



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

MARLON I. BROWN, DPA  
DIRECTOR

May 6, 2024

Kent Vanderloon  
McBride Quality Care Services, Inc.  
3070 Jen's Way  
Mt. Pleasant, MI 48858

RE: License #: AS540305481  
Investigation #: 2024A1029038  
McBride Sherman Street Home

Dear Mr. Vanderloon:

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 script is cursive and fluid, with the first letter of each word being capitalized and larger than the others.

Jennifer Browning, Licensing Consultant  
Bureau of Community and Health Systems  
browningj1@michigan.gov - 989-444-9614

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

**I. IDENTIFYING INFORMATION**

|                                       |  |
|---------------------------------------|--|
| <b>License #:</b>                     | AS540305481                              |
| <b>Investigation #:</b>               | 2024A1029038                             |
| <b>Complaint Receipt Date:</b>        | 03/19/2024                               |
| <b>Investigation Initiation Date:</b> | 03/19/2024                               |
| <b>Report Due Date:</b>               | 05/18/2024                               |
| <b>Licensee Name:</b>                 | McBride Quality Care Services, Inc.      |
| <b>Licensee Address:</b>              | 3070 Jen's Way, Mt. Pleasant, MI 48858   |
| <b>Licensee Telephone #:</b>          | (989) 772-1261                           |
| <b>Administrator:</b>                 | Kent Vanderloon                          |
| <b>Licensee Designee:</b>             | Kent Vanderloon                          |
| <b>Name of Facility:</b>              | McBride Sherman Street Home              |
| <b>Facility Address:</b>              | 825 Sherman, Big Rapids, MI 49307        |
| <b>Facility Telephone #:</b>          | (231) 796-3643                           |
| <b>Original Issuance Date:</b>        | 02/25/2010                               |
| <b>License Status:</b>                | REGULAR                                  |
| <b>Effective Date:</b>                | 10/02/2022                               |
| <b>Expiration Date:</b>               | 10/01/2024                               |
| <b>Capacity:</b>                      | 6  |
| <b>Program Type:</b>                  | DEVELOPMENTALLY DISABLED<br>MENTALLY ILL |

## II. ALLEGATION(S)

|  | <b>Violation<br/>Established?</b> |
|--|-----------------------------------|
| Direct care staff member Vickie Burden raised her voice and was disrespectful to Resident A and Resident B while working at McBride Sherman Street Home. | Yes                               |

## III. METHODOLOGY

|            |  |
|------------|--|
| 03/19/2024 | Special Investigation Intake 2024A1029038  |
| 03/19/2024 | Special Investigation Initiated – Letter to ORR Sarah Watson   |
| 03/19/2024 | Contact - Document Sent to ADOS Jackie Brown   |
| 03/22/2024 | Contact - Document Received - Emails from ORR Sarah Watson and administrator Sarah Nestle  |
| 03/22/2024 | Contact - Telephone call received from Sarah Nestle  |
| 03/25/2024 | Contact - Telephone call made to interview direct care staff members Kayla Spicer, Brian Dempsey, Nicole Perez, Danyelle Gilman, Vicki Burden, and Miranda Merrill, and Resident A with ORR Sarah Watson |
| 03/26/2024 | APS Referral - Made APS referrals for Resident A and Resident B to Centralized Intake  |
| 03/27/2024 | Contact - Document Received from Jill Rivard McBride Human Resources   |
| 03/28/2024 | Inspection Completed On-site -Face to Face with Becky Lindsey, Sarah Nestle, Miranda Merrill, Resident A, Resident B, Resident C, Resident D, and Resident E at McBride Sherman Street Home              |
| 03/27/2024 | Email from Sarah Nestle  |
| 04/17/2024 | Contact – Face to face with Kent Vanderloon and Sarah Nestle at McBride office.  |
| 04/18/2024 | Telephone call to Kent Vanderloon, returned call and left message.   |
| 04/19/2024 | Telephone call to Kent Vanderloon, left message.   |

|            |   |
|------------|---|
| 04/23/2024 | Telephone call to licensee designee Kent Vanderloon.    |
| 04/23/2024 | Exit conference with licensee designee Kent Vanderloon. |

**ALLEGATION:**

**Direct care staff member Vickie Burden raised her voice and was disrespectful to Resident A and Resident B while working at McBride Sherman Street Home.**

**INVESTIGATION:**

On March 19, 2024, a complaint was received via Bureau of Community and Health Systems online complaint system with concerns direct care staff member Vickie Burden was disrespectful to Resident A because she told him no and told Resident A “if you touch me, you are not getting it (referring to milk)” and raised her voice when speaking to him. According to the complaint allegations, this is an ongoing concern. On March 20, 2024, additional concerns were received that Ms. Burden is also disrespectful to Resident B because she walked in his room, turned off the television, and told him to “stay in bed” because she thought what he was watching was causing him to have behaviors. Office of Recipient Rights (ORR) advisor Sarah Watson is also investigating the concerns.

