



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

MARLON I. BROWN, DPA  
ACTING DIRECTOR

October 16, 2023

Brenda Kirtley  
Meadows by the Lake Inc.  
PO Box 213  
Stanton, MI 48888

RE: License #: AL590404706  
Investigation #: 2023A1029055  
Meadows by the Lake

Dear Ms. Kirtley:

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 (231) 922-5309.

Sincerely,

A handwritten signature in black ink that reads "Jennifer Browning". The signature is written in a cursive, flowing style.

Jennifer Browning, Licensing Consultant  
Bureau of Community and Health Systems  
Browningj1@michigan.gov - (989) 444-9614

enclosure

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

**I. IDENTIFYING INFORMATION**

<b>License #:</b>	AL590404706
<b>Investigation #:</b>	2023A1029055
<b>Complaint Receipt Date:</b>	08/23/2023
<b>Investigation Initiation Date:</b>	08/24/2023
<b>Report Due Date:</b>	10/22/2023
<b>Licensee Name:</b>	Meadows by the Lake Inc.
<b>Licensee Address:</b>	731 S. Nevins Road, Stanton, MI 48888
<b>Licensee Telephone #:</b>	Unknown
<b>Administrator:</b>	Brenda Kirtley
<b>Licensee Designee:</b>	Brenda Kirtley
<b>Name of Facility:</b>	Meadows by the Lake
<b>Facility Address:</b>	904 Oak Drive, Greenville, MI 48838
<b>Facility Telephone #:</b>	(616) 894-8198
<b>Original Issuance Date:</b>	09/24/2021
<b>License Status:</b>	REGULAR
<b>Effective Date:</b>	03/24/2022
<b>Expiration Date:</b>	03/23/2024
<b>Capacity:</b>	20
<b>Program Type:</b>	PHYSICALLY HANDICAPPED DEVELOPMENTALLY DISABLED ALZHEIMERS AGED

## II. ALLEGATION(S)

	<b>Violation Established?</b>
Direct care staff member Ms. McCarty spoke to Resident A in a disrespectful manner when she told Resident A she was going to “get even with her.”	Yes
When direct care staff members are upset with Resident A for needing to use the bathroom, they make her wait in the bathroom for 5-10 minute before providing toileting assistance.	No

## III. METHODOLOGY

08/23/2023	Special Investigation Intake 2023A1029055
08/23/2023	APS Referral - Referral is open for APS investigation. Leslie Brugel is assigned.
08/23/2023	Contact - Telephone call made to APS Leslie Brugel, left message.
08/24/2023	Special Investigation Initiated – Letter to APS Leslie Brugel
08/31/2023	Contact - Telephone call made to licensee designee Brenda Kirtley
09/06/2023	Contact - Document Received - Additional concerns received from denied APS from Centralized Intake
09/12/2023	Contact - Telephone call made direct care staff member Taylor McCarty
09/14/2023	Inspection Completed - On-site - face to face with Resident A, Resident B, Resident C, Brenda Kirtley
10/09/2023	Contact - Telephone call made to Leslie Brugel, APS, staff member Felicia Holmes, Jamie DeKett, Relative A1, Guardian A1
10/10/2023	Contact – Telephone call from APS Leslie Brugel, Guardian A1 (left message), Received training record from Ms. Kirtley
10/12/2023	Contact – Telephone call to Guardian A1.
10/12/2023	Exit conference with licensee designee, Brenda Kirtley.

**ALLEGATION: Direct care staff member Ms. McCarty spoke to Resident A in a disrespectful manner when she told Resident A she was going to “get even with her.”**

**INVESTIGATION:**

On August 23, 2023, a complaint was received via an assigned Adult Protective Services (APS) complaint with concerns Resident A was spoken to in a disrespectful manner because staff members were yelling at her and telling her they were going to “get even with her” and “if you keep this up, you are going to be sorry.” According to the concerns, there was a physical altercation between Resident A and an unknown direct care staff member and law enforcement was contacted.

