



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

MARLON I. BROWN, DPA
ACTING DIRECTOR

March 6, 2024

Gloria Guthrie
Pelcher AFC Home Inc
9084 E Weidman
Mt. Pleasant, MI 48858

RE: License #: AS180010537
Investigation #: 2024A1038024
Pelcher AFC II

Dear Ms. Guthrie:

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.

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 (866) 865-0006.

Sincerely,

Johnnie Daniels, Licensing Consultant
Bureau of Community and Health Systems
Ste 3
931 S Otsego Ave
Gaylord, MI 49735

enclosure

**MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
 BUREAU OF COMMUNITY AND HEALTH SYSTEMS
 SPECIAL INVESTIGATION REPORT
 THIS REPORT HAS QUOTED PROFANITY**

I. IDENTIFYING INFORMATION

License #:	AS180010537
Investigation #:	2024A1038024
Complaint Receipt Date:	01/24/2024
Investigation Initiation Date:	01/25/2024
Report Due Date:	03/24/2024
Licensee Name:	Pelcher AFC Home Inc
Licensee Address:	9084 E Weidman Mt. Pleasant, MI 48858
Licensee Telephone #:	(989) 433-5386
Licensee Designee:	Gloria Guthrie
Name of Facility:	Pelcher AFC II
Facility Address:	624 Surrey Rd Farwell, MI 48622
Facility Telephone #:	(989) 588-4901
Original Issuance Date:	09/01/1989
License Status:	REGULAR
Effective Date:	04/03/2022
Expiration Date:	04/02/2024
Capacity:	6
Program Type:	DEVELOPMENTALLY DISABLED

II. ALLEGATION(S)

	Violation Established?
Staff say rude and foul language to Residents.	Yes
Staff are physical with the Residents.	Yes

III. METHODOLOGY

01/24/2024	Special Investigation Intake 2024A1038024
01/25/2024	APS Referral DENIED.
01/25/2024	Special Investigation Initiated - Telephone call was made to Complainant
01/30/2024	Contact - Telephone call made to DCSM Stacy Tegge
01/30/2024	Contact - Face to Face interviews were conducted with DCSM Kari Castillo, DCSM Pamela Mark, DCSM Krystal Kyser-Wale, DCSM Constance Anderson and DCSM Amber Gutrie.
02/07/2024	Contact - Telephone call made to LD Gloria Gutrie with no answer. A voicemail was left advising her to return my phone call.
02/07/2024	Contact - Telephone call made to Complainant 2 with no answer. A voicemail was left advising her to return my phone call.
02/07/2024	Inspection Completed-BCAL Sub. Compliance
02/08/2024	Exit Conference with LD Gloria Gutrie
02/08/2024	Contact - Telephone call made

	to Complainant 2
02/13/2024	Contact - Telephone call made to Guardian A1 and Guardian B1
3/6/2024	APS referral made.

ALLEGATION:

Staff say rude and foul language to Residents.

INVESTIGATION:

On 1/24/24, I received a complaint from the Bureau of Community and Health Systems (BCHS) regarding the home. The complaint alleged a direct care staff walked into the home and said, *“Fuck you [Resident A] no one likes you, she’s just awful and really no one likes her”*. The complaint alleged a staff member stated in front of Resident B, her family member was getting breast implants, and the doctors should take “the fat from [Resident B] and make titties for someone getting breast implants”.

On 1/25/24, I contacted Complainant who verified the complaint information.

On 1/30/24, I interviewed direct care staff (DCS) Stacy Tegge via telephone. Ms. Tegge stated on 1/18/24 DCS Krystal Kyser-Wale walked in the home to start her shift and stated, *“fuck you [Resident A] no one likes you”*. Ms. Tegge stated she told Ms. Kyser-Wale it was inappropriate to talk to Resident A in such a manner. Ms. Tegge stated Ms. Kyser-Wale told her it was her way of communicating with Resident A. Ms. Tegge stated it was her first time working with Ms. Kyser-Wale and it was unknown if this was a daily occurrence of her speaking to Resident A in that manner. Ms. Tegge stated on 1/18/24 Ms. Kyser-Wale was in the kitchen speaking with another staff member and stated someone could take the fat from Resident B and make breast implants out of it. Ms. Tegge stated Resident B was in the living room when this incident happened.

On 1/30/24, I conducted an unannounced onsite visit with Receipts Rights Officer Sarah Watson who was present for all interviews. I interviewed home manager Pamela Mark who stated she was told about the incidents but did not witness anything. Ms. Mark stated she spoke with all her staff regarding their language within the home due to the allegations.

On 1/30/24, I was unable to interview Resident A and Resident B due to them being non-verbal.

On 1/30/24, I interviewed direct care staff (DCS) Krystal Kyser-Wale who stated she does joke with Resident A about not liking her. Ms. Kyser-Wale stated she did say *“fuck you [Resident A]”* as a joke. Ms. Kyser-Wale verified she stated a doctor could suck the fat out of Resident B and use it as breast implants. Ms. Kyser-Wale stated Resident B was sleeping in the living room and she was in the kitchen. Ms. Kyser-Wale stated she did not think Resident B could hear her. Ms. Kyser-Wale stated she received a verbal counseling from Ms. Mark.