On March 22, 2024, I received a call from McBride Director of Operations, Sarah Nestle. Ms. Nestle stated there have been concerns with direct care staff member Ms. Burden in the past. Ms. Nestle stated Ms. Burden will “nit-pick” at direct care staff members especially if the direct care staff members do not agree with what she is saying. Ms. Nestle stated she believes Ms. Burden said those statements in the allegation and stated it is possible other direct care staff members did not report her because they are afraid of her.

On March 25, 2024, ORR Ms. Watson and I interviewed direct care staff member Kayla Spicer. Ms. Spicer stated she works on first shift with direct care staff members Miranda Merrill and Brian Dempsey, and occasionally with Vickie Burden on Fridays. Ms. Spicer stated she has had some concerns when working with Ms. Burden because although Ms. Burden gets along with the residents “pretty well” she loses her patience with Resident B when he has behaviors. Ms. Spicer stated she has observed Ms. Burden forcefully take Resident B’s remote, playing cards, or cookbooks away or lose patience with him when he gets scared watching television. Ms. Spicer stated if Resident B has any behaviors, Ms. Burden threaten to take away Resident B’s right to go visit with his mother. Ms. Spicer stated sometimes Ms. Burden tries to redirect him, but normally she removes Resident B’s television remote and shuts his door. Ms. Spicer stated Resident A and Resident B share a bedroom, however if Resident A is in the room, Ms. Burden will make sure Resident A is not in the room when she does this. Ms. Spicer stated she has observed her taking the remote from Resident B more than

one time. Ms. Spicer stated she did not report it because Ms. Burden and Ms. Lindsey, another direct care staff member, are close friends and she did not feel comfortable.

Ms. Spicer stated Ms. Burden does not get along well with Resident A. Ms. Spicer stated Ms. Burden is vocal about the fact she does not like Resident A because she has known him since he was a kid. Ms. Spicer has observed Ms. Burden saying comments in front of other residents like she “can’t stand him” referring to Resident A. Ms. Spicer stated she has observed Ms. Burden telling Resident A he does not need milk and Ms. Spicer stated she has observed Ms. Burden refuse to give Resident A milk on more than one occasion, which is something Resident A really enjoys. Ms. Spicer stated Ms. Burden told Resident A that if he touches her, then he won’t be getting milk.

On March 25, 2024, ORR Ms. Watson and I interviewed direct care staff member Brian Dempsey. Mr. Dempsey stated he has not observed any concerns with direct care staff member Ms. Burden. Mr. Dempsey stated that Resident B is very fond of her because he is very excited to see her when she pulls up to work. Mr. Dempsey stated Resident B will scream while he is watching television because there are shows that he should not be watching. Mr. Dempsey stated Resident B does have a positive support plan they use if he becomes aggressive or begins to hit, scream, or say stern words over and over. Mr. Dempsey stated if Resident B were to hit a resident, verbal redirection and additional personal space are given to Resident B by direct care staff members until the behavior wears out. Mr. Dempsey stated verbal redirection and other activities like books or cards are also offered to Resident B. Mr. Dempsey stated he has never observed Ms. Burden shut Resident B’s bedroom door on him or take away his remote. Mr. Dempsey stated most of the time Resident B wears himself out with his behaviors after approximately 15 minutes.

Mr. Dempsey stated Resident A can be a “handful.” Mr. Dempsey stated he has never observed Ms. Burden tell Resident A he cannot have milk. Mr. Dempsey has never heard Ms. Burden make comments that if Resident A touches her that he is not getting milk.

On March 25, 2024, ORR Ms. Watson and I interviewed direct care staff member Nicole Perez. Ms. Perez stated Resident A is nonverbal however you can tell when he is upset at times. Ms. Perez stated based on her observation Ms. Burden redirects Resident A in an appropriate manner. Ms. Perez stated she has never heard her tell Resident A that he cannot get milk when he wants it. Ms. Perez stated she has never heard Ms. Burden say “if you touch me, you aren’t getting milk” but she has heard her say “keep your hands to yourself” if he is trying to grab at her. Ms. Perez stated she has a firm voice when she says this and her voice sounds “dominant.”

Ms. Perez stated Ms. Burden gets along with Resident B well however when he has behaviors, Ms. Burden is “overly stern” when she talks to him. Ms. Perez stated she has not observed Ms. Burden turn his television off but Resident B has said to her “I don’t want to lose television” when he has a behavior. Ms. Perez stated she observed Ms. Burden shut the door when Resident B was having a behavior once she was able to get

Resident A out of the room. Ms. Perez stated Resident B can open the door and turn the lights on and off if needed, so he is not locked in the bedroom. Ms. Perez stated all direct care staff members remind Resident B to have “nice hands” which means keeping his hands to himself and to give other residents personal space. Ms. Perez stated she heard Ms. Burden tell Resident B to get into bed at night but she has never heard Ms. Burden tell Resident B to get or stay in bed during the middle of the day. Ms. Perez stated she has never heard Ms. Burden speak to the residents in a disrespectful tone, threaten or swear at any of the residents. Ms. Perez stated she has observed Ms. Burden redirecting the residents but has never observed physical aggressive toward the residents.

On March 25, 2024, ORR Ms. Watson and I interviewed direct care staff member, Danyelle Gilman. Ms. Gilman stated Ms. Burden gets “a little aggressive” sometimes with Resident A. Ms. Gilman stated Ms. Burden has been both physically and verbally aggressive more than once with Resident A. Ms. Burden stated she observed in October 2023 Ms. Burden grab Resident A’s arm behind his back and not let go. Ms. Gilman stated Resident A’s elbow was directly up above his spine while this was occurring. Ms. Gilman stated she did not report this incident because it was her second day of work and she did not know how to report it. Ms. Gilman stated when she observed this incident, she froze, looked at Ms. Spicer and made eye contact but they did not know what to do because Ms. Merrill was not there at that point. Ms. Gilman stated she did not say anything to anyone and she and Ms. Spicer did not talk about it after that. Ms. Gilman stated she worked at another AFC for 2.5 years and she has never observed an incident like that. Ms. Gilman stated Ms. Burden is only aggressive toward Resident A and Resident B. Ms. Gilman stated there was an incident on March 17, 2024, when Resident A grabbed Ms. Burden’s sweater to which Ms. Gilman stated he was not going to give him any milk but only water. Ms. Gilman stated she has observed Ms. Burden step on Resident A’s foot while he is sitting at the dinner table to stop him from kicking people. Ms. Gilman stated she observed Ms. Burden do this at least three times. Ms. Gilman stated Ms. Burden stated she has observed Ms. Burden say “I can’t stand him” in front of other direct care staff members and residents. Ms. Gilman stated she also observed Ms. Burden walk behind Resident A pretending like she is going to trip him. Ms. Gilman stated Resident A often exposes himself and she has heard Ms. Burden tell Resident A, “I would like to grab scissors and cut it off because God wasted a good one on him” referring to Resident A’s anatomy.

Ms. Gilman stated she has observed Ms. Burden go into Resident B’s bedroom and take his television remote from him and shut his door. Ms. Gilman stated sometimes he will give her the remote if she asks him for it, but sometimes he won’t do this and Ms. Burden will forcefully take it, shut his television off, and walk out shutting the door while Resident B acts out in his bedroom.

Ms. Gilman stated on March 12, 2024 while working with Ms. Burden she was outside on the porch with the door slightly open so she could still see inside. Ms. Gilman stated Ms. Burden was making muffins in the kitchen with Resident B and was upset with him. Ms. Gilman stated she heard Ms. Burden swearing at Resident B saying she was

“fucking tired of him repeating himself and being inpatient” and how she was “sick of it” and he could “go to his fucking room.” During the interview Ms. Hohner reminded Ms. Gilman she needed to report these concerns to Recipient Rights when they occurred. Ms. Gilman stated she did not feel comfortable reporting the concerns but that she did complete Recipient Rights training in the past. Ms. Hohner explained to her that by not reporting these incidents she was failing to protect Resident A and Resident B as well.

On March 25, 2024, ORR Ms. Watson and I interviewed direct care staff member whose current role is home manager, Miranda Merrill. Ms. Merrill stated she works with Ms. Burden approximately two hours each day so she has observed her interactions with residents. Ms. Merrill stated she has had concerns with the tone of voice Ms. Burden uses when she speaks to the residents which she has addressed with McBride Assistant Director of Services, Becky Lindsey. Ms. Merrill stated she met with Ms. Burden and informed her the tone she was using with the residents was rude. Ms. Merrill stated she has not noticed her doing this since this conversation. Ms. Merrill stated she has never observed Ms. Burden being physically aggressive or swearing at the residents however Ms. Merrill stated she would not do this in front of her because Ms. Merrill is a manager. Ms. Merrill stated Ms. Burden gets along with all the residents “average but I don’t think she goes above and beyond.” Ms. Merrill stated Ms. Burden does come across as controlling and she feels Ms. Burden would intimidate staff to not report these things to her if they did happen. Ms. Merrill believes Ms. Burden has made comments about having a personal relationship with Ms. Lindsey in the past and she thinks this intimidates some of the newer staff members so they do not report concerns.

On March 25, 2024, ORR Ms. Watson and I interviewed direct care staff member Vicki Burden. Ms. Burden stated she gets along with all the residents in the home including Resident A but he will come at her with his hands or try to kick her because he has behaviors and he can be physically aggressive. Ms. Burden stated she tries to get Resident A to hold hands with her or use “nice hands” when he is grabbing at her but she does not know what else is in his positive support plan. Ms. Burden stated Resident A will kick at the people sitting at the table and will do this to everyone so she will tell him not to kick but stated she has never stepped on his feet in the past, but she “has used her feet to scoop his foot back in” but she has never put pressure on his foot. Ms. Burden denied that she ever refused Resident B milk or other food or snacks. Ms. Burden denied making any negative statements about any resident in front of other staff or residents. Ms. Burden stated she has known Resident A for many years and has not stated she does not like him to other direct care staff members or that she made an inappropriate comment about his anatomy.

Ms. Burden stated she and Resident B have a good relationship. Ms. Burden stated she has been trained in his PCP and the positive support plan. Ms. Burden stated a lot of the behaviors happen when Resident B does not get his way or gets mad. Ms. Burden stated Resident B acts out by hitting and/or screaming but eventually calms down. Ms. Burden stated she redirects him to watch other tv shows if he is getting upset but denied ever taking his tv remote. Ms. Burden stated she has taken during sleeping hours and put it the remote drawer so he can sleep. Ms. Burden stated she has never



sworn at anyone in anger or especially not at a resident. Ms. Burden denied telling Resident B “you can go to your fucking room.” She stated she has never been rude to him with her voice at all. Ms. Burden stated she has never been physically aggressive or held either one of their arms above their head or behind his back.

On March 25, 2024, ORR Ms. Watson and I attempted to interview Resident B however due to his diagnosis, he was unable to answer specific questions regarding the allegations. Resident B was asked “yes/no” questions and stated he is treated well and the direct care staff members are nice. Resident B stated he does get along with Ms. Burden but stated he did not know what it meant to be hurt and kept saying “no hit”.

On March 27, 2024, I received email from McBride Quality Care Services human resources personnel, Jill Rivard with documentation that Ms. Burden has completed all required licensing trainings. Ms. Burden has been working for McBride Quality Care Services since 2013. I also reviewed the following “Coach and Counsel” reports Ms. Burden has received.

1. March 25, 2019 – Gossiping about other employees.
2. May 3, 2023 – Not following written Behavior Intervention Plans including documentation.
3. March 15, 2024 – Using profanity while working.

On March 27, 2024, I received an email from Sarah Nestle stating there is an additional direct care staff member meeting scheduled for April 6, 2024, to discuss reporting because many direct care staff members did not report the above incidents. Ms. Nestle stated she feels that if this was reported, this could have been addressed back in October 2023.

