



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

November 22, 2022

Patrice Weber
Portland Assisted Living & Memory Center, LLC
11920 W. Cutler Road
Eagle, MI 48822

RE: License #: AM340396420
Investigation #: 2022A1029065
Portland Assisted Living & Memory Manor

Dear Ms. Weber:

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 November 4, 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

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|---------------------------------------|---|
| License #: | AM340396420 |
| Investigation #: | 2022A1029065 |
| Complaint Receipt Date: | 09/30/2022 |
| Investigation Initiation Date: | 09/30/2022 |
| Report Due Date: | 11/29/2022 |
| Licensee Name: | Portland Assisted Living & Memory Center, LLC |
| Licensee Address: | 223 Charlotte Highway, Portland, MI 48875 |
| Licensee Telephone #: | (517) 643-2073 |
| Administrator: | Patrice Weber |
| Licensee Designee: | Patrice Weber |
| Name of Facility: | Portland Assisted Living & Memory Manor |
| Facility Address: | 233 Charlotte Hwy, Portland, MI 48875 |
| Facility Telephone #: | (517) 643-2073 |
| Original Issuance Date: | 05/02/2019 |
| License Status: | REGULAR |
| Effective Date: | 11/02/2021 |
| Expiration Date: | 11/01/2023 |
| Capacity: | 9 |
| Program Type: | ALZHEIMERS AGED |

II. ALLEGATION(S)

| | Violation Established? |
|---|-----------------------------------|
| There are not enough direct care staff members working on third shift because there are residents who require two-person assistance and only one direct care staff member is assigned on third shift. | Yes |
| Additional Findings | Yes |

III. METHODOLOGY

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|------------|--|
| 09/30/2022 | Special Investigation Intake 2022A1029065 |
| 09/30/2022 | Special Investigation Initiated – Telephone to Cody Schrauben, NP from Careline Health Group. |
| 09/30/2022 | Contact - Telephone call made to direct care staff member Amanda Ferris |
| 10/04/2022 | Contact - Document Sent - Resident Register and schedule sent from Patrice Weber |
| 10/07/2022 | Contact - Telephone call made to direct care staff members, Bernadette Whitney and Kristin Oulette, Ed Trenn (number unavailable), and licensee designee Patrice Weber |
| 10/11/2022 | Inspection Completed On-site - Face to Face with licensee designee, Patrice Weber, Ed Trenn, Madison Miller, Pat Burdick, Kylie Fedewa, Resident A and B |
| 10/28/2022 | Inspection Completed On-site – face to face with licensee designee Patrice Weber, Kylee Fedewa, Patrick Burdick (maintenance), Amy Butler, Ed Trenn (kitchen staff) |
| 11/15/2022 | Exit Conference with Patrice Weber |
| 11/18/2022 | APS Referral - APS referral not required due to no allegations of abuse, neglect, or exploitation |

ALLEGATION:

There are not enough direct care staff members working on third shift because there are residents who require two-person assistance and only one direct care staff member is assigned on third shift.

INVESTIGATION:

On September 30, 2022, information was received there were residents that required two direct care staff members to assist people with mobility and transferring but only one direct care staff member worked during the nighttime shift.

On September 30, 2022, I interviewed nurse practitioner (NP) Cody Schrauben from Careline Health Group who regularly sees patients at Portland Assisted Living & Memory Manor as well as the adjacent licensed property operated by Ms. Weber. NP Schrauben stated she does go to the facility every other Wednesday and she is there in the mornings from about 8 a.m.-1:00 p.m. NP Schrauben stated she has not had any concerns about staffing coverage during the time she is present. NP Schrauben stated Ms. Click is working along with three-four additional direct care staff members. NP Schrauben did not know if all these staff were assigned to Portland Assisted Living & Memory Manor or the adjacent property. NP Schrauben stated there is also janitorial and kitchen staff on site to complete those tasks. NP Schrauben stated she provides care in many different facilities, and she has never had a concern regarding the care provided at Portland Assisted Living & Memory Manor. NP Schrauben stated there are residents at Portland Assisted Living & Memory Manor who she considered two person assists, and NP Schrauben listed them as Resident A and Resident B. NP Schrauben stated Resident A has a Hoyer lift and needs two direct care staff members to assist with transferring and use of the Hoyer lift. NP Schrauben stated Resident B is a paraplegic and uses a scooter. Resident B can be assisted with one person, but she typically sees two direct care staff members providing care to him. NP Schrauben stated she has not heard anything regarding third shift staffing patterns and the residents' care needs not being met. NP Schrauben stated there is no place to document on the *Health Care Appraisal* that a resident required two direct care staff members for personal care/transfers/or mobility. Ms. Schrauben stated she never told Ms. Weber that a resident needs a two-person assistance because she has always observed enough staff coverage.