On August 31, 2023, I interviewed licensee designee Brenda Kirtley. Ms. Kirtley stated Resident A is a younger resident and if “you don’t have fun with her then she is not going to do what they want.” Ms. Kirtley stated she can see how Ms. McCarty could get carried away with her statements because she told Resident A she was going to “get even with her.” Ms. Kirtley stated she was informed from direct care staff member there were other unknown direct care staff members who stated they were “yelling at her like they always do.” Ms. Kirtley stated Relative A1 is there to visit two or three times a week and Guardian A1 has also been to the facility to visit with Resident A. Ms. Kirtley stated Resident A also does not hear well so what may be considered yelling may be a normal tone of voice for her. Ms. Kirtley stated there is a lot of “back and forth” between Resident A and direct care staff members and if she did not think they were joking around with her, then she would intervene in the situation. Ms. Kirtley stated sometimes she hears Resident A on the phone with Relative A1 and the conversation is the same type of “picking on each other and joking around” conversation.

On September 12, 2023, I contacted direct care staff member Taylor McCarty. Ms. McCarty stated she has worked there since April 2022. Ms. McCarty stated Resident A usually gets along okay with the direct care staff members but she stated Resident A makes it a point to not get along with some people. Ms. McCarty stated she did not know who Resident A did not get along with because “we all take their turns” depending on who is taking care of her stating some days Resident A is upset with her and some days when Resident A doesn’t like anyone. Ms. McCarty stated Resident A gets really demanding and likes to argue with the direct care staff members. Ms. McCarty stated she has not observed staff arguing back with her. Ms. McCarty stated she has never made comments to her regarding getting even with her or yelling at her. She has never observed any other direct care staff members do this either. Ms. McCarty stated Resident A “talks very loud and has a whiny voice that sounds like she’s upset when maybe she is not upset.”

On September 14, 2023, I interviewed Resident A at Meadows by the Lake. Resident A stated she had a good day because Relative A1 came to visit her. Resident A stated she gets along with the direct care staff members “pretty good” and she has never felt they were being mean to her. Resident A stated one of the staff members told her they

were going to “get even with her” but she did not know if they were joking or not. Resident A did not recall which direct care staff member this was or when this occurred. Resident A stated some of the direct care staff members are loud when talking with her but did not know if they were upset or not. Resident A stated she has been in a fight with a direct care staff member named “Jessica” but then laughed and said that it did not happen and she has never been in a physical altercation where law enforcement came to the home. Resident A stated she feels safe and there are no concerns with the direct care staff members.

On September 14, 2023, I also interviewed Resident B and Resident C. Resident B stated she enjoys all the direct care staff members. Resident B stated they bought her a cat mug for her room since they know she loves her cat. Resident B denied ever observing direct care staff members being disrespectful to Resident A and stated Resident A seems to get along with the staff. Resident B stated she has a good relationship with direct care staff members but she wasn’t going to talk about how Resident A interacted with them because “it’s not my business” to get involved. Resident B refused to answer any further questions regarding Resident A.

On September 14, 2023, I interviewed licensee designee Ms. Kirtley. Ms. Kirtley stated she has never heard direct care staff being disrespectful to Resident A or any other residents. Ms. Kirtley stated if she did hear that, she would promptly put an end to it. Ms. Kirtley stated they joke around with Resident A because that is also how she interacts with Relative A1. Ms. Kirtley stated law enforcement has not been at the facility. Ms. Kirtley denied that Ms. McCarty or any other direct care staff members have been disciplined for not treating the residents with respect.

During the on-site investigation, I reviewed Resident A’s resident record. According to Resident A’s *Assessment Plan for AFC Residents*, under the section K. *Gets Along with Others*: “Usually does. Gets upset at staff when they say no or she has to wait. She’ll approach other staff with same demand. Tries to manipulate staff to get her wishes (like a child would do-may throw mini tantrums).”