On March 28, 2024, I completed an unannounced on-site investigation at McBride Sherman Street Home and interviewed Miranda Merrill and McBride Associate Director of Services Becky Lindsey. Ms. Lindsey stated Ms. Burden had been terminated on March 26, 2024 from her position at McBride #1 due to this investigation. Ms. Lindsey stated when Ms. Burden was terminated, she stated, “it’s half lies” and admitted she should not have used Ms. Lindsey’s name to intimidate her coworkers so they would not report the allegations. During the on-site investigation, I reviewed Resident A and Resident B’s resident records and observed Resident A, Resident B, Resident C, Resident C, and Resident E. Although none of the residents could provide an account of the incidents due to their diagnoses, they all appeared well cared for and were excited to discuss their recent outing to the pet store.

During the on-site investigation, I reviewed Resident A’s Community Mental Health Person Centered Plan (PCP). According to Resident A’s PCP, “[Resident A] is physically aggressive toward others, himself, and property and staff will provide positive redirection that he enjoys and education on how to communicate his frustrations / wants / needs.”

I reviewed Resident B’s Community Mental Health Person Centered Plan (PCP) written by Morgan Litwiller, MS, BCBA, LBA, the main concerns noted with Resident A were hitting others when he is required to share items with others, told “no” specifically to changing the TV channel, and denied extra food. The PCP also documented that Resident A perseverated on things such as upcoming events and TV. He was noted to hit staff or peers who are not able to move out of the way or defend themselves. The PCP documented ABA services are provided three afternoons per week on Tuesday, Wednesday, and Friday to address the following goals: decreasing aggression, increasing tolerance when told “no” and “wait,” task compliance, and coping skills when he does not get “his way.” Consequences typically have included staff redirecting him away from other residents, being told “nice hands,” and being redirected to his bedroom to calm down. “Nice hands” was described in the PCP as appearing to be associated with reducing aggression. He was noted to calm down while in his bedroom according to the PCP.

On April 23, 2024, I interviewed licensee designee Kent Vanderloon. Mr. Vanderloon stated he has not have had concerns regarding Ms. Burden’s treatment toward the residents but she has undermined managers decisions in the past. Mr. Vanderloon stated she has been terminated from the position and he was not aware of any of these incidents before the investigation. Mr. Vanderloon stated direct care staff members and administrator handled this appropriately since she has been terminated.

| <b>APPLICABLE RULE</b> |   |
|------------------------|---|
| <b>R 400.14304</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 the following resident rights:</b></p> <p><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> |

|                           |  |
|---------------------------|--|
| <p><b>ANALYSIS:</b></p>   | <p>Based on interviews from direct care staff members Ms. Spicer, Ms. Perez, Ms. Gilman, Resident A and Resident B were not treated with consideration to their respect and dignity by direct care staff member Ms. Burden during the following incidents:</p> <ol style="list-style-type: none"> <li>1. In October 2023 Ms. Burden held Resident A's wrist and pulled his arm up and pulled down as hard as she could behind his back causing his elbow to raise above his spine and no other direct care staff member stepped in to stop this Ms. Burden from harming Resident A.</li> <li>2. Ms. Burden stated in front of other residents and direct care staff members she does not like Resident A.</li> <li>3. Ms. Burden made inappropriate statements about Resident A's genitalia in front of others.</li> <li>4. Several interviews stated Ms. Burden speaks to Resident A and Resident B in a disrespectful manner with more aggression than necessary.</li> <li>5. Ms. Burden refused to give Resident A milk on March 17, 2024, because he touched her sweater. After he touched her, Ms. Burden stated, "now you are not getting any milk" and told Ms. Perez to give him water refusing to assist him and no other direct care staff member stepped in to assist Resident A.</li> <li>6. On March 12, 2024, Ms. Burden used profanity toward Resident B.</li> <li>7. On at least three occasions Resident A was sitting at the dinner table and when he would try to kick at people, Ms. Burden will step on his foot so he cannot kick out.</li> </ol> <p>McBride Director of Operations, Ms. Nestle also stated there had been concerns in the past, however, now that there are concrete examples of her disrespectful behavior toward Resident A and Resident B, she was terminated from her position at McBride #1.</p> |
| <p><b>CONCLUSION:</b></p> | <p><b>VIOLATION ESTABLISHED</b></p>  |

**IV. RECOMMENDATION**

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

*Jennifer Browning*

05/01/2024

Jennifer Browning  
Licensing Consultant

Date

Approved By:

*Dawn Timm*

05/06/2024

Dawn N. Timm  
Area Manager

Date