



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

MARLON I. BROWN, DPA  
DIRECTOR

May 14, 2024

Delissa Payne  
Spectrum Community Services  
Suite 700  
185 E. Main St  
Benton Harbor, MI 49022

RE: License #: AS410357190  
Investigation #: 2024A0467034  
Springmont Home

Dear Mrs. Payne:


Attached is the Special Investigation Report for the above referenced facility. Due to the violation 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 the rule will be achieved.
- Who is directly responsible for implementing the corrective action for the violation.
- Specific time frames for the 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 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 (616) 356-0183.

Sincerely,

A handwritten signature in cursive script that reads "Anthony Mullins".

Anthony Mullins, 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**

<b>License #:</b>	AS410357190
<b>Investigation #:</b>	2024A0467034
<b>Complaint Receipt Date:</b>	05/06/2024
<b>Investigation Initiation Date:</b>	05/06/2024
<b>Report Due Date:</b>	07/05/2024
<b>Licensee Name:</b>	Spectrum Community Services
<b>Licensee Address:</b>	Suite 700, 185 E. Main St Benton Harbor, MI 49022
<b>Licensee Telephone #:</b>	(734) 458-8729
<b>Administrator:</b>	Delissa Payne
<b>Licensee Designee:</b>	Delissa Payne
<b>Name of Facility:</b>	Springmont Home
<b>Facility Address:</b>	4623 Springmont Drive SE Kentwood, MI 49508
<b>Facility Telephone #:</b>	(616) 803-0885
<b>Original Issuance Date:</b>	03/12/2014
<b>License Status:</b>	REGULAR
<b>Effective Date:</b>	09/12/2022
<b>Expiration Date:</b>	09/11/2024
<b>Capacity:</b>	6
<b>Program Type:</b>	DEVELOPMENTALLY DISABLED MENTALLY ILL

## II. ALLEGATION(S)

	<b>Violation Established?</b>
Staff member Amber Cowles shoved Resident A on 5/1/24.	Yes

## III. METHODOLOGY

05/06/2024	Special Investigation Intake 2024A0467034
05/06/2024	Special Investigation Initiated - Letter Via email with Kent County Recipient Rights.
05/07/2024	Inspection Completed On-site
05/07/2024	Contact – Telephone call made Amber Cowles
05/07/2024	Contact – telephone call made Marcel Kapanda
05/09/2024	APS Referral
05/14/2024	Exit conference completed with licensee designee, Delissa Payne

### **ALLEGATION: Staff member Amber Cowles shoved Resident A on 5/1/24**

**INVESTIGATION:** On 5/6/24, I received a complaint from Kent County Recipient Rights Officer, Michael Kuik. The complaint alleged that staff member Amber Cowles shoved Resident A with two hands after Resident A continued demanding a snack. The complaint alleged that Ms. Cowles attempted to redirect Resident A, but he ignored them. Resident A's arm reportedly "nudged" Ms. Cowles, and she turned around and shoved him forcibly with two hands and chastised Resident A to not touch her again. AFC staff member, Marcel Kapanda reportedly stepped in to diffuse the situation.

On 5/6/24, I spoke to Recipient Rights Officer, Mr. Kuik via email and informed him that I would be conducting my investigation tomorrow.

On 5/7/24, I made an unannounced onsite investigation at the home. Upon arrival, AFC staff member, Jill Tolar answered the door and allowed entry into the home. Ms. Tolar stated that Resident A was away at school during this time and usually returns around 3:30 pm. Ms. Tolar provided me with contact information for Ms.

Cowles and Mr. Kapanda. Ms. Tolar denied any knowledge of an incident between Resident A and Ms. Cowles that occurred on 5/1/24.

On 5/7/24, I made an unannounced visit to Lincoln Development school in Grand Rapids. Upon arrival, I spoke to the assistant principal, David Breen and the secretary. Mr. Breen and the secretary informed me that Resident A has some comprehension and minimal communication skills. Resident A was escorted to the office by staff and introductions were made. Resident A agreed to be interviewed briefly in a conference room with Mr. Breen present. Resident A stated that he is turning 25 years old and that things are "good" at his AFC home. Resident A confirmed that he knows who AFC staff member Ms. Cowles is, then proceeded to refer to himself as Ms. Cowles. Resident A confirmed that he doesn't have any issues in the home and reportedly feels safe. It should be noted that due to Resident A's limited communication skills, this interview concluded. Resident A was observed to be free of any visible marks or bruises.

On 5/7/24, I spoke to AFC staff member, Marcel Kapanda via phone, and he agreed to discuss case allegations. Mr. Kapanda confirmed that he worked at the home on 5/1/24 with his colleague, Ms. Cowles. Mr. Kapanda also confirmed that there was an incