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GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

December 6, 2022

Genesee Manor, Inc. c/o Gary Ray
19158 Santa Rosa
Detroit, MI 48221

RE: License #: AS820384154
Investigation #: 2023A0575008
Genesee Manor I

Dear Mr. Ray:

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. If I am not available, and you need to speak to someone immediately, please contact the local office at (517) 284-9720.

Sincerely,

A handwritten signature in blue ink that reads "Jeffrey J. Bozsik".

Jeffrey J. Bozsik, Licensing Consultant
Bureau of Community and Health Systems
(734) 417-4277

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

I. IDENTIFYING INFORMATION

License #:	AS820384154
Investigation #:	2023A0575008
Complaint Receipt Date:	11/30/2022
Investigation Initiation Date:	11/30/2022
Report Due Date:	12/30/2022
Licensee Name:	Genesee Manor, Inc.
Licensee Address:	19158 Santa Rosa Detroit, MI 48221
Licensee Telephone #:	(313) 344-9689
Administrator:	Gary Ray, Designee
Licensee Designee:	Gary Ray, Designee
Name of Facility:	Genesee Manor I
Facility Address:	30002 Saint Martins Livonia, MI 48152
Facility Telephone #:	(248) 426-0735
Original Issuance Date:	05/24/2017
License Status:	REGULAR
Effective Date:	11/24/2021
Expiration Date:	11/23/2023
Capacity:	6
Program Type:	PH; DD; MI; AGED; TBI; ALZHEIMERS

II. ALLEGATION(S)

	Violation Established?
Staff Jessica Hunter pepper sprayed Resident A in the face.	Yes

III. METHODOLOGY

11/30/2022	Special Investigation Intake-2023A0575008
11/30/2022	Special Investigation Initiated – Telephone-staff Jessica Hunter
11/30/2022	APS Referral
11/30/2022	Referral - Recipient Rights
12/01/2022	Contact - Telephone call made-Resident A's guardian-Damon Watkins; (b) complainant
12/01/2022	Inspection Completed On-site- interviews with (a) home manager, James McClod; (b) Michele Ray, co-owner of corporation; (c) observation of Resident A
12/01/2022	Corrective Action Plan Requested and Due on 12/22/2022
12/01/2022	Inspection Completed- BCAL Sub- compliance
12/01/2022	Contact - Telephone call made-staff Alicia Terry
12/02/2022	Contact-Telephone call made- direct care staffs: (a) Kayla Hunter, (b) Shania Montgomery, and (c) Keisha Green
12/02/2022	Exit Conference with licensee designee, Gary Ray

ALLEGATION:

Staff Jessica Hunter pepper sprayed Resident A in the face.

INVESTIGATION:

APS and ORR referrals were received. Resident A was observed but due to his developmental disability he was unable to effectively communicate.

On 11/30/2022, I interviewed staff Jessica Hunter. She stated that while eating dinner, Resident A got up and came toward her. She stated that, although there were other staff present, she felt threatened by his aggressive behavior and took the pepper spray out of her purse and sprayed it “in the air toward him.” She said he ran away to the bathroom to wash the spray from his face.

On 12/1/2022, I interviewed the complainant. She stated that the incident occurred per her allegation and three other staff were on duty during the incident.

On 12/1/2022, I interviewed Resident A’s guardian, Damon Watkins. Although he expressed general satisfaction with the placement, he stated he would request staff Jessica Hunter not work in the facility anymore.

On 12/1/2022, I interviewed Michele Ray, co-owner of Genesee Manor, Inc. and James McClod, home manager. The facts are not in dispute, so we discussed the corrective action plan.

On 12/2/2022, I interviewed the three other staff that were on duty during this incident. Staffs Kayla Hunter and Shania Montgomery stated they witnessed Jessica Hunter pepper spray Resident A in the face. Staff Keisha Green stated she did not witness the incident.

On 12/2/2022, I conducted an exit conference with the licensee designee, Gary Ray.

APPLICABLE RULE	
R 400.14308	Resident behavior interventions prohibitions.
	(1) A licensee shall not mistreat a resident and shall not permit the administrator, direct care staff, employees, volunteers who are under the direction of the licensee, visitors, or other occupants of the home to mistreat a resident. Mistreatment includes any intentional action or omission which exposes a resident to a serious risk or physical or emotional harm or the deliberate infliction of pain by any means.

ANALYSIS:	By her admission confirming the allegation, staff Jessica Hunter pepper sprayed at or toward Resident A in an attempted behavioral intervention. This intentional action exposed Resident A to a serious risk of physical harm by the deliberate infliction of pain using pepper spray.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

Contingent upon receipt of an acceptable plan of correction; I recommend no changes in the status of the license.



Jeffrey J. Bozsik
Licensing Consultant

Date: 12/2/2022

Approved By:



Ardra Hunter
Area Manager

Date: 12/6/2022