DEVELOPMENTALLY DISABLED

II. ALLEGATION(S)

	Violation Established?
Direct care staff (DCS) Victoria Stall scratched and yelled at Resident A.	Yes

III. METHODOLOGY

06/29/2022	Special Investigation Intake 2022A0602038
06/29/2022	APS Referral Adult Protective Services (APS) made referral and is investigating these allegations.
07/13/2022	Special Investigation Initiated - Telephone Telephone call with Adult Protective Services (APS) worker Ra'Shawnda Robertson regarding the allegations.
07/13/2022	Contact - Document Received APS Ra'Shawnda Robertson emailed incident reports regarding Resident A.
07/13/2022	Contact - Document Sent Email to Oakland County Office of Recipient Rights (ORR) Katie Garcia.
07/21/2022	Contact - Document Received Email from ORR and APS.
07/27/2022	Inspection Completed On-site I conducted an unannounced on-site investigation and interviewed the home manager, Monica Vance regarding the allegations.
08/02/2022	Contact - Document Sent Email sent to APS and ORR.
08/02/2022	Contact - Document Received Email received from APS and ORR.
08/09/2022	Contact – Telephone call made Left message for Relative A.
08/09/2022	Contact – Telephone call received Discussed allegations with Relative A.

08/09/2022	Exit Conference Left message for licensee designee Jason Schmidt with my findings.
08/09/2022	Contact - Telephone call received I informed licensee designee's wife, Sheryl Schmidt my findings as she stated that licensee Jason Schmidt was not available.

ALLEGATION:

Direct care staff (DCS) Victoria Stall scratched and yelled at Resident A.

INVESTIGATION:

On 06/29/2022, intake 188244 was referred by Adult Protective Services (APS) who is also investigating these allegations. On 07/13/2022, intake 188244 was reassigned to me for investigation.

On 06/30/2022, direct care staff (DCS) Venoy McClinton was interviewed via telephone regarding the allegations. Mr. McClinton stated that he was present in the home. He stated that he knocked on Resident A's door and told her that it was time to get up. He stated that Resident A appeared irritated, and he was not sure if it was because DCS Victoria Stall's music was too loud. He asked Resident A to get up and get cleaned up for breakfast. Mr. McClinton then went back to the kitchen. He stated that Ms. Stall was in the bathroom talking to another resident. Mr. McClinton stated he heard Resident A say, "Oh my gosh be quiet." He stated that Ms. Stall went into Resident A's bedroom and told Resident A to "mind her own business." He stated that he is not sure what occurred after that as he was not in the bedroom. He stated that when he went back there that Resident A was sitting on the floor and was yelling and cussing at Ms. Stall. He stated that he kneeled to try and calm Resident A down and Mr. McClinton stated that he told Ms. Stall to leave the room. He stated that Resident A then tried to run up on Ms. Stall and he intervened to keep Resident A from approaching Ms. Stall. Mr. McClinton stated that Resident A was mad and wanted to fight. He stated that home manager Monica arrived. Mr. McClinton stated that he did not write an incident report because Ms. Stall completed one.

On 06/30/2022, DCS Victoria Stall was interviewed via telephone regarding the allegations. Ms. Stall stated that Resident A was screaming and hollering in her bedroom while she was getting another resident ready. Ms. Stall went into the bedroom and asked her (Resident A) why she was yelling. She stated that Resident A told her to "shut the fuck up" and called her a "bitch". Ms. Stall stated that Resident A threw stuffed animals at her. She stated that when she (Ms. Stall) attempted to leave the bedroom that Resident A tried to come at her, but Resident A slipped and fell on her blanket. Ms. Stall stated that Resident A then crawled over to her and began to claw at her left leg and caused her to bleed. She stated that she called to DCS Venoy

McClinton, the other employee in the home, and he came to the bedroom. Ms. Stall stated that Resident A was still attempting to throw more stuffed animals at her. She denied that she touched Resident A at any point. Ms. Stall stated that home manager Monica called her and told her that Resident A scratched herself on her leg and stated that she was going to say that Ms. Stall did it. APS asked if this was her first encounter with Resident A on that day and she said that it was. Ms. Stall stated hearing hollering in the bathroom. She stated that she did not approach Resident A until she (Resident A) was in her bedroom screaming and hollering. Ms. Stall was interviewed regarding the allegations of 06/25/2022. Ms. Stall worked alone with Resident A and the other residents. She stated that it was one of the resident's birthdays, and they had cake. Ms. Stall asked if they wanted cake now or after they ate. She stated that Resident A stated that she wanted to eat hers afterwards. The other resident stated that she wanted hers now. Ms. Stall stated that Resident A began cussing at the resident stating that she can have cake if she wants. She told Resident A that she could have cake but reminded Resident A that Resident A said she wanted it afterwards.

