



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

ORLENE HAWKS  
DIRECTOR

July 18, 2023

Ginger Nahikian  
3405 E. Midland Rd.  
Bay City, MI 48706

RE: License #:	AS090309821
Investigation #:	2023A0123058
	Niche Aging Center

Dear Ginger Nahikian:

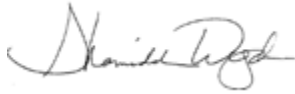
Attached is the Special Investigation Report for the above referenced facility. Due to the violations identified in the report, a written corrective action plan is required. The corrective action plan is due 15 days from the date of this letter and must include the following:

- 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.
- Indicate 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, appearing to read "Shamidah Wyden".

Shamidah Wyden, Licensing Consultant  
Bureau of Community and Health Systems  
411 Genesee  
P.O. Box 5070  
Saginaw, MI 48607  
989-395-6853

enclosure

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

**I. IDENTIFYING INFORMATION**

<b>License #:</b>	AS090309821
<b>Investigation #:</b>	2023A0123058
<b>Complaint Receipt Date:</b>	06/05/2023
<b>Investigation Initiation Date:</b>	06/09/2023
<b>Report Due Date:</b>	08/04/2023
<b>Licensee Name:</b>	Ginger Nahikian
<b>Licensee Address:</b>	3405 E. Midland Rd. Bay City, MI 48706
<b>Licensee Telephone #:</b>	(989) 737-2355
<b>Administrator:</b>	Ginger Nahikian
<b>Licensee:</b>	Ginger Nahikian
<b>Name of Facility:</b>	Niche Aging Center
<b>Facility Address:</b>	3405 E. Midland Rd. Bay City, MI 48706
<b>Facility Telephone #:</b>	(989) 684-2273
<b>Original Issuance Date:</b>	11/09/2010
<b>License Status:</b>	REGULAR
<b>Effective Date:</b>	06/18/2023
<b>Expiration Date:</b>	06/17/2025
<b>Capacity:</b>	6
<b>Program Type:</b>	PHYSICALLY HANDICAPPED DEVELOPMENTALLY DISABLED MENTALLY ILL AGED ALZHEIMERS

**II. ALLEGATION(S)**

	<b>Violation Established?</b>
The facility is operating over their licensed capacity.	Yes

**III. METHODOLOGY**

06/05/2023	Special Investigation Intake 2023A0123058
06/09/2023	Special Investigation Initiated - On Site I conducted an unannounced on-site at the facility.
06/30/2023	APS Referral APS referral completed.
06/30/2023	Contact - Telephone call made I spoke with licensee Ginger Nahikian via phone.
07/14/2023	Exit Conference I spoke with licensee Ginger Nahikian via phone.
07/17/2023	Exit Conference I spoke with licensee Ginger Nahikian.

**ALLEGATION: The facility is operating over their licensed capacity.**

**INVESTIGATION:** According to the Bureau Information Tracking System, the home located at 3405 E. Midland Rd. Bay City, MI 48706 is a licensed AFC facility Niche Aging Center- AS090309821, but only has a licensed capacity for six residents. The property is currently operating above its licensed capacity of six. There were five additional bedrooms added, and the unlicensed area of the home is housing six occupants.

On 06/09/2023, I conducted an unannounced on-site at the facility. During this on-site, I observed an additional hallway that has been converted into resident living space, with five bedrooms, a bathroom, kitchen, and dining room areas.

I interviewed staff person Elijah Boudry during this on-site. Elijah Boudry reported the following:

There are six occupants who reside in the unlicensed area of this address. Staff in the home provide personal care to the occupants. There are two occupants, one in room #2 and one in room #5 that do their own personal care, but staff pass medications and cook/serve meals. Staff provide personal care such as bathing, grooming, dressing, toileting, etc. There is one occupant who receives hospice

services. The home is staffed around the clock with a first, second, and third shift. The shifts start and end times may vary depending on availability, but each shift is covered daily. If an occupant was to wander away from the home, it would be staff's responsibility to follow them.

On 06/30/2023, I spoke with owner Ginger Nahikian via phone. Ginger Nahikian reported the following:

There is always one staff person on shift around the clock. There are six occupants in the home above the licensed capacity for six residents. Staff provide personal care and reminders to the occupants. Staff also do laundry, cooking, and cleaning. All required State of Michigan AFC Licensing paperwork including *Resident Care Agreements*, *Assessment Plans for AFC Residents*, etc. are on file for each occupant. Staff provide meals. Transportation is not provided, but relatives or acquaintances provide the occupants with transportation. One occupant is receiving hospice services. Ginger Nahikian reported that staff provide protection 24 hours a day, seven days a week. Staffing is divided into three shifts. It would be staff's responsibility to redirect an occupant if an occupant was to wander away from the property. Emergencies would be handled the same way for the occupants as a licensed facility. Occupants are charged for the services provided. There is an admission statement. There is no lease agreement, and Ginger Nahikian stated that she does not advertise. All activities of daily living, briefs, meals, laundry, redirection, showers, and incontinence/personal supplies other than clothing are provided in the cost of care.

<b>APPLICABLE RULE</b>	
<b>R 400.14105</b>	<b>Licensed capacity.</b>
	<b>(1) The number of residents cared for in a home and the number of resident beds shall not be more than the capacity that is authorized by the license.</b>
<b>ANALYSIS:</b>	<p>On 06/09/2023, I conducted an unannounced on-site inspection at the home. I interviewed staff Elijah Boudry who reported that personal care, supervision, and protection 24 hours a day are provided to six occupants, in addition to the residents residing in the licensed area of the building.</p> <p>On 06/30/2023, I spoke with owner Ginger Nahikian who reported providing personal care, supervision, and protection 24 hours a day, seven days per week to six additional occupants.</p> <p>There is a preponderance of evidence to substantiate a rule violation in regard to the facility operating above capacity.</p>
<b>CONCLUSION:</b>	<b>VIOLATION ESTABLISHED</b>

On 07/14/2023, and 07/17/2023, I conducted exit conferences with licensee Ginger Nahikian via phone. I informed her of the findings and conclusion.

**IV. RECOMMENDATION**

Contingent upon the receipt of an acceptable corrective action plan, I recommend continuation of the AFC small group home license (capacity 6).

The licensee has applied for a medium group adult foster care license. However, failure to complete the application process for licensure for the medium group home license and continuing to operate over capacity may result in licensing action against your small group home license.



07/18/2023

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Shamidah Wyden  
Licensing Consultant

Date

Approved By:



07/18/2023

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Mary E. Holton  
Area Manager

Date