



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

May 1, 2023

Daniel McNeill
PO Box 68
Fenton, MI 48430

RE: License #: AF250404622
Investigation #: 2023A0580026
Serenity Gardens

Dear Mr. McNeill:

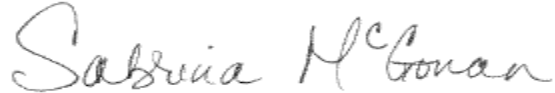
Attached is the Special Investigation Report for the above referenced facility. Due to the violations identified in the report, a written corrective action plan is required. The corrective action plan is due 15 days from the date of this letter and must include the following:

- 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. 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 "Sabrina McGowan".

Sabrina McGowan, Licensing Consultant
Bureau of Community and Health Systems
611 W. Ottawa Street
P.O. Box 30664
Lansing, MI 48909
(810) 835-1019

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AF250404622
Investigation #:	2023A0580026
Complaint Receipt Date:	03/09/2023
Investigation Initiation Date:	03/10/2023
Report Due Date:	05/08/2023
Licensee Name:	Daniel McNeill
Licensee Address:	110 Lansing St. Gaines, MI 48436
Licensee Telephone #:	(810) 931-8466
Administrator:	N/A
Licensee Designee:	N/A
Name of Facility:	Serenity Gardens
Facility Address:	110 Lansing St. Gaines, MI 48436
Facility Telephone #:	(810) 931-8644
Original Issuance Date:	08/27/2020
License Status:	REGULAR
Effective Date:	02/27/2023
Expiration Date:	02/26/2025
Capacity:	6
Program Type:	PHYSICALLY HANDICAPPED DEVELOPMENTALLY DISABLED MENTALLY ILL

II. ALLEGATION(S)

	Violation Established?
Resident A was not appropriately discharged from this home and did not receive an appropriate discharge notice. Staff were not present with Resident A at the emergency room. Licensee is unsure if he is willing to accept resident back into his AFC Home.	No
Additional Findings	Yes

III. METHODOLOGY

03/09/2023	Special Investigation Intake 2023A0580026
03/10/2023	Special Investigation Initiated - Telephone A call was made to the licensee, Mr. Dan McNeil.
03/27/2023	Inspection Completed On-site An onsite inspection was conducted. Contact with staff, Ms. Julie Davis.
04/25/2023	Contact - Telephone call made Spoke with Ms. Clare Hansberry of Easter Seales North.
04/28/2023	APS Referral I made a referral to APS sharing the allegations.
04/28/2023	Contact – Document received A copy of the emergency discharge notice was received.
05/014/2023	Exit Conference An exit conference was held with licensee, Mr. McNeil.

ALLEGATION:

Resident A was not appropriately discharged from this home and did not receive an appropriate discharge notice. Staff were not present with Resident A at the emergency room. Licensee is unsure if he is willing to accept resident back into his AFC Home.

INVESTIGATION:

On 03/09/2023, I received a complaint via BCAL Online Complaints.

On 03/10/2023, I placed a call to the licensee, Mr. Dan McNeil. He stated that on 01/25/2023, he picked Resident A up from Trinity Hospital in Oakland County, to take to his home as a new placement. Within a few short hours after arriving at the home he became destructive by attacking staff, throwing furniture, and breaking things around the house. He transported Resident A to Hurley Hospital for a mental evaluation due to his behavior that same day. Mr. McNeil denied that he abandoned Resident A at the hospital. He stated that due to his behavioral issues and instability with his medication, he is not ready to be released. He adds that Resident A's case manager was not truthful when she stated that Resident A has done well in an AFC placement in the past. Mr. McNeil is unable to provide a copy of Resident A's resident assessment plan or written resident care agreement. Mr. McNeil stated that he did not complete a resident assessment plan or written resident care agreement with the guardian or designated representative prior to assuming the placement. He provided an emergency 24-hour written notice to Resident A's case manager and guardian.

On 03/27/2023, I conducted an onsite inspection at Serenity Gardens. Contact was made with staff, Ms. Julie Davis. She stated that she was not working at the time Resident A came to the home. I observed five residents as they were finishing lunch at the dining room table. All the residents were adequately dressed and groomed. They appeared to be receiving proper care and supervision.

On 04/25/2023, I spoke with Ms. Clare Hansberry of Easter Seales North, assigned Supports Coordinator for Resident A. She stated that Resident A was hospitalized at Trinity Hospital in Oakland County from 11/30/2022-01/25/2023, when he was picked up by Mr. McNeil, to be placed at Serenity Gardens AFC. She stated that she was aware that Resident A was discharged later in the evening and would be without his Ativan prescription. To her knowledge, Resident A did well on the ride to the AFC home, however, once inside Resident A engaged in property destruction and began attacking staff. She spoke with Mr. McNeil throughout this ordeal, however, Mr. McNeil decided that for the safety of the other residents and the staff, to transport Resident A to Hurley Hospital in Genesee County. While at the hospital Resident A did experience some behavioral issues that caused him to be in restraints. He was cleared to be released medically, however, not behaviorally. It was their intention as an agency to provide Mr. McNeil with additional staff trained and prepared for Resident A's return to the home, however, he decided that Resident A is not a good fit and refused to allow Resident A back in the home. Mr. McNeil provided a 24-hour written notice. Resident A was

released from Hurley Hospital on 04/20/2023, to Harbor Oaks Physical Hospital, located in New Baltimore, MI.

