



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

March 31, 2023

James Pilot
Bay Human Services, Inc.
P O Box 741
Standish, MI 48658

RE: License #: AS730311600
Investigation #: 2023A0576022
House of Hope

Dear Mr. Pilot:

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.
- Be signed and dated.

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) 643-7960.

Sincerely,

A handwritten signature in cursive script that reads "C. Garza".

Christina Garza, Licensing Consultant
Bureau of Community and Health Systems
611 W. Ottawa Street
P.O. Box 30664
Lansing, MI 48909
(810) 240-2478

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AS730311600
Investigation #:	2023A0576022
Complaint Receipt Date:	02/02/2023
Investigation Initiation Date:	02/02/2023
Report Due Date:	04/03/2023
Licensee Name:	Bay Human Services, Inc.
Licensee Address:	PO Box 741 3463 Deep River Rd., Standish, MI 48658
Licensee Telephone #:	(989) 846-9631
Administrator:	James Pilot
Licensee Designee:	Tammy Under
Name of Facility:	House of Hope
Facility Address:	4326 N Michigan, Saginaw, MI 48604
Facility Telephone #:	(989) 401-5223
Original Issuance Date:	01/31/2011
License Status:	REGULAR
Effective Date:	10/10/2021
Expiration Date:	10/09/2023
Capacity:	6
Program Type:	PHYSICALLY HANDICAPPED, MENTALLY ILL, DEVELOPMENTALLY DISABLED, TRAUMATICALLY BRAIN INJURED

II. ALLEGATION(S)

	Violation Established?
Recipient rights received an anonymous picture in the mail of Staff, Sierra Wheaton on top of Resident A. Resident A has autism and cerebral palsy and is non-verbal. Ms. Wheaton indicated that the picture was taken about 3 years ago and was taken in the bathroom, which has since been remodeled. Ms. Wheaton is currently suspended.	Yes

III. METHODOLOGY

02/02/2023	Special Investigation Intake 2023A0576022
02/02/2023	Special Investigation Initiated – Telephone Interviewed Kelly Surles, Bay Human Services Regional Manager
02/07/2023	APS Referral
02/08/2023	Contact - Document Received Reviewed Incident Report (IR)
02/16/2023	Inspection Completed On-site Interviewed Jessica Bowman, Home Manager
02/17/2023	Contact - Telephone call made Interviewed Guardian A
02/17/2023	Contact - Telephone call made Interviewed Judy Saucedo, Saginaw County Office of Recipient Rights
02/21/2023	Contact - Face to Face Interviewed Staff, Sierra Wheaton, and Esmerelda Garcia
03/31/2023	Contact - Face to Face Viewed Resident A
03/31/2023	Exit Conference Conducted with Licensee, Joe Pilot and Administrator, Tammy Unger

ALLEGATION:

Recipient rights received an anonymous picture in the mail of Staff, Sierra Wheaton on top of Resident A. Resident A has autism and cerebral palsy and is non-verbal. Ms. Wheaton indicated that the picture was taken about 3 years ago and was taken in the bathroom, which has since been remodeled. Ms. Wheaton is currently suspended.

INVESTIGATION:

On February 2, 2023, I interviewed Kelly Surles, Regional Manager from Bay Human Services who advised Saginaw County Office of Recipient Rights received a picture of Staff, Sierra Wheaton sitting on Resident A. Ms. Surles does not know who took the picture and there should be no reason staff should be sitting on Resident A.

On February 8, 2023, I reviewed an AFC Licensing Division Incident / Accident Report (IR) dated for February 1, 2023, and authored by Home Manager, Jessica Bowman. The IR documented that Recipient Rights Officer, Judy Saucedo received a photo of someone sitting on a resident. Ms. Saucedo brought the photo to the home and Ms. Bowman confirmed the resident in the photo appeared to be Resident A. Corrective Measures include Staff, Sierra Wheaton being suspended pending investigation.

On February 16, 2023, I completed an unannounced on-site inspection at House of Hope and interviewed Home Manager, Jessica Bowman regarding the allegations. Ms. Bowman confirmed she saw the picture of Resident A on the bathroom floor with someone sitting on her. Ms. Bowman believes the person sitting on Resident A is Staff, Sierra Wheaton. Ms. Bowman cannot see Resident A's face however she can tell it is Resident A as "it is her body shape" and the person has Resident A's shoes on. Resident A is stomach down in the picture and Ms. Wheaton is sitting on her back however Ms. Bowman is not sure if all her weight is on her. Ms. Bowman explained the photo was sent anonymously to Saginaw County Office of Recipient Rights and the envelope was typed out. Ms. Bowman believes the picture is at least 2 years old as the bathroom is an old color and the bathroom was painted a couple years ago. Ms. Bowman advised that Ms. Wheaton was suspended on February 1, 2023, pending investigation however Ms. Wheaton has since resigned.

According to Ms. Bowman, Resident A has lived at her home since May 2011, and is currently doing well. Resident A has a guardian, Guardian A. On occasion, Resident A will strip down, throw herself on the floor, bang her head, and try to trip or bite staff when on the floor. Resident A was not home at time of inspection and was on a van ride with staff.

