



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

MARLON I. BROWN, DPA
ACTING DIRECTOR

August 4, 2023

Margarito Martinez, Jr.
5565 E. Peck Rd.
Crosswell, MI 48422

RE: License #:	AL760287996
Investigation #:	2023A0872050
	Martinez Manor

Dear Margarito Martinez, Jr.:

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 black ink that reads "Susan Hutchinson". The signature is written in a cursive, flowing style.

Susan Hutchinson, Licensing Consultant
Bureau of Community and Health Systems
611 W. Ottawa Street
P.O. Box 30664
Lansing, MI 48909
(989) 293-5222

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AL760287996
Investigation #:	2023A0872050
Complaint Receipt Date:	06/16/2023
Investigation Initiation Date:	06/20/2023
Report Due Date:	08/15/2023
Licensee Name:	Margarito Martinez, Jr.
Licensee Address:	5565 E. Peck Rd. Croswell, MI 48422
Licensee Telephone #:	(810) 679-0226
Administrator:	Margarito Martinez Jr.
Licensee Designee:	Margarito Martinez Jr.
Name of Facility:	Martinez Manor
Facility Address:	5565 E. Peck Rd Croswell, MI 48422
Facility Telephone #:	(810) 679-0226
Original Issuance Date:	04/30/2008
License Status:	REGULAR
Effective Date:	12/03/2022
Expiration Date:	12/02/2024
Capacity:	15
Program Type:	PHYSICALLY HANDICAPPED DEVELOPMENTALLY DISABLED MENTALLY ILL AGED

II. ALLEGATION(S)

	Violation Established?
The residents are not given enough food to eat, and they complain about being hungry.	No
Additional Findings	Yes

III. METHODOLOGY

06/16/2023	Special Investigation Intake 2023A0872050
06/20/2023	Special Investigation Initiated - Letter
06/20/2023	APS Referral I made an APS complaint via email
06/21/2023	Inspection Completed On-site Unannounced
06/27/2023	Contact - Telephone call made I interviewed Resident A's CMH case manager, Brian Schad
06/30/2023	Contact - Document Sent I emailed the licensee designee, Margarito Martinez, requesting information related to this complaint
07/14/2023	Contact - Telephone call made I have left two messages for the licensee designee, and he has not called me back
07/18/2023	Contact - Document Received I received some of the AFC documentation I requested from LD Martinez
07/19/2023	Contact - Document Received I received additional documentation from LD Martinez
08/04/2023	Contact - Telephone call made I interviewed Guardian A1
08/04/2023	Exit Conference I conducted an exit conference with LD Martinez

08/04/2023	Inspection Completed-BCAL Sub. Compliance
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ALLEGATION: The residents are not given enough food to eat, and they complain about being hungry.

INVESTIGATION: On 06/21/23, I completed an unannounced onsite inspection of Martinez Manor Adult Foster Care facility. I interviewed Residents B, C, D, E, and F and the licensee designee (LD) Margarito Martinez and live-in-staff (Staff) Savannah Langford. I also conducted a visual inspection of the food supply in the facility.

Resident B said that he has lived at this facility for a couple of years. He said that sometimes, there is not enough food to eat. Resident B stated that he and the other residents are served three meals a day plus snacks but sometimes, the portion sizes are not big. He also said that sometimes, lunch may consist of a peanut butter sandwich and beans. Today, they had a bologna sandwich with lettuce and chips for lunch.

Resident C said that he has lived at this facility for almost five years. He stated, “we have some pretty good meals” and stated that he and the other residents are served three meals a day plus dessert. Resident C said that for dinner, examples of the meals may be spaghetti, stir fry, chicken and rice, chili, and tacos. I asked Resident C if he and the other residents are ever offered seconds and he said, “if he (LD Martinez) has the food, he passes it out.” Resident C said that usually, the only time they are given seconds is if (LD Martinez) makes chili or soup. He told me that he “usually feels full” after meals.” Resident C told me that staff “takes good care of me, that’s what they do.”

Resident D said that he has lived at this facility for approximately three years. He said, “we get plenty of food to eat.” Resident D stated that today’s lunch was a ham and cheese sandwich, chips, and a cookie. He said that they have “a variety of things” for dinner and stated that “they give us a nice portion.” Resident D said that he and the other residents are not usually offered second helpings of food but said he never leaves the table hungry. He told me, “If they have extra, we can have it” and said that usually the only time they are offered seconds is if chili or soup is made. Resident D said, “they’re wonderful people and they do a heck of a good job.”

Resident E and F said that they have lived at this facility for almost 15 years and said, “this is a nice place and we’re happy here.” Resident E and F said that they get enough food to eat and stated that “it fills us up.” Resident E and F said that some examples of meals are, cereal and toast for breakfast, sandwiches, and chips for lunch and sometimes leftovers, and dinners may be Salisbury steak with potatoes and gravy, rice, and chicken. Resident E and F told me that they are usually not offered seconds and stated that LD Martinez must feed his own family as well as the residents. Resident E and F agreed that typically the only time they are offered seconds is if chili is served for dinner.

