



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

October 18, 2022

Mike Dykstra
Golden Life AFC, LLC
4386 14 Mile Rd, NE
Rockford, MI 49341

RE: License #: AM590395969
Investigation #: 2022A1029059
Golden Life AFC #2

Dear Mr. Dykstra:

Attached is the Special Investigation Report for the above referenced facility. Due to the violations identified in the report, a written corrective action plan was required. On September 8, 2022, you submitted an acceptable written corrective action plan.

It is expected that the corrective action plan be implemented within the specified time frames as outlined in the approved plan.

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 (231) 922-5309.

Sincerely,

A handwritten signature in black ink that reads "Jennifer Browning".

Jennifer Browning, Licensing Consultant
Bureau of Community and Health Systems
Browningj1@michigan.gov - (989) 444-9614

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AM590395969
Investigation #:	2022A1029059
Complaint Receipt Date:	08/24/2022
Investigation Initiation Date:	08/24/2022
Report Due Date:	10/23/2022
Licensee Name:	Golden Life AFC, LLC
Licensee Address:	4386 14 Mile Rd, NE, Rockford, MI 49341
Licensee Telephone #:	(616) 307-7719
Administrator:	Mike Dykstra
Licensee Designee:	Mike Dykstra
Name of Facility:	Golden Life AFC #2
Facility Address:	503 W. Montcalm, Greenville, MI 48838
Facility Telephone #:	(616) 232-2584
Original Issuance Date:	01/22/2019
License Status:	REGULAR
Effective Date:	07/22/2021
Expiration Date:	07/21/2023
Capacity:	12
Program Type:	DEVELOPMENTALLY DISABLED MENTALLY ILL AGED

ALLEGATION(S)

	Violation Established?
Direct care staff member Erica Behrenwald made inappropriate sexual remarks and inappropriate hand gestures to Resident A.	No
Direct care staff member Erica Behrenwald is verbally disrespectful toward other residents.	No
Additional Findings	Yes

II. METHODOLOGY

08/24/2022	Special Investigation Intake 2022A1029059
08/24/2022	Special Investigation Initiated – Email to Trysta Gorsuch
08/25/2022	Contact - Telephone call made to complainant
09/02/2022	APS Referral made to Centralized Intake
09/07/2022	Inspection Completed On-site - Face to Face with Resident A, B, C and Morgan Jeffers at Golden Life #2
09/07/2022	Contact - Telephone call made Recipient Rights (ORR) advisor, CeCe McIntyre
09/09/2022	Contact - Telephone call received from Mike Dykstra
09/12/2022	Contact - Face to Face with Trysta Gorsuch, CeCe McIntyre, Bonnie Southland, Resident D, Resident A
09/12/2022	Contact - Telephone call received from Mike Dykstra
09/15/2022	Contact - Telephone call received from Ms. Behrenwald
09/26/2022	Contact - Document Received -email from CeCe McIntyre.
10/04/2022	Contact - Telephone call made to ORR CeCe McIntyre. Left a message.
10/07/2022	Contact - Telephone call made to ORR CeCe McIntyre. Mailbox full.
10/10/2022	Exit conference with licensee designee, Michael Dykstra

ALLEGATION:

- **Direct care staff member Erica Behrenwald made inappropriate sexual remarks and inappropriate hand gestures to Resident A.**
- **Direct care staff member Erica Behrenwald was verbally disrespectful toward other residents.**

INVESTIGATION:

On August 24, 2022, a complaint was received via the Bureau of Community and Health Systems online complaint system alleging Resident A was uncomfortable because Erica Behrenwald made inappropriate sexual gestures to him and she was disrespectful to the other residents.