I reviewed the training records for Ms. McCarty and she completed her orientation and training which included Resident Rights, Personal Care and Protection, Crisis /Behavior Intervention on August 11, 2022.

On October 9, 2023, I contacted direct care staff member Felicia Holmes. Ms. Holmes stated she has heard Ms. McCarty be rude or disrespectful at times to Resident A. Ms. Holmes stated Ms. Carty does not say anything specific but yells at Resident A often. Ms. Holmes stated she has never heard anyone swear at Resident A but she has heard from other direct care staff members this has occurred although she did not witness it herself. Ms. Holmes stated Ms. McCarty yells at Resident A to “knock it off”, “quit doing that”, “get down to the bathroom”, or “move her hand.” Ms. Holmes stated Resident A does not appear like she is afraid of her. Ms. Holmes states she has heard her yell at Resident A on two different occasions. Ms. Holmes stated she has brought it to Ms. Kirtley’s attention. Ms. Kirtley stated she would handle it and she has not heard this

occur since that time. Ms. Holmes stated these incidents occurred around the beginning of July 2023. Ms. Holmes stated no one has been in an altercation where the police have been called. As far as she knows the police have not been out to the facility while she has been there.

On October 9, 2023, I contacted direct care staff member Jamie DeKett. Ms. DeKett denied every hearing Ms. McCarty be disrespectful to any resident, including Resident A, but stated sometimes direct care staff members have to explain things slower and be at her level to make sure she understands what's said. Ms. DeKett stated she has heard direct care staff members joking around with Resident A, because this is the resident's home and they do joke around and laugh with the residents. Ms. DeKett stated it is possible that someone over heard this and took it the wrong way but she does not think anyone has taken the joking too far. Ms. DeKett stated an example of these comments is that she will tell Resident A, "you are such a brat" and she will say, "no you are" but they are laughing. Ms. DeKett will say comments to her like "you know you need to go to the bathroom, but you messed yourself, why don't you use the bathroom?" Ms. DeKett stated she knows when she needs to go to the bathroom because Resident A will tell them a lot and sometimes she will stay dry all day. Ms. DeKett stated she does not recall a time where police have been to the facility due to concerns or a fight between a resident and direct care staff member.

On October 10, 2023, I interviewed APS Ms. Brugel. Ms. Brugel stated Resident A denied that she fought with a direct care staff member when she was interviewed and denied that there were any disrespectful comments from the direct care staff members. Ms. Brugel stated she did substantiate for emotional abuse using humiliation, ridicule, or intimidation through threats in her APS investigation because when Ms. Kirtley admitted that was how they speak to Resident A. Ms. Brugel stated Ms. Kirtley stated they were told to speak with her this way because she would respond positively. Ms. Brugel stated Ms. Kirtley informed her Resident A presents at a five – seven year old level and has a professional guardian so she may not have the capacity to know if the direct care staff members were joking or not. Ms. Brugel stated Ms. Kirtley stated Relative A1 stated they should talk to her however they need to in order to comply. Ms. Brugel stated when she spoke with Guardian A1 they had an annual meeting and she did learn the direct care staff members per instruction of Relative A1 instructions took away outside time from Resident A when she misbehaves. Ms. Brugel stated Ms. Kirtley did provide education to the direct care staff members regarding how they cannot talk to the residents in this manner. Ms. Brugel stated there was no indication that law enforcement has been to the home as a result of a physical altercation. Ms. Brugel stated APS on call contacted County Dispatch on June 23, 2023 and they confirmed the location and informed there were no calls to the address in the last month or more. On October 12, 2023, I interviewed Guardian A1 who stated she felt the direct care staff members did joke around and maybe it was "too personal" because it seems like they are brother and sister instead of someone providing care. Guardian A1 stated that Resident A can be "feisty and funny" so she enjoys this type of humor back and forth. She stated during the IPOS annual meeting it was brought up because Resident A was not working toward her goals, they did not want to allow her to go outside. Guardian A1

