



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

ORLENE HAWKS  
DIRECTOR

February 23, 2023

Mary Marzolo  
Cherry Suite AFC, LLC  
10774 US-31 S  
Williamsburg, MI 49690

RE: License #: AM050320275  
Investigation #: 2023A0009016  
Cherry Suite

Dear Ms. Marzolo:

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 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 (231) 922-5309.

Sincerely,

A handwritten signature in cursive script, appearing to read "Adam Robarge".

Adam Robarge, Licensing Consultant  
Bureau of Community and Health Systems  
Suite 11  
701 S. Elmwood  
Traverse City, MI 49684  
(231) 350-0939

enclosure

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

**I. IDENTIFYING INFORMATION**

<b>License #:</b>	AM050320275
<b>Investigation #:</b>	2023A0009016
<b>Complaint Receipt Date:</b>	02/02/2023
<b>Investigation Initiation Date:</b>	02/02/2023
<b>Report Due Date:</b>	03/04/2023
<b>Licensee Name:</b>	Cherry Suite AFC, LLC
<b>Licensee Address:</b>	10774 US-31 S Williamsburg, MI 49690
<b>Licensee Telephone #:</b>	(231) 534-5055
<b>Administrator:</b>	Mary Marzolo
<b>Licensee Designee:</b>	Mary Marzolo
<b>Name of Facility:</b>	Cherry Suite
<b>Facility Address:</b>	10774 US-31 S Williamsburg, MI 49690
<b>Facility Telephone #:</b>	(231) 498-2233
<b>Original Issuance Date:</b>	09/24/2013
<b>License Status:</b>	REGULAR
<b>Effective Date:</b>	03/24/2022
<b>Expiration Date:</b>	03/23/2024
<b>Capacity:</b>	11
<b>Program Type:</b>	AGED

## II. ALLEGATION(S)

	Violation Established?
The licensee designee has not updated Resident A's Resident Care Agreement form in over a year.	Yes
Additional Finding	Yes

## III. METHODOLOGY

02/02/2023	Special Investigation Intake 2023A0009016
02/02/2023	Special Investigation Initiated – Telephone call received from Resident A's Family Member
02/09/2023	Contact – Phone call made to Resident A's Power of Attorney
02/09/2023	Inspection Completed On-site Interview with direct care worker Julie Waroch Face to face with Resident A
02/09/2023	Contact – Phone call received from licensee designee/administrator Mary Marzolo
02/09/2023	Exit conference with licensee designee/administrator Mary Marzolo

**ALLEGATION:** The licensee designee has not updated Resident A's Resident Care Agreement form in over a year.

**INVESTIGATION:** I spoke with Resident A's Family Member by phone on February 2, 2023. She said that the licensee designee was discussing additional services for Resident A with another family member. The licensee wanted the other family member, who is also Resident A's power of attorney, to sign additional paperwork regarding payment of services. It came to light during these communications that the licensee had not updated Resident A's Resident Care Agreement form in over a year. The licensee designee also wanted an additional agreement signed regarding financial obligations.

I spoke with Resident A's Power of Attorney by phone on February 9, 2023. She confirmed that the initial Resident Care Agreement form was signed over a year ago. The licensee designee, Ms. Marzolo, had wanted her to sign additional paperwork regarding an additional financial obligation. Resident A's Power of Attorney has not done that at this point.

I made an unannounced site visit at Cherry Suite on February 9, 2023. I spoke with direct care worker Ms. Julie Waroch at that time. I knew Ms. Waroch to also be the daughter of the licensee designee from my previous visits there. She said that her mother was not present at that time but agreed to assist me with what I needed. I asked to see Resident A's Resident Care Agreement as well as other forms required by the State of Michigan. Ms. Waroch stated that her mother handled the residents' paperwork but that she could probably find those items. She located Resident A's Resident Care Agreement and Ms. Waroch stated that she believed it was the most recent one. I noted that the date of the last signature on the form was June 14, 2021. Ms. Waroch stated that she was not sure if her mother just forgot to complete a new Resident Care Agreement for Resident A or if she just got too busy. I also noted that Resident A's last Assessment Plan was also signed on June 14, 2021. Ms. Waroch stated that there might be additional contractual items that her mother had agreed to with the family but did not know where that would be if there was. I did observe Resident A during the time of my visit. She seemed well-cared for and content from my casual observation at the time of the visit.

I spoke with licensee designee/administrator Ms. Marzolo by phone on February 9, 2023. She said that she had just talked with a family member about updating Resident A's paperwork. This included asking for additional fees due to Resident A needing more care than she did when she initially arrived at the home. Ms. Marzolo acknowledged that she hadn't gotten around to updating the required forms for Resident A. She said that she does have an additional contract for families beyond what is specified in the Resident Care Agreement. She had not gotten that contract signed by Resident A's Power of Attorney and had recently provided that to her. Ms. Marzolo said that she has had to raise the monthly rent for residents due to additional costs. Some of her staff have had physical issues that prevent them from doing heavy lifting. She does have staff available who can do the lifting, but Ms. Marzolo said that she needs to pay them to come in to work additional hours. Her only option has been to pass some of that additional cost to the residents. The one worker who had trouble with a shoulder should be cleared to lift by her doctor and that will ease some of the strain. I asked Ms. Marzolo about the out-of-date Resident Care Agreement and Assessment Plan. Ms. Marzolo acknowledged that she needed to update those forms and would be doing that soon for Resident A. In addition, she will check required paperwork for all the residents and ensure that those are all up to date.

<b>APPLICABLE RULE</b>	
<b>R 400.14301</b>	<b>Resident admission criteria; resident assessment plan; emergency admission; resident care agreement; physician's instructions; health care appraisal.</b>
	(9) A licensee shall review the written resident care agreement with the resident or the resident's designated representative and responsible agency, if applicable, at least annually or more often if necessary.

<b>ANALYSIS:</b>	It was confirmed through this investigation that the licensee designee did not update the written Resident Care Agreement with Resident A's designated representative at least annually. The last Resident Care Agreement provided at the time of the site visit was last signed on June 14, 2021.
<b>CONCLUSION:</b>	<b>VIOLATION ESTABLISHED</b>

**ADDITIONAL FINDING:** It was also determined during the course of this investigation that Resident A's written Assessment Plan had not been updated annually. The Assessment Plan discovered at the time of the site visit was last completed and signed on June 14, 2021.

<b>APPLICABLE RULE</b>	
<b>R 400.14301</b>	<b>Resident admission criteria; resident assessment plan; emergency admission; resident care agreement; physician's instructions; health care appraisal.</b>
	(4) At the time of admission, and at least annually, a written assessment plan shall be completed with the resident or the resident's designated representative, the responsible agency, if applicable, and the licensee. A licensee shall maintain a copy of the resident's written assessment plan on file in the home.
<b>ANALYSIS:</b>	It was also confirmed through this investigation that the licensee designee did not update the written Assessment Plan with Resident A's designated representative at least annually. The Assessment Plan provided at the time of the site visit was last signed on June 14, 2021.
<b>CONCLUSION:</b>	<b>VIOLATION ESTABLISHED</b>

I completed an exit conference with licensee designee/administrator Ms. Marzolo by phone on February 9, 2023. I told her of the findings of my investigation and gave her the opportunity to provide an explanation and to ask questions.

#### **IV. RECOMMENDATION**

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



02/23/2023

Adam Robarge, Licensing Consultant

Date

Approved By:

A handwritten signature in blue ink, appearing to read "Jerry Hendrick".

02/23/2023

---

Jerry Hendrick, Area Manager

Date