



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

MARLON I. BROWN, DPA
DIRECTOR

May 3, 2024

Naily Baroya
240 S Main Street
Three Rivers, MI 49093

RE: License #: AF750391975
Investigation #: 2024A1030028
Naily's AFC Home

Dear Ms. Baroya:

Attached is the Special Investigation Report for the above referenced facility. Due to the violations identified in the report, a written corrective action plan was required. On 4/10/24, you submitted an acceptable written corrective action plan.

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 (616) 356-0183.

Sincerely,

A handwritten signature in black ink that reads "Nile Khabeiry, LMSW".

Nile Khabeiry, Licensing Consultant
Bureau of Community and Health Systems
Unit 13, 7th Floor
350 Ottawa, N.W.
Grand Rapids, MI 49503

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AF750391975
Investigation #:	2024A1030028
Complaint Receipt Date:	04/04/2024
Investigation Initiation Date:	04/04/2024
Report Due Date:	06/03/2024
Licensee Name:	Naily Baroya
Licensee Address:	240 S Main Street Three Rivers, MI 49093
Licensee Telephone #:	(909) 534-9737
Name of Facility:	Naily's AFC Home
Facility Address:	240 S Main Street Three Rivers, MI 49093
Facility Telephone #:	(269) 548-8929
Original Issuance Date:	10/15/2018
License Status:	REGULAR
Effective Date:	04/15/2023
Expiration Date:	04/14/2025
Capacity:	6
Program Type:	DEVELOPMENTALLY DISABLED MENTALLY ILL AGED

II. ALLEGATION(S)

	Violation Established?
The home does not serve nutritious meals.	No
The resident bathroom, hallway, stairway and outside smoking area are not clean.	Yes
Additional Findings	No

III. METHODOLOGY

04/04/2024	Special Investigation Intake 2024A1030028
04/04/2024	Contact - Document Received Received an email with pictures from Referral Source
04/04/2024	Special Investigation Initiated - Telephone Interview with Referral Source
04/10/2024	Contact - Face to Face Interview with Resident A
04/10/2024	Contact - Face to Face Interview with Nailly Batoga
04/10/2024	Exit Conference Exit conference at the home
04/11/2024	APS Referral
04/17/2024	Contact - Document Received received and reviewed photographs of the home

IV. ALLEGATION:

The Home does not serve nutritious meals.

INVESTIGATION:

On 4/4/24, I spoke with the referral source (RS) who wished to remain anonymous. The RS reported she was informed that the meals served were not sufficient. For example, RS stated the residents will sometimes get served only Pop-Tarts for breakfast.

On 4/10/24, I interviewed Resident A at the home. Resident A reported he has lived at the home for three years. Resident A reported he is satisfied with the meals served at the home. Resident A reported they get a variety of foods for breakfast and named some examples as pancakes, sausage, bananas, Pop Tarts, cereal and milk and cookies. Resident A reported they get sandwiches, chips, apples or oranges for lunch. Resident A stated the home accommodates special diets such as he cannot eat bread, so he gets noodles instead of sandwiches. Resident A reported they get hot dogs, hamburgers, Salisbury steak, rice, potatoes, and vegetables for dinner. Resident A indicated he was happy with the meals.

On 4/10/24, I interviewed homeowner Nailly Batoga at the home. Ms. Batoga reported she does serve Pop Tarts for breakfast but also has cereal and milk available for the residents. Ms. Batoga reported she also serves fruits and vegetables. Ms. Batoga reported she tries very hard to provide nutritious meals as well as enough food to meet the residents' nutritional needs. I observed the kitchen and pantry and noted there was fresh and frozen fruits and vegetables, breakfast foods, prepared meals and frozen meat.

APPLICABLE RULE	
R 400.1419	Resident nutrition.
	(1) A licensee shall provide a minimum of 3 regular nutritious meals daily. Not more than 14 hours shall elapse between the evening and morning meal.
ANALYSIS:	During an unscheduled inspection, I observed a variety of food including fresh and frozen fruits and vegetables, meats, starches and prepared meals. While Pop-Tarts were served for breakfast, cereal, milk and bananas that are available for the residents.
CONCLUSION:	VIOLATION NOT ESTABLISHED

ALLEGATION:

The resident bathroom, hallway, stairway and outside smoking area are not clean.

INVESTIGATION:

I received an email and photographs from the RS regarding the cleanliness of the home. There were 14 photographs in total. Several photographs were taken in the resident bathroom and show general uncleanliness of the sink, shower and bathroom floor. There were also photographs of overflowing garbage in the upstairs hallway, stained carpet in a resident bedroom and cigarette butts outside of the home and on the back stairs leading to the resident bedrooms.

I inspected the upstairs of the home where the residents live and noted the bathroom was dirty, the area around the garbage was messy, the stairs going outside to the smoking area was littered with debris including old cigarette butts and the smoking area outside had at least one hundred old cigarette butts in an old planter.

Ms. Batoga acknowledged the resident area upstairs is not as clean as it should be and usually asks one of the residents to clean the common areas of the home including the bathroom, TV room, hallway and the stairs going outside. I had Ms. Batoga tour the areas of concern with me and she acknowledged they needed to be cleaned more often. Ms. Batoga signed an on-site Corrective Action Plan (CAP) and will send pictures of the areas to ensure the CAP has been followed.

On 4/17/24, I received and reviewed several pictures taken of the areas inside and outside of the home that needed to be cleaned. I noted the bathroom, floors, stairs and outside smoking areas were all cleaned.

APPLICABLE RULE	
R 400.1426	Maintenance of premises.
	(1) The premises shall be maintained in a clean and safe condition.
ANALYSIS:	It was alleged the resident bathroom, hallway, stairway and outside smoking area are not clean. Based on observations this violation will be established. During an unannounced inspection several areas of the home were observed to not meet the minimum standards of cleanliness. The licensee acknowledged the violation and completed an on-site corrective action plan.
CONCLUSION:	VIOLATION ESTABLISHED

V. RECOMMENDATION

The 4/10/24 corrective action plan for this violation was approved. Based on the submission of an acceptable corrective action plan, I recommend no change to the status of the license.

Nile Khabeiry, LMSW

5/6/24

Nile Khabeiry
Licensing Consultant

Date

Approved By:

Russell Misiak

Russell B. Misiak
Area Manager

Date