I reviewed the *Health Care Appraisal* and *Assessment Plan for AFC Residents* for all residents residing in the facility. There was no documentation on the *Assessment Plan for AFC Residents* that any of the residents required the assistance of two direct care staff members to meet their personal care needs. Most residents' *Assessment Plans for AFC Residents* documented the required the use of a walker or wheelchair as an assistive device and had a cognitive impairment from Dementia diagnosis.

I reviewed the August 2022 staff schedule for Portland Assisted Living & Memory Manor. Due to the small squares, color coding, and the handwritten in names it was difficult to determine who was scheduled for Portland Assisted Living & Memory Manor because there was one schedule for both licenses. According to the schedule, there was at least one direct care staff member assigned to Portland Assisted Living & Memory Manor during third shift.

There have been no *AFC Incident / Accident Reports* received indicating there was not enough direct care staff members to meet the needs of the residents. I also reviewed the fire drills since January 2022 and there were no concerns the direct care staff members could not evacuate the residents timely in case of an emergency.

On October 7, 2022, I called third shift direct care staff member, Bernadette Whitney. Ms. Whitney stated there is one direct care staff member during third shift assigned to Portland Assisted Living & Memory Manor. Ms. Whitney stated there are no residents out of the five at Portland Assisted Living & Memory Manor who require the assistance of two staff members. Ms. Whitney stated they have a hooyer lift for Resident A but they can use this with one staff member. Ms. Whitney stated she has never had an emergency which led to not having a staff assigned to Portland Assisted Living & Memory Manor. Ms. Whitney stated there are no residents who require the assistance of two staff during the middle of the night. She stated they check the resident bedrooms every two hours or more if the residents do not feel well. Ms. Whitney stated there are no residents who are trying to elope from the facility or who have aggressive behaviors toward the direct care staff members.

On October 7, 2022, I contacted direct care staff member Kristin Oulette. Ms. Oulette stated she typically works on first or second shift with one or two other direct care staff members during the day. Ms. Oulette stated there is only one direct care staff member assigned to Portland Assisted Living & Memory Manor because there were currently five residents living there. Ms. Oulette stated this is not including the kitchen staff or nursing. Ms. Oulette stated she has only worked one night on third shift, and she was the only direct care staff member assigned to Portland Assisted Living & Memory Manor and the adjacent licensed adult foster care facility. Ms. Oulette stated when she is working, they have the buildings split up and each one is assigned a separate section on the scheduling application. She stated the schedule was color coded with the times and tells you what building you are responsible for. Ms. Oulette stated most of the residents require the assistance of a walker and/ or wheelchair. Ms. Oulette stated most of the residents have dementia or a cognitive impairment.

On October 7, 2022, I spoke to licensee designee, Patrice Weber. Ms. Weber stated she always has one staff assigned to Portland Assisted Living & Memory Manor. Ms. Weber stated the direct care staff members who are assigned to Portland Assisted Living & Memory Manor stay in that facility throughout their shift because this is indicated by a color-coding system on her scheduling application. Ms. Weber stated if the color next to their name is red, then they are responsible for medication administration. Ms. Weber stated the "medication passer" will give medications to all

residents in both facilities. Ms. Weber stated if there is no color that direct care staff member is assigned to the adjacent licensed adult foster care facility and the green coded staff member is a "floating staff." Ms. Weber stated she has hired more staff now and thinks this will help staffing for third shift.

On October 11, 2022, I interviewed direct care staff member Madison Miller at Portland Assisted Living & Memory Manor. Ms. Miller stated Resident A and Resident B require the assistance of two people to transfer and provide personal care. Ms. Miller stated Resident A and Resident B require the assistance of a hooyer lift and both have catheters which require catheter care to be done. Ms. Miller stated there is adequate staff on to help them with their needs. Ms. Miller stated Portland Assisted Living & Memory Manor has nine residents and they have one direct care staff member assigned during third shift. Ms. Miller stated they do one-hour checks on each resident, and they are toileted before and after meals. During third shift, most residents are changed in bed but there are a few residents who get up at night. Ms. Miller stated if she needs assistance with the Hoyer lift for one of the residents during nighttime hours, she can receive help from the direct care staff member assigned to the adjacent AFC. Ms. Miller stated there are nine residents residing at Portland Assisted Living & Memory Manor. Ms. Miller stated there is one direct care staff member who primarily passes medications and they will do this for Portland Assisted Living & Memory Manor and the adjacent AFC.

On October 11, 2022, I interviewed direct care staff member Kylie Fedewa at Portland Assisted Living & Memory Manor. Ms. Fedewa stated she typically works first and second shift but has worked third shift in the past. Ms. Fedewa stated when working third shift, there is one staff member assigned to Portland Assisted Living & Memory Manor. There is one medication passer who is assigned to both Portland Assisted Living & Memory Manor and the adjacent AFC. Ms. Fedewa stated this is enough for the staff to complete the tasks assigned. Ms. Fedewa stated there are two residents, Resident A and Resident B, who require a hooyer lift so she will receive assistance from a direct care staff member assigned to the adjacent AFC during the sleeping hours.

