



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

ORLENE HAWKS  
DIRECTOR

November 18, 2022

Kory Feetham  
Tender Care of Michigan, LLC  
4130 Shrestha Drive  
Bay City, MI 48706

RE: License #:	AH090371811
Investigation #:	2023A1021007
	Bay City Comfort Care, LLC

Dear Mr. Feetham:

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 authorized representative 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) 284-9730.

Sincerely,

  
Kimberly Horst, Licensing Staff  
Bureau of Community and Health Systems  
611 W. Ottawa Street  
Lansing, MI 48909

enclosure

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

**I. IDENTIFYING INFORMATION**

<b>License #:</b>	AH090371811
<b>Investigation #:</b>	2023A1021007
<b>Complaint Receipt Date:</b>	10/24/2022
<b>Investigation Initiation Date:</b>	10/25/2022
<b>Report Due Date:</b>	12/23/2022
<b>Licensee Name:</b>	Tender Care of Michigan, LLC
<b>Licensee Address:</b>	4130 Shrestha Drive Bay City, MI 48706
<b>Licensee Telephone #:</b>	(734) 355-6050
<b>Administrator:</b>	Elyse Al-Rakabi
<b>Authorized Representative:</b>	Kory Feetham
<b>Name of Facility:</b>	Bay City Comfort Care, LLC
<b>Facility Address:</b>	4130 Shrestha Drive Bay City, MI 48706
<b>Facility Telephone #:</b>	(989) 545-6000
<b>Original Issuance Date:</b>	10/24/2016
<b>License Status:</b>	REGULAR
<b>Effective Date:</b>	04/24/2022
<b>Expiration Date:</b>	04/23/2023
<b>Capacity:</b>	67
<b>Program Type:</b>	ALZHEIMERS AGED

**II. ALLEGATION(S)**

	<b>Violation Established?</b>
Resident A did not receive medication.	Yes
Additional Findings	No

**III. METHODOLOGY**

10/24/2022	Special Investigation Intake 2023A1021007
10/25/2022	Special Investigation Initiated - Telephone interviewed administrator
10/25/2022	Contact - Telephone call made interviewed resident service coordinator
10/25/2022	APS Referral referral came from APS. APS denied referral
10/25/2022	Contact-Telephone call made Interviewed pharmacist Kevin Roeder
10/26/2022	Contact - Document Received received chart documents
10/26/2022	Contact-Telephone call made Interviewed HarmonyCares administrator Peggy Fritz
11/18/2022	Exit Conference Exit conference with authorized representative Kory Feetham

**ALLEGATION:**

**Resident A did not receive medication.**

**INVESTIGATION:**

On 10/24/22, the licensing department received a complaint with allegations Resident A did not receive his injection antibiotic medication. The complainant alleged that Resident A has a urinary tract infection (UTI) and is to receive an injection of antibiotics for 10 days and was to start the medication on 10/18/22. The

complainant alleged that Resident A did not receive his first injection until 10/21/22 and then missed the dose on 10/22/22 and 10/23/22.

On 10/25/22, I interviewed administrator Elyse Al-Rakabi by telephone. Ms. Al-Rakabi reported she was notified of the issue with the antibiotic over the weekend, 10/22 and 10/23. Ms. Al-Rakabi reported the facility is not a skilled facility and therefore cannot provide this type of injection. Ms. Al-Rakabi reported the resident service coordinator is a licensed medical assistant and therefore can provide the injection during the week. Ms. Al-Rakabi reported the facility is working to ensure the resident receives the medication over the weekend.

On 10/25/22, I interviewed resident service coordinator Morgan Harrington by telephone. Ms. Harrington reported Resident A is his own person and can make his own decisions. Ms. Harrington reported Resident A manages and administers his own medications. Ms. Harrington reported Resident A is a quadriplegic and therefore unable to administer the injection himself. Ms. Harrington reported Resident A does not provide medical information to the facility on new orders from the physician and when he is seen by the physician. Ms. Harrington reported Resident A is active with Visiting Physicians. Ms. Harrington reported on 10/21/22, Visiting Physicians contacted her inquiring about the medication. Ms. Harrington reported the facility did not have the order for the medication and therefore was unable to provide the medication. Ms. Harrington reported the facility received an order for the antibiotic injection on 10/21/22 and administered the medication. Ms. Harrington reported over the weekend, 10/22 and 10/23, there was no one trained in the facility to administer the medication and therefore it was not administered. Ms. Harrington reported Resident A did receive the medication on 10/24/22. Ms. Harrington reported the facility has arranged for the administrator assistant to come in this weekend to administer the medication.