informed them that was not something they were going to take away. Guardian A1 stated that was not discussed with them in the past. Guardian A1 stated taking the outside time away was Relative A1's idea and the facility staff decided to use it. Guardian A1 stated Relative A1 and Resident A will joke back and forth with each other. Guardian A1 stated the direct care staff members have known Resident A for about six years when she resided in previous licensed facilities so it is likely there is a close relationship between Resident A, Ms. Kirtley, and the direct care staff members. Guardian A1 stated she did not like that Relative A1 was blamed for the lack of respect. Guardian A1 stated she has never witnessed the direct care staff members acting like this during the unannounced visits. Guardian A1 stated she does believe Resident A knows when the direct care staff members are joking with her and when they are not but it would depend on what they are saying.

<b>APPLICABLE RULE</b>	
<b>R 400.15304</b>	<b>Resident rights; licensee responsibilities.</b>
	<p><b>(1) Upon a resident's admission to the home, a licensee shall inform a resident or the resident's designated representative of, explain to the resident or the resident's designated representative, and provide to the resident or the resident's designated representative, a copy of all of the following resident rights:</b></p> <p style="padding-left: 40px;"><b>(o) The right to be treated with consideration and respect, with due recognition of personal dignity, individuality, and the need for privacy.</b></p> <p><b>(2) A licensee shall respect and safeguard the resident's rights specified in subrule (1) of this rule.</b></p>
<b>ANALYSIS:</b>	<p>Based on multiple interviews, Resident A was not treated with dignity and respect by direct care staff members. Direct care staff member Kirtley referred to teasing, demeaning manner used to talk to Resident A as joking and a way to manage Resident A's behavior. Ms. Kirtley stated Relative A1 had informed them this was the best way to talk to Resident A. Direct care staff member DeKett admitted speaking to Resident A in a demeaning way regarding toileting accidents and had called Resident A a "brat" in the past. APS Brugel substantiated for emotional abuse and Ms. Kirtley informed her she was going to be educating direct care staff members on how to treat all residents with respect.</p>
<b>CONCLUSION:</b>	<b>VIOLATION ESTABLISHED</b>



**ALLEGATION: When direct care staff members are upset with Resident A for needing to use the bathroom, they make her wait in the bathroom for 5-10 minute before providing toileting assistance.**

**INVESTIGATION:**

On September 6, 2023, I received a complaint with additional concerns from a denied Adult Protective Services referral from Centralized Intake alleging Resident A was made to wait for personal care and toileting assistance because direct care staff members were upset with her when she needed to use the bathroom.

On September 12, 2023, I contacted direct care staff member Taylor McCarty. Ms. McCarty stated Resident A requires assistance with toileting and transferring. Ms. McCarty stated direct care staff members transfer Resident A to the toilet and change her clothes if necessary. Ms. McCarty stated Resident A needs additional time in the bathroom, direct care staff will provide privacy and other times will sit with her and talk to her. Ms. McCarty stated sometimes Resident A will say she needs a minute and for them to leave, and then she will yell when she needs more assistance. Ms. McCarty stated she has never observed her having to wait 5-10 minutes for assistance or for someone to transfer her from the toilet to her wheelchair. Ms. McCarty stated she has not observed any of the direct care staff member or herself being upset when Resident A needed to use the bathroom.

On September 14, 2023, I interviewed Resident A who stated direct care staff members help her with toileting, getting her to the bathroom, and help her take a shower. Resident A stated she believes sometimes she waits too long to receive assistance but she did not recall how long she needs to wait. Resident A stated she cannot wipe herself so direct care staff members stay and assist her with this. Resident A stated she receives assistance when needed from direct care staff members and has never felt direct care staff members were angry or upset with her for needing assistance.

On September 14, 2023, I interviewed Resident B and Resident C who both stated when a resident needs assistance they receive it timely from direct care staff members. Both residents denied ever seeing Resident A need assistance and not receive it or hearing her call for help and direct care staff members not responding.