On February 16, 2023, I reviewed Resident A's AFC Assessment Plan. The plan indicates Resident A is 32 years old and nonverbal. Resident A follows directions and gets along with others. Resident A exhibits self-injurious behaviors including head banging, digs her skin, and will scoot on the floor causing burns. Regarding "controls

aggressive behavior,” Resident A takes medication and “culture of gentleness is implemented”.

On February 17, 2023, I interviewed Resident A’s guardian, Guardian A who reported Resident A has resided at her home for at least 10 years. Guardian A was aware of the allegations. Resident A likes to touch others, is nonverbal and would not be able to disclose what happened to her. Guardian A advised Resident A has no behavior plan that outlines physical management. Resident A requires staff assistance with showering and supervision while eating due problems with swallowing. Resident A can display self-destructive behaviors or toward property however she does not “go after people”.

On February 17, 2023, I interviewed Judy Saucedo, Recipient Rights Officer from Saginaw County Community Mental Health Authority. Ms. Saucedo believes the picture her office received is at least 3 years old. Ms. Saucedo has spoken with Staff, Sierra Wheaton who confirmed she is the person in the picture sitting on top of Resident A. Ms. Wheaton denied being aware of who took the picture and does not know the day it was taken. Ms. Wheaton believes she was trying to hold Resident A down due to her trying to bite and grab staff ankles. According to Ms. Saucedo, Ms. Wheaton admitted to holding Resident A down more than once.

On February 21, 2023, I interviewed Staff, Sierra Wheaton at Saginaw County Community Mental Health Authority with Recipient Rights Officer, Judy Saucedo, and Jessire Ramos from Saginaw County Adult Protective Services (APS). Ms. Wheaton reported she worked at House of Hope for 6 years. Regarding the allegations, Ms. Wheaton confirmed she has seen the picture and confirmed it was her sitting on Resident A. Ms. Wheaton believes the picture was taken “years ago” and is not sure why she was sitting on top of Resident A. Ms. Wheaton reported she was not sitting on top of Resident A to hurt her and believes it was to keep Resident A from hurting herself or staff. Ms. Wheaton reported sitting on top of Resident A is not an approved behavior management method for Resident A and staff are “supposed to let her do her thing”. Ms. Wheaton stated Resident A has no behavior plan that outlines physical intervention. Ms. Wheaton denied being aware of who took the picture of her sitting on top of Resident A and advised she does not think she has ever seen the picture before as she would remember.

On February 21, 2023, I interviewed Staff, Esmerelda Garcia. Ms. Garcia denied being aware of who took the picture of Staff, Sierra Wheaton sitting on Resident A. Ms. Garcia denied she sent the picture to ORR. Ms. Garcia was shown the picture and advised the picture is “pretty old” and she believes the people in the picture is Resident A and Staff, Sierra Wheaton. Ms. Garcia has worked with Ms. Wheaton “plenty of times” and has never seen Ms. Wheaton sit on any Residents or mistreat them in any manner. Ms. Garcia does not know why Ms. Wheaton would be sitting on Resident A as depicted in the picture. Resident A does present some challenging behaviors such as stripping or banging her head and staff are to redirect her. Ms. Garcia denied taking pictures or videos of residents.

On February 21, 2023, I was provided a copy of the picture of Resident A being sat on by Staff, Sierra Wheaton. Resident A is pictured stomach down on the bathroom floor near the shower area. Ms. Wheaton is seen sitting on Resident A's back and holding onto the bathroom vanity.

On March 31, 2023, I viewed Resident A via a face time call to her home. Resident A was smiling and neat and clean in appearance. Resident A had her hair combed neatly in ponytails. Resident A could be seen walking around her home. Resident A did not appear to be under any distress.

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:	<p>It was alleged that Staff, Sierra Wheaton was sitting on top of Resident A. Upon conclusion of investigative interviews, there is a preponderance of evidence to conclude a rule violation.</p> <p>Saginaw County Office of Recipient Rights received an anonymous letter containing a picture of Staff, Sierra Wheaton sitting on top of Resident A. Ms. Wheaton confirmed she sat on Resident A likely in attempts to keep her from self-harm or harm toward staff. Ms. Wheaton advised staff are not to sit on her as a behavior management technique and admitted to Recipient Rights Officer, Judy Saucedo to holding Resident A down more that once.</p> <p>There is a preponderance of evidence to conclude Resident A was not treated with dignity and her protection and safety was not attended to at all times.</p>
CONCLUSION:	VIOLATION ESTABLISHED

On March 31, 2023, I conducted an Exit Conference with Licensee Designee, Joe Pilot and Administrator, Tammy Unger. I advised Mr. Pilot, and Ms. Unger I would be requesting a corrective action plan regarding the cited rule violation.

IV. RECOMMENDATION

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

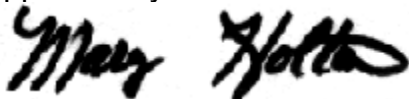


3/31/2023

Christina Garza
Licensing Consultant

Date

Approved By:



3/31/2023

Mary E. Holton
Area Manager

Date