LD Martinez said that there are currently 10 residents living at this facility as well as himself, Savannah Langford, and their children. He said that he and Staff Langford prepare three meals a day for the residents and also offer them snacks. LD Martinez told me that he usually goes grocery shopping every two weeks.

LD Martinez said that Resident A has a preoccupation with food. He has always enjoyed going up to the local diner where he may stay for hours at a time, visiting with people. Recently, diner staff called to tell LD Martinez that Resident A was making some of the customers uncomfortable by talking with them and asking them for food. Therefore, LD Martinez told Resident A that it may be a good idea not to go up to the diner as frequently or as long. LD Martinez said that Resident A was not happy about this information. Resident A was at camp and would not be back until 06/24/23 so I was not able to interview him.

I examined the cupboards, pantry, refrigerator, and freezer in the facility and found a sufficient amount of food although not much extra. LD Martinez and Staff Langford said that they may not always offer the residents second helpings, but they feel that all the residents get enough to eat.

On 08/04/23, I reviewed AFC documents sent to me by LD Martinez. Resident A was admitted to this facility on 04/30/2008. I reviewed the weight records for Resident A from January 2022 through June 2023. According to this document, Resident A weighed 153lbs in January 2022 and 163lbs in June 2023. I reviewed the weight records of all current residents and did not see any significant weight losses or gains documented.

On 08/04/23, I interviewed Resident A's guardian, Guardian A1, via telephone. Guardian A1 said that she is the guardian and/or payee for several of the residents in this facility. She said that they all contact her on a regular basis, and they have not expressed concerns about not getting enough food. Guardian A1 told me that Resident A has not told her that he does not get enough food to eat. Guardian A1 said that several of the residents have lived at this facility for many years. She said that she does have a difficult time reaching LD Martinez and/or staff which makes it difficult at times to follow up on concerns she may have.

APPLICABLE RULE	
R 400.15313	Resident nutrition.
ANALYSIS:	(1) A licensee shall provide a minimum of 3 regular, nutritious meals daily. Meals shall be of proper form, consistency, and temperature. Not more than 14 hours shall elapse between the evening and morning meal.
	According to Residents B, C, D, E, and F, they are served three meals a day plus snacks. The residents interviewed said that they do not always get offered seconds, but they feel that they get enough to eat, and they never leave the table hungry.

	<p>LD Martinez and Staff Langford said that they provide three meals a day plus snacks to all the residents and they feel the residents are given plenty of food to eat.</p> <p>On 06/21/23, I examined the food supply in the facility and found it to be adequate, although not abundant. LD Martinez said that he, grocery shops approximately every two weeks.</p> <p>I reviewed the weight records for all residents at this facility and did not note any significant weight losses or gains documented.</p> <p>Guardian A1 said that she talks to Resident A on a regular basis. She said that she is also the guardian and/or payee for several of the other residents in this facility and she talks to them frequently as well. Guardian A1 told me that none of the residents tell her that they are not getting enough food to eat.</p> <p>I conclude that there is insufficient evidence to substantiate this rule violation.</p>
CONCLUSION:	VIOLATION NOT ESTABLISHED

ADDITIONAL FINDINGS:

INVESTIGATION: On 06/21/23, I completed an unannounced onsite inspection of Martinez Manor Adult Foster Care facility. I interviewed Residents B, C, D, E, and F and the licensee designee (LD) Margarito Martinez and live-in-staff (Staff) Savannah Langford.

I asked Resident B if staff serves them what is indicated on the facility menu, and he said that he does not believe there is a menu at this facility.

During my onsite inspection on 06/12/23, LD Martinez showed me two of the facility menus and said that they try to serve food based on the menu, but they do not always do so. He told me that he typically does not post the menu at least one week in advance. Resident B, C, D, E, and F said that they do not know if staff posts and follows a menu for meals.

APPLICABLE RULE	
R 400.15313	Resident nutrition.
	(4) Menus of regular diets shall be written at least 1 week in advance and posted. Any change or substitution shall be noted and considered as part of the original menu.

ANALYSIS:	<p>During my onsite inspection on 06/12/23, LD Martinez showed me two of the facility menus and said that they try to serve food based on the menu, but they do not always do so. He told me that he typically does not post the menu at least one week in advance. Resident B, C, D, E, and F said that they do not know if staff posts and follows a menu for meals.</p> <p>I conclude that there is sufficient evidence to substantiate this rule violation.</p>
CONCLUSION:	VIOLATION ESTABLISHED:

On 08/04/23, I conducted an exit conference with LD Martinez. I discussed the results of my investigation and explained which rule violation I am substantiating. LD Martinez agreed to complete and submit a corrective action plan upon the receipt of my investigation report.

IV. RECOMMENDATION

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

Susan Hutchinson

August 4, 2023

Susan Hutchinson Licensing Consultant	Date
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Approved By:

Mary Holton

August 4, 2023

Mary E. Holton Area Manager	Date
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