On 04/28/2023, I made a referral to APS sharing the allegations.

On 04/28/2023, I received a copy of the emergency discharge notification provided to Ms. Clare Hansberry of Easter Seales North, assigned Supports Coordinator for Resident A. Dated 01/25/2023. it indicates that *pursuant to written state of Michigan rules, Resident A is evicted from Serenity Garden for assault on staff and other residents. His violation of house rules makes un unable to provide him or others a safe living environment. This is making the living environment tough for other residents as well.*

APPLICABLE RULE	
R 400.1407	Resident admission and discharge criteria; resident assessment plan; resident care agreement; house guidelines; fee schedule; physicians' instructions; health care appraisal.
	(14) A licensee who discharges a resident pursuant to subrule (13) of this rule shall notify the resident's designated representative and responsible agency within 24 hours before discharge. Such notification shall be followed by a written notice to the resident's designated representative and responsible agency stating the reasons for discharge.
ANALYSIS:	<p>Licensee, Mr. McNeil denied that he abandoned Resident A at the hospital. Resident A was picked up from the hospital for placement and taken to Hurley Hospital for evaluation that same evening because became destructive by attacking staff, throwing furniture, and breaking things around the house. He provided an emergency 24-hour written notice to Resident A's case manager and guardian.</p> <p>At the onsite inspection at Serenity Gardens, I observed five residents as they were finishing lunch at the dining room table. All the residents were adequately dressed and groomed. They appeared to be receiving proper care and supervision.</p>

	<p>Ms. Clare Hansberry of Easter Seales North, assigned Supports Coordinator for Resident A, stated that Mr. McNeil decided that Resident A is not a good fit and refused to allow Resident A back in the home. Mr. McNeil provided a 24-hour written notice. Resident A was released from Hurley Hospital on 04/20/2023, to Harbor Oaks Physical Hospital, located in New Baltimore, MI.</p> <p>A copy of the 24-hour emergency discharge was reviewed.</p> <p>Based on the discharge notice reviewed and the interviews with the licensee, Mr. McNeil and the Supports Coordinator for Resident A, Ms. Clare Hansberry, there is not enough evidence to support the rule violation.</p>
CONCLUSION:	VIOLATION NOT ESTABLISHED

ADDITIONAL FINDINGS:

INVESTIGATION:

On 03/10/2023, licensee, Mr. McNeil stated that he did not complete a resident assessment plan with the guardian or designated representative prior to assuming the placement of Resident A in the home.

APPLICABLE RULE	
R 400.1407	Resident admission and discharge criteria; resident assessment plan; resident care agreement; house guidelines; fee schedule; physicians instructions; health care appraisal.
	<p>(2) A licensee shall not accept or retain a resident for care unless and until a resident assessment plan is made and it is determined that the resident is suitable pursuant to the following provisions:</p> <p>(a) The amount of personal care, supervision, and protection required by the resident is available in the home.</p> <p>(b) The kinds of services and skills required of the home to meet the resident's needs are available in the home.</p> <p>(c) The resident appears to be compatible with other residents and members of the household.</p>

ANALYSIS:	<p>Mr. McNeil is unable to provide a copy of Resident A's resident assessment plan.</p> <p>Mr. McNeil stated that he did not complete a resident assessment plan with the guardian or designated representative prior to assuming the placement of Resident A in the home.</p> <p>Based on these findings, there is enough evidence to support the rule violation.</p>
CONCLUSION:	VIOLATION ESTABLISHED

ADDITIONAL FINDINGS:

INVESTIGATION:

On 03/10/2023, licensee, Mr. McNeil stated that he did not complete a written resident care agreement prior to assuming the placement of Resident A in the home.

APPLICABLE RULE	
R 400.1407	Resident admission and discharge criteria; resident assessment plan; resident care agreement; house guidelines; fee schedule; physicians instructions; health care appraisal.
	(5) At the time of a resident's admission, a licensee shall complete a written resident care agreement which shall be established between the resident or the resident's designated representative, the responsible agency, and the licensee. A department form shall be used unless prior authorization for a substitute form has been granted in writing by the department. A resident shall be provided the care and services as stated in the written resident care agreement.

ANALYSIS:	<p>Mr. McNeil is unable to provide a copy of Resident A's written resident care agreement.</p> <p>Mr. McNeil stated that he did not complete a written care agreement with the guardian or designated representative prior to assuming the placement of Resident A in the home.</p> <p>Based on these findings, there is enough evidence to support the rule violation.</p>
CONCLUSION:	VIOLATION ESTABLISHED

On 05/01/2023, I conducted an exit conference with the licensee, Mr. Dan McNeil. Mr. McNeil was informed of the findings of this investigation, including the requirement to complete an appropriate corrective action plan.

IV. RECOMMENDATION

Contingent upon receipt of an appropriate corrective action plan, no changes to the status of the license are recommended.

 05/01/2023

 Sabrina McGowan Date
 Licensing Consultant

Approved By:

 05/01/2023

 Mary E. Holton Date
 Area Manager