On 1/30/24, I interviewed DCS Kari Castillo who stated Ms. Tegge has told Resident A to *“sit down and shut up”* at an unknown date and time. Ms. Castillo stated she was not present for Ms. Kyser-Wale talking to the residents inappropriately.

On 1/30/24, I interviewed DCS Constance Anderson whose statement was consistent with those made by Ms. Castillo. Ms. Anderson also added she has not heard any staff member say *“shut the fuck up”* to a resident.

On 1/30/24, I interviewed DCS Amber Gutrie who stated Ms. Kyser-Wale walked into the home at the start of her shift and stated, *“shut up [Resident A] no one likes you”*. Ms. Gurie stated it was meant in a facetious way. Ms. Gutrie stated she has not heard any staff member using any foul language or speaking rudely to residents.

On 2/8/24, I conducted an exit conference with licensee Designee Gloria Gutrie regarding the recent allegations with staff members. Ms. Gloria stated she will provide the staff with extra training and send out a letter regarding the staff and their language within the home.

On 2/13/24, I attempted to contact Guardian A1 via telephone without success. As of the writing of this report he has not returned my phone call.

On 2/13/24, I contacted Guardian B1 via telephone. Guardian B1 stated she has no current concerns at the home.

APPLICABLE RULE	
R 400.14304	Resident rights; licensee responsibilities.
	(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:

	(o) The right to be treated with consideration and respect, with due recognition of personal dignity, individuality, and the need for privacy.
ANALYSIS:	Based on my interviews with staff, it was determined staff members at the home were using explicit language to speak with Residents.
CONCLUSION:	VIOLATION ESTABLISHED

ALLEGATION:

Staff are physical with the Residents.

INVESTIGATION:

On 1/24/24, The complaint alleged DCS Kari Castillo wrapped a blanket around Resident A's head and told her "*Shut up and go to sleep*". The complaint alleged DCS Ms. Castillo slapped Resident A on her hands.

On 1/25/24, I interviewed Complainant who verified the allegations. Complainant stated they observed Resident A with a bruise on her right-hand area. Complainant stated Ms. Castillo also physically pushed Resident B onto the toilet multiple times to prevent her from leaving the bathroom.

Ms. Tegge stated Resident A was laying on the couch when DCS Kari Castillo wrapped the blanket around the head of Resident A and told her to "*shut up and go to sleep*". Ms. Tegge stated Ms. Castillo told her that if Resident A makes any noises, she will go get a spoon and hit her with it. Ms. Tegge stated that on 1/17/24 Resident A had her hands on the table which caused Ms. Castillo to smack Resident A's hands away. Ms. Tegge stated Resident A had unknown bruises on her back, side and leg area. Ms. Tegge stated on 1/17/24 Ms. Castillo was pushing Resident B back onto the toilet 10-12 times. Ms. Tegge stated while Ms. Castillo was pushing Resident B her back was hitting the back of the toilet very hard. Ms. Tegge stated Ms. Castillo eventually stated, "*Fuck it*" and let Resident B leave the bathroom. Ms. Tegge stated Ms. Castillo was pushing Resident B to make her use the toilet.

On 1/30/24, I was unable to interview Resident A and Resident B due to them being non-verbal. Resident A had on short sleeves and did not have any bruising on her hands, arms, or face area.

I interviewed Ms. Mark who stated Resident A had slight bruising on her right hand and it is unknown how it occurred. Ms. Mark stated Resident A throws herself backwards into her wheelchair and couches. Ms. Mark stated Resident A is on a

program to monitor and document each incident. Ms. Mark stated she has not witnessed any staff members being physical with residents. Ms. Mark stated Ms. Castillo was suspended for two days regarding the allegations and conducting her own investigation. Ms. Mark stated Ms. Castillo received a verbal counseling as a result.

On 1/30/24, I viewed the behavior sheet of Resident A which was documented from 1/1/24-1/29/24. The document also explained redirect techniques the staff members will use on Resident A and how to better assist her.

Ms. Kyser-Wale stated she has not seen any staff member violent toward residents.

Ms. Castillo stated she did not put a blanket over Resident A's head. Ms. Castillo stated she has never smacked Resident A on the hand with anything. Ms. Castillo stated Resident A had bruising on her hand from her hands hitting the dinner table with her wheelchair. Ms. Castillo verified she pushed Resident B back onto the toilet to prevent her from getting up. Ms. Castillo stated she pushed Resident B on her shoulder. Ms. Castillo stated Resident B has issues using the bathroom and she wanted to make sure she used the bathroom before getting up. Ms. Castillo stated she has not witnessed any other staff physical with the residents.

Constance Anderson statement was consistent with those made by Ms. Kyser-Wale and Ms. Castillo. Ms. Anderson also added, Resident A normally sleeps with the cover over her head. Ms. Anderson stated Resident A had an unknown bruise on her hand.

Guardian A1 did not return call requesting an interview.

Guardian B1 stated she has not observed any bruising on Resident B.

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:	Based on my interviews with staff of the home, it was determined Ms. Castillo physically pushed Resident A.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

Contingent upon receipt of an acceptable corrective action plan, I recommend the status of the license remain unchanged.

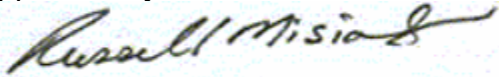


2/14/24

Johnnie Daniels
Licensing Consultant

Date

Approved By:



3/6/24

Russell B. Misiak
Area Manager

Date