Ms. Stall stated that Resident A got her plate and emptied her plate. Resident A got up and threw the whole plate and silverware in the garage. She stated that she told Resident A to take it out. Resident A took the plate and the silverware out of the garbage and was cleaning the plate in the sink. Resident A then took the scissors and came running after her. She got the scissors away from her. Ms. Stall stated that Resident A was yelling, cursing at her, and hitting her. She started recording Resident A because that is what she instructed to do since she was working alone with her. She stated that Resident A then took a bowl from the sink and threw it at her. Ms. Stall called the police. She stated that Resident A kept yelling "fuck you fuck you". The police came, and she told them what happened. Resident A called her brother. Resident A's brother then called the house and said that he was on his way. Ms. Stall stated that she told the police that she wanted to press charges, so they took Resident A down to the police station and Resident A was fingerprinted. Resident A was brought back to the house, but Ms. Stall had to leave because she could not be alone with Resident A anymore since she was pressing charges. Ms. Stall claims to have sustained a concussion because of this incident.

On 07/07/2022, in collaboration with APS worker, Resident A was interviewed with the use of a Spanish interpreter. The following was stated: "Resident A stated that DCS Victoria Stall pushed her, causing bruising to her arm and foot on 06/20/2022. Resident A stated that DCS Venoy McClinton was also present when the incident occurred, however, he was in the kitchen and was not aware that Ms. Stall had pushed her. Resident A stated that she was in her bedroom when the incident occurred, and Ms. Stall pushed her in the chest and pushed her into her bedroom. Resident A stated that Ms. Stall has not been physical with her previously. Resident A did not know why Ms. Stall pushed her. Resident A stated that Ms. Stall also yelled at her and further stated that Ms. Stall does not yell at Resident B, Resident C, and/or Resident D. Resident A stated that she does not feel safe in the home with Ms. Stall. Resident A did not provide any information pertaining to the incident that occurred on 06/25/2022. Resident A did not know why Ms. Stall contacted the police and did not know why she

went to the police station. Resident A denied allegations of getting any scissors and/or Ms. Stall getting any scissors."

Note: This interview was difficult, as Resident A had a difficult time answering the questions from APS and/or ORR through the interpreter. Resident A had to be redirected multiple times to speak into the phone and there were multiple times in which the interpreter had to "clarify" some of Resident A's statements.

On 07/13/2022, APS emailed me incident reports (IR) regarding Resident A. I reviewed IR dated 06/25/2022 regarding Resident A yelling and hitting DCS Victoria Stall who then called the police and Resident A was arrested.

On 07/21/2022, I received an email from ORR and APS indicating that they are substantiating their cases.

On 07/27/2022, I conducted an unannounced on-site investigation, and the home manager Monica Vance was present. Ms. Vance stated that all the residents were at workshop. I interviewed Ms. Vance regarding the allegations. Ms. Vance has been working for this corporation for over 10 years. She works all shifts. Ms. Vance stated DCS Victoria Stall has worked for this corporation for six years. Victoria usually works the midnight shift from 12AM-7AM. Resident A moved in January 2022. Resident A's primary language is Spanish but does understand and speaks some English. Ms. Vance stated that Resident A is "jealous of Victoria because Resident A is obsessed with Venoy." Venoy McClinton is a DCS that works at McGinnis. Ms. Vance stated that Resident A does not like when Victoria and Venoy working together and whenever Victoria and Venoy work together, Resident A yells at Victoria and becomes physical with Victoria. Ms. Vance stated there was an incident, date unknown where Resident A "attacked Victoria," and gave "Victoria a concussion." Victoria sought medical attention at a doctor's office that Victoria works at. Resident A was "punching Victoria in the head and the cops were called and arrested Victoria." Ms. Vance stated that Victoria has never been physical with Resident A and that any scratches on Resident A were a result of Resident A scratching herself. Ms. Vance denied Victoria yelling at Resident A. Ms. Vance said, "Resident A is deaf in her left ear, so we have to speak loud enough for Resident A to hear us." While at McGinnis, I reviewed Resident A's individual plan of service (IPOS) dated 11/21/2021 and there is no mention of Resident A being deaf or any statements to reflect those persons speaking to Resident A must speak loud enough for Resident A to hear them. Ms. Vance stated there are no incident reports (IR) documented by McGinnis to reflect that the scratches on Resident A were self-inflicted.