On 10/25/22, I interviewed Visiting Physicians care coordinator Melissa Suchodolski by telephone. Ms. Suchodolski reported Resident A has an indwelling catheter and has history of severe UTI's. Ms. Suchodolski reported a urine analysis was collected on 10/17/22 as ordered by home care. Ms. Suchodolski reported the order and medication for antibiotics was sent to the facility on 10/18/22. Ms. Suchodolski reported Resident A contacted her office and reported he did not receive the injection. Ms. Suchodolski reported she faxed the order to the facility on 10/19/22 and 10/20/22 to fax number 989-778-2444. Ms. Suchodolski reported the facility had the medication but reported they had no order. Ms. Suchodolski reported typically the pharmacy provides the medication, syringe, and order. Ms. Suchodolski reported the facility never reached out to the pharmacy or the physician's office for the order. Ms. Suchodolski reported Resident A finally received the injection on 10/21. Ms. Suchodolski reported over the weekend Resident A contacted the office to report he did not receive the medication. Ms. Suchodolski reported last week her office attempted to send in a skilled nurse to provide education on how to administer the medication and the facility denied needing education. Ms. Suchodolski reported

Resident A's home care company offered to provide the injection and the facility refused.

On 10/25/22, I interviewed pharmacist Kevin Roeder by telephone. Mr. Roeder reported Resident A was to receive an intramuscular injection for a UTI. Mr. Roeder reported the medication is to be mixed with lidocaine to the vital and then was to be administered. Mr. Roeder reported the mix date of the medication was 10/17/22 and was hand delivered to the facility. Mr. Roeder reported the order for the medication and plan of care was provided with the medication.

On 10/26/22, I interviewed HarmonyCares home care administrator Peggy Fritz by telephone. Ms. Fritz reported Resident A was prescribed antibiotic injection. Ms. Fritz reported the medication was delivered to the facility on the evening of 10/17/22. Ms. Fritz reported her company sent a skilled nurse to the facility on 10/18/22 to provide education on how to administer the medication. Ms. Fritz reported the skilled nurse went to the facility twice and was turned away both times. Ms. Fritz reported the facility reported they did not need teaching as they knew how to do the injection. Ms. Fritz reported her company did not receive any notification the injection was not administered as prescribed.

I reviewed facility chart notes for Resident A. The chart notes read,

*“10/18: New order: Begin Ertapenem 1gm, every 24 hours x10 days (must add lidocaine 1% to vital and mix just prior to administration). Medication not available.*

*10/20: injected antibiotic*

*10/24: Resident called this writer down to the residents room. Resident stated he wants this writer to take his bandages off his wounds. Resident does not want bandages replaced. Resident received his injection on right buttocks.”*

I reviewed order for antibiotic. The order was faxed to the facility on 10/19/22. The order was written on 10/17/22.

I reviewed patient shipping record from the pharmacist. The record revealed the ship date for the medication was 10/17/22. The order was hand delivered and was signed by the facility on 10/17/22.

I confirmed the facility fax number is 989-778-2444.

<b>APPLICABLE RULE</b>	
<b>R 325.1932</b>	<b>Resident medications.</b>

	<b>(1) Medication shall be given, taken, or applied pursuant to labeling instructions or orders by the prescribing licensed health care professional.</b>
<b>ANALYSIS:</b>	Interviews conducted and document review revealed Resident A was prescribed an antibiotic injection on 10/17/22 and the facility received the medication on 10/17/22. However, Resident A did not receive the medication until 10/20/22. In addition, Resident A missed the medication on 10/22/22 and 10/23/22.
<b>CONCLUSION:</b>	<b>VIOLATION ESTABLISHED</b>

On 11/18/22, I conducted an exit conference with authorized representative Kory Feetham by telephone.

**IV. RECOMMENDATION**

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



10/27/22

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Kimberly Horst  
Licensing Staff

Date

Approved By:



11/15/2022

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Andrea L. Moore, Manager  
Long-Term-Care State Licensing Section

Date