On September 14, 2023, I interviewed licensee designee Ms. Kirtley. Ms. Kirtley stated she has never observed Resident A wait for toileting assistance. Ms. Kirtley stated Resident A's doctor wanted her to use her wheelchair and wheel herself to the bathroom however Resident A wants the staff members to wheel her. Ms. Kirtley stated there was a meeting with Guardian A1 on September 11, 2023 to work on some behavioral issues Resident A was experiencing. Ms. Kirtley stated Resident A will sit and soak her pants on purpose or have a bowel movement and then say, "OK now you need to change me." Ms. Kirtley stated Resident A will stay in the bathroom for two or three minutes so she can finish up before the direct care staff members transfer her to the wheelchair.

During the on-site investigation, I reviewed Resident A's resident record. According to Resident A's *Assessment Plan for AFC Residents*, she is "wheelchair bound and can wheel herself occasionally but when she is upset wants the direct care staff members to help." The *Assessment Plan for AFC Residents* stated under section H. Follows Instructions: "Not well. Possibly because of not comprehending easily. Will eventually get it, not always. and under section I. Controls Aggressive Behaviors: Gets upset when demands are not met immediately." Lastly, under section B. Toileting it stated Resident A "needs assistance with transferring, undressing pants, wiping clean, redressing pants by staff."

On October 9, 2023, I contacted direct care staff member Felicia Holmes. Ms. Holmes stated she has never heard anyone be upset with Resident A for needing to use the restroom. Ms. Holmes stated there have been times that she sits in the bathroom awhile (around five minutes) because she will tell them she is finishing up. Ms. Holmes stated she helps her transfer to and from the toilet and they help her to clean up. Ms. Holmes stated they do not stay in there while she is using the restroom. Ms. Holmes stated there are always enough staff to assist her in going to the bathroom when she needs to.

On October 9, 2023, I contacted direct care staff member Jamie DeKett. Ms. DeKett stated she has never observed a time when direct staff members were upset with Resident A when she needs to use the bathroom. Ms. DeKett stated sometimes she is hard to change her brief so most of the direct care staff members would rather take her to the bathroom so she does not have to be changed. Ms. DeKett stated she will transfer Resident A to the toilet and run across the hall to her room to get a new brief and dry pants or sometimes she will wait for her to finish using the restroom. Ms. DeKett stated there has never been a time direct care staff members leave her and/or forget to tend to her.


On October 10, 2023, I interviewed APS Leslie Brugel. Ms. Brugel stated she did not have concerns regarding the direct care staff members not providing personal care assistance. Ms. Brugel stated when she went to the facility, she had to wait to speak with Resident A because they were providing her toileting assistance and there were no concerns the direct care staff members were not tending to her. Ms. Brugel stated she interviewed Resident A three times and she was always clean and she did not have concerns regarding her care.

On October 12, 2023, I interviewed Guardian A1. Guardian A1 stated she has never had any concerns regarding her personal care needs not being met and she has always been clean and well cared for by direct care staff members.

<b>APPLICABLE RULE</b>	
<b>R 400.15303</b>	<b>Resident care; licensee responsibilities.</b>
	<b>(2) A licensee shall provide supervision, protection, and personal care as defined in the act and as specified in the resident's written assessment plan.</b>
<b>ANALYSIS:</b>	There is no indication Resident A was not provided care according to her <i>Assessment Plan for AFC Residents</i> . Resident A stated she receives assistance as needed and no direct care staff members appears angry or upset with her when she needs assistance. There was no evidence care is not provided to Resident A for her toileting needs.
<b>CONCLUSION:</b>	<b>VIOLATION NOT ESTABLISHED</b>

#### IV. RECOMMENDATION


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


10/12/2023  


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Jennifer Browning Date  
Licensing Consultant

Approved By:


10/16/2023  


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Dawn N. Timm Date  
Area Manager