On 08/02/2022, I followed up with APS and ORR regarding the home manager Monica Vance stating that Resident A was deaf in her left ear. Both APS and ORR stated that no individual interviewed regarding the allegations made any mention of Resident A being deaf in her left ear. APS stated that Resident A just claimed that "Victoria is loud period and that she (Victoria) is always yelling."

On 08/09/2022, I interviewed Relative A regarding the allegations. Relative A stated there have been issues between Resident A and DCS Victoria Stall. Relative A stated, "they both seem to not like each other." Relative A stated he received a telephone call from Resident A crying telling Relative A, "Victoria grabbed my arm." Relative A stated, "I tried to calm her down, but she was still crying." Relative A stated that Ms. Stall then came on the telephone and told Relative A that "Resident A hit her (Ms. Stall)." Ms. Stall told Relative A, "I called the cops." Relative A stated that the police arrested Resident A. Relative A stated there has never been a concern of self-harm with Resident A. Relative A stated he was never informed that Resident A "scratches herself," but stated that there is concern of elopement with Resident A. Relative A stated he has never been informed of any incidents of self-harm including Resident A scratching herself by staff at McGinnis. Relative A stated that Resident A will be moving into another group home run by this corporation.

On 08/09/2022, I conducted the exit conference with Sheryl Schmidt on behalf of the licensee designee Jason Schmidt who was unavailable. Mrs. Schmidt stated Resident A is not deaf in her left ear and Mrs. Schmidt does not know why the home manager Monica Vance stated that Resident A was deaf. Mrs. Schmidt will be re-reviewing Resident A's IPOS with staff and will be reviewing recipient rights pertaining to dignity with Victoria Stall. Mrs. Schmidt stated she will have Mr. Schmidt submit a corrective action plan that addresses these findings.

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 my investigation and information gathered, DCS Victoria Stall did not treat Resident A with dignity at all times. Resident A stated that Ms. Stall always yells and screams at her but does not yell at the other residents. Although Ms. Stall denied yelling at Resident A, the home manager Monica Vance stated that Ms. Stall "must speak loudly with Resident A because Resident A is deaf in her left ear." I reviewed Resident A's IPOS and there is no mention that Resident A is deaf. In addition, Sheryl Schmidt, licensee designee Jason Schmidt's wife stated that Resident A was not deaf. Therefore, there is no need for Ms. Stall to "speak loudly," to Resident A.
CONCLUSION:	VIOLATION ESTABLISHED

APPLICABLE RULE	
R 400.14308	Resident behavior interventions prohibitions.
	(2) A licensee, direct care staff, the administrator, members of the household, volunteers who are under the direction of the licensee, employees, or any person who lives in the home shall not do any of the following: (b) Use any form of physical force other than physical restraint as defined in these rules.
ANALYSIS:	Based on my investigation, there was insufficient information to determine if DCS Victoria Stall pushed Resident A. Resident A stated she was pushed by Ms. Stall; however, there were no witnesses and the injuries Resident A sustained, a bruise to her arm and foot is not consistent with being pushed.
CONCLUSION:	VIOLATION NOT ESTABLISHED

APPLICABLE RULE	
R 400.14311	Investigation and reporting of incidents, accidents, illnesses, absences, and death.
	(1) A licensee shall make a reasonable attempt to contact the resident's designated representative and responsible agency by telephone and shall follow the attempt with a written report to the resident's designated representative, responsible agency, and the adult foster care licensing division within 48 hours of any of the following: (c) Incidents that involve any of the following: (iii) Attempts at self-inflicted harm or harm to others.
ANALYSIS:	Based on my investigation and review of the IRs at McGinnis, there were no IR's written and/or submitted regarding Resident A's self-harm that the home manager Monica Vance and DCS Victoria Stall stated. On 07/27/2022, during my on-site investigation, Ms. Vance stated that Resident A scratched herself on several occasions but there were no IR's written or submitted to adult foster care licensing to reflect the incidents. In addition, Relative A stated that Resident A does not self-harm and that he has never been informed of any incidents by McGinnis regarding Resident A scratching herself.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

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

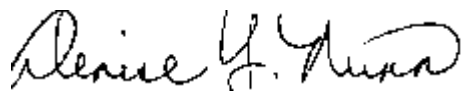


08/10/2022

Frodet Dawisha
Licensing Consultant

Date

Approved By:



08/11/2022

Denise Y. Nunn
Area Manager

Date