On September 7, 2022, I interviewed direct care staff member, whose current role is home manager, Trysta Gorsuch. Ms. Gorsuch stated Ms. Behrenwald has been a direct care staff member around six months. Ms. Gorsuch stated during the time Ms. Behrenwald has worked there, she has had some concerns with her such as forgetting to clean someone's room, not staying on top of laundry and there are some residents dislike her. She stated Recipient Rights came out to talk to Resident A but he refused to talk with them. Ms. Gorsuch stated Ms. Behrenwald has joked around with Resident A but there was nothing inappropriate. She stated Resident A has not brought concerns to her regarding Ms. Behrenwald making inappropriate comments to him. Resident A did tell Ms. Gorsuch he did not like being questioned if he was drinking or not because he was not a little kid. He never said anything about anything sexual. None of the staff have come to her with any concerns like this.

On September 7, 2022, I interviewed Resident A at Golden Life #2. Resident A stated Ms. Behrenwald works with him on a regular basis but he stays away from her because he does not trust her. Resident A stated he was embarrassed by her in front of everyone. He stated he was not going to sign out when he leaves the facility because "I'm 60 years old and do not need a nurse maid" because the direct care staff members will call the police on him if he does not come back in time. Resident A stated he came back late from being in the community and Ms. Behrenwald asked him if he was drinking when he came back and asked for his medications. Resident A stated he declined to answer and said he was upset about her asking him.

Resident A denied there was any inappropriate gestures or flirting from any of the staff members but then stated he did not want to get anyone in trouble but felt the direct care staff members should be more mature and older when they are hired. When I asked why, he said Ms. Behrenwald made comments which made him feel uncomfortable and "smacked me on the butt." Resident A stated he then told her to keep her hands off of him and walked away. Resident A stated Ms. Behrenwald treats residents like they are little kids and no one in the home likes having her there. Resident A stated she has mentioned they were in a relationship with each other before but they are not. Ms. Behrenwald has never tried anything else physically but she has winked at him and has blown kisses to him while she is working. Resident A stated he does not think any of

the other residents are aware of this because she typically makes sure it is just the two of them around. Resident A stated none of the other staff members have done anything to make him feel uncomfortable.

On September 7, 2022, I interviewed Resident B at Golden Life #2. Resident B stated he was in the process of circulating a petition to have Ms. Behrenwald's position terminated because none of the residents like her. Resident B stated he does not like her because she would not carry his laundry like he asked and said he had to ask her three times before she carried it because she was busy. Resident B stated she flirts with Resident A and she grabbed his butt. Resident B stated Ms. Behrenwald told Resident A she likes older men and Resident A tells her it makes him uncomfortable. Resident B stated he has observed these behaviors but it has been a couple weeks. Resident B stated the only time she has been disrespectful to the other residents is when she asks them about drinking when they are supposed to take their medications. Resident B states Resident C has been disrespected by Ms. Behrenwald in the past but did not have details of what occurred.

On September 7, 2022, I interviewed Resident C at Golden Life #2. Resident C stated she felt disrespected by Ms. Behrenwald because she likes to embarrass people. Resident C stated she embarrassed Resident A and Resident B because she asked them about drinking when it was time to take his medications. Resident C stated she has seen Ms. Behrenwald wink at Resident A and wiggle her butt at him while she is working. Resident C then stated Ms. Behrenwald only does these things when other residents are not around and there are no other direct care staff members working with her when this is done. Resident C was not able to recall specific incidents when she was disrespected by Ms. Behrenwald.

On September 7, 2022, I interviewed direct care staff member Morgan Jeffers. She stated she is not aware of Ms. Behrenwald being inappropriate or disrespectful to residents but Ms. Gorsuch did share the concerns with her. She stated residents have complained about her in the past because they do not like that she follows the rules. Ms. Jeffers has never observed Ms. Behrenwald being disrespectful or flirtatious with the residents.