On October 11, 2022, I interviewed Resident B. Resident B stated he does not receive immediate help during third shift and there should be more staff assigned. Resident B stated he receives help but it's not immediate assistance like he does during the daytime. Resident B stated he requires turning, toileting, and occasionally his brief changed during the night. Resident B stated some nights there are two staff working but there have been times when there is one staff member working about once per month. Resident B stated he does have a hooyer lift and typically there are two people who assist him, but they can use the hooyer with one person.

On October 11, 2022, I interviewed Resident C. Resident C stated she does most tasks on her own but the direct care staff members do take her to the shower and administer medications. Resident C stated they also have someone comes in and cleans her room. Resident C stated she has a call button to use but she does not use it very often.

Resident C stated the times she has used it, someone is there to assist promptly. Resident C stated the staff are doing a good job and she has never gone without care.

On October 11, 2022, I interviewed Resident D. Resident D stated there needs to be more staff on during 3rd shift because sometimes she will have to use the bathroom at night and the staff are “running like mad.” Resident D stated sometimes they will take her to the bathroom and then must leave to help someone else and then come back. Resident D stated there are only one direct care staff member during the night assigned to Portland Assisted Living & Memory Manor but during the daytime, there is enough staff assigned. Resident D stated when she is waiting for assistance, she will count the tiles on her ceiling and she can get up to 300 tiles before they came in to help her. Resident D stated the staff are doing the best they can.

On October 11, 2022, I completed an onsite investigation at Portland Assisted Living & Memory Manor and discussed the staffing concerns with Ms. Weber. Ms. Weber showed a paper copy of the August 2022 schedule which was still difficult to interpret. I was able to review the staffing application on Ms. Weber’s phone for various days in October 2022 and was able to confirm there was one direct care staff member assigned to Portland Assisted Living & Memory Manor. Ms. Weber stated she uses a floating direct care staff member between her two licensed properties and one person is assigned to administer medications for both properties. Ms. Weber stated in the future she is going to separate the facilities on the scheduling application so there are separate schedules which make it easier to review and to schedule Portland Assisted Living & Memory Manor appropriately. Ms. Weber stated she will no longer be using a floater or have one direct care staff member administer medications for the two licenses.

| APPLICABLE RULE | |
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| R 400.14206 | Staffing requirements. |
| | (2) A licensee shall have sufficient direct care staff on duty at all times for the supervision, personal care, and protection of residents and to provide the services specified in the resident's resident care agreement and assessment plan. |

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| ANALYSIS: | There is not sufficient direct care staff member on duty at all times during third shift. In August 2022, the licensee had one direct care staff member assigned to Portland Assisted Living & Memory Manor during third shift. Licensee designee Ms. Weber stated she uses “floating” direct care staff members from the adjacent licensed adult foster care facility to ensure the facility has adequate staffing coverage when the direct care staff member need assistance. According to interviews with Ms. Weber, NP Schrauben, and direct care staff member Ms. Miller, Ms. Oulette, and Ms. Whitney, there are at least two residents, Resident A and Resident B, who require the assistance of two direct care staff member for their personal care needs and most residents have a diagnosis of dementia or cognitive impairment. |
| CONCLUSION: | VIOLATION ESTABLISHED |

ADDITIONAL FINDINGS:

INVESTIGATION:

On October 4, 2022, Ms. Weber sent an updated *Resident Register* on October 4, 2022, but it still did not include previous residents and Resident A was not listed on the *Resident Register*. On October 11, 2022, I completed an onsite inspection at Portland Assisted Living & Memory Manor. Ms. Weber did not have an updated *Resident Register* which included the previous residents who have resided at Portland Assisted Living & Memory Manor, when they were discharged, and where they were discharged.

| APPLICABLE RULE | |
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| R 400.14210 | Resident register. |
| | A licensee shall maintain a chronological register of residents who are admitted to the home. The register shall include all of the following information for each resident: (a) Date of admission. (b) Date of discharge. (c) Place and address to which the resident moved, if known. |

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| ANALYSIS: | The <i>Resident Register at Portland Assisted Living & Memory Manor</i> did not include a license number or have any way to distinguish which residents lived under this license number, previous residents, dates of discharge, or the address where previous residents moved. Ms. Weber sent over updated <i>Resident Register</i> on October 4, 2022, which only included the residents residing at Portland Assisted Living & Memory Manor however it did not include previous residents and Resident A was not listed on the <i>Resident Register</i> . |
| CONCLUSION: | VIOLATION ESTABLISHED |

IV. RECOMMENDATION

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

Jennifer Browning

Jennifer Browning
Licensing Consultant

11/18/2022

Date

Approved By:

Dawn Timm

11/22/2022

Dawn N. Timm
Area Manager

Date