On September 7, 2022, I contacted Community Mental Health Office of Recipient Rights advisor, CeCe McIntyre who stated she went to Golden Life #2 the week prior. Ms. McIntyre stated she has a history of working with Resident A and he has told her he does not like working with woman who are younger than him or what he perceives as immature. Resident A told the CMH staff in the past that Ms. Behrenwald was a "gold digger and after him for his money." In the past, he stated she was making a sexual gesture because she was shaking her hand up and down but the other residents stated they were playing Yahtzee. Ms. McIntyre stated the concerns regarding her flirting with him and asking if he was drunk occurred on the same day so Resident A was already upset with Ms. Behrenwald. Ms. McIntyre stated she wanted to interview Resident A again based on the information that he gave during the interview.

On September 12, 2022, I completed an onsite investigation at Golden Life #2 with Ms. McIntyre. Direct care staff member Bonnie Southland was interviewed. Ms. Southland stated she has worked weekends with Ms. Behrenwald in the past. She stated she has never witnessed Ms. Behrenwald being flirtatious or inappropriate with any of the residents and described her as a good direct care staff member. Ms. Southland stated she has never observed any inappropriate hand gestures. Ms. Southland stated Residents A, B, and C do not like the younger staff and they are very open about which staff they do not want to have there. None of the residents have confided in her about any of the staff making them uncomfortable.

On September 12, 2022, I interviewed Resident D. Resident D stated all staff members are very nice and he likes it at Golden Life #2. He stated Ms. Behrenwald is “a good staff because she plays Yahtzee with the residents.” He has never observed her to touch any residents on the butt or being flirtatious. Resident D denied there was a time that Ms. Behrenwald was disrespectful toward him.

On September 12, 2022, I interviewed Resident A with recipient rights advisor, Ms. McIntyre. Resident A was upset to talk about the incidents again. Resident A started off saying she was too young to be working there because “she has no nursing background.” Resident A stated he was upset mostly because she asked if he had been drinking. Resident A then told Ms. McIntyre about her “smacking him on the butt” in the back of the home. Resident A stated Ms. Behrenwald “flashed him” by lifting up her shirt and showing her stomach while she was working. Resident A stated he did not want to be treated like that. Resident A stated there are now three other residents that signed a petition to terminate her position. Resident A said the petition was done because she treats the residents like kids. Resident A would not state if he started the petition.

On September 12, 2022, I interviewed licensee designee, Michael Dykstra. Mr. Dykstra stated Ms. Behrenwald has been professional while working with the residents. Mr. Dykstra stated he has never had a concern she would be inappropriate or disrespectful to the residents. Mr. Dykstra stated he is concerned there is a group of residents that are trying to team up with other residents to get a staff member fired. There are concerns the three residents interviewed are the same residents who have done this before. Mr. Dykstra feels strongly this may be happening again. None of the administration have witnessed this occurring in the past. Mr. Dykstra stated Ms. Behrenwald is going to nursing school and works at a school and she would be surprised if she would jeopardize her future by acting like this toward a resident. Mr. Dykstra stated he is glad she noticed he was drinking. Resident B has been involved in the past with ganging up on a staff member in the past, even drafting a petition, to get rid of certain direct care staff members.

On September 15, 2022, I interviewed direct care staff member, Ms. Behrenwald. She has worked for Golden Life #2 for about six months. Ms. Behrenwald denied there has ever been a time she was inappropriate with any of the residents. Ms. Behrenwald stated she is one of the employees who follows all of the rules at the facility and she is

very straightforward and the residents do not like this. She stated she considers the health and safety of all the residents. Ms. Behrenwald asked Resident A if he had been drinking the night he came back and he walked away from her. After that, she prompted him two times until 9:00 pm to tell him he could take his medications and he refused both times. Ms. Behrenwald did not ask him a second time if he had been drinking because he was already upset with her. After she asked him these questions, these allegations regarding the inappropriate contact came out. Ms. Behrenwald denied she has ever smacked him on the bottom, winked at any of the residents, or blew a kiss at him. Ms. Behrenwald stated she thinks of the residents as grandparents to her and could not imagine doing something like that. Ms. Behrenwald stated she enjoys listening to their stories about when they grew up compared to how it is now. Ms. Behrenwald stated having a sexual encounter with an elderly person at work would inhibit her whole life she has in front of her and she would not do this. Ms. Behrenwald stated Resident A has never mentioned being uncomfortable with her while she was working or telling her that he did not want to be around her.

On October 7, 2022, I spoke with ORR recipient rights advisor, CeCe McIntyre. Ms. McIntyre stated she reinterviewed Ms. Behrenwald at Community Mental Health and she continued to deny she did anything inappropriate to any of the residents. Ms. McIntyre stated Resident A has been gone a lot from the home since he received his new bike so he does not spend a lot of time with Ms. Behrenwald. Resident A still seems upset that Ms. Behrenwald is working there, however, but she has not found any evidence that Ms. Behrenwald has been sexually inappropriate with Resident A or disrespectful to any of the residents residing at Golden Life #2.

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:	Although Resident A stated Ms. Behrenwald was inappropriate in her actions toward Resident A, all direct care staff members interviewed Ms. Gorsuch, Ms. Southland, and Ms. Jeffers and licensee designee Mr. Dykstra all indicated Ms. Behrenwald has been professional in her interactions with Resident A. Resident A stated he felt Ms. Behrenwald was “too young” to work at Golden Life #2 and residents circulated a petition to have her position terminated. All residents interviewed discussed the same incident when Ms. Behrenwald inquired if Resident A had been drinking after he was in the community and Resident A was upset about this interaction. There is no indication she asked this to be disrespectful but rather to see if he should have his medications due to possible interactions with his medications. No concrete examples of inappropriate sexual gestures were provided by any resident interviewed. Residents B, C, and D did not have examples of Ms. Behrenwald being disrespectful to other residents.
CONCLUSION:	VIOLATION NOT ESTABLISHED

ADDITIONAL FINDINGS:

INVESTIGATION:

On September 7, 2022, I completed an unannounced onsite investigation at Golden Life #2. While interviewing Resident B, I noticed he did not have a bed in his resident bedroom. Resident B stated he sleeps in his lift chair because it’s more comfortable for his back. Direct care staff member Ms. Jeffers stated Resident B has been sleeping in his chair because he stated he cannot sleep in a bed. Ms. Jeffers stated she was not sure if there was documentation in his resident record regarding him not having a bed but that it could be obtained from his physician.

Licensee designee Mr. Dykstra took immediate action and sent a variance request for bedroom furnishings so Resident B could remain sleeping in his lift chair therefore an additional corrective action plan is not required. Included in the request was a letter from Sheila Gendich, MD dated September 8, 2022 stating Resident B is able to sleep in his lift chair due to his congestive heart failure, COPD, and Edema.

APPLICABLE RULE	
R 400.14410	Bedroom furnishings.
	(5) A licensee shall provide a resident with a bed that is not less than 36 inches wide and not less than 72 inches long. The foundation shall be clean, in good condition, and provide adequate support. The mattress shall be clean, comfortable, in good condition, well protected, and not less

	than 5 inches thick or 4 inches thick if made of synthetic materials. The use of a water bed is not prohibited by this rule.
ANALYSIS:	On September 7, 2022, I completed an unannounced onsite investigation at Golden Life #2. While interviewing Resident B, I noticed he did not have a bed in his resident bedroom. Licensee designee Mike Dykstra took immediate action and sent a variance request for bedroom furnishings so Resident B could remain sleeping in his recliner instead of having a bed in his room, therefore an additional corrective action plan is not required.
CONCLUSION:	VIOLATION ESTABLISHED

III. RECOMMENDATION

An acceptable corrective action plan has been received; therefore, I recommend no change in the license status.

Jennifer Browning

Jennifer Browning
Licensing Consultant

10/10/2022

Date

Approved By:

Dawn Timm

10/18/2022

Dawn N. Timm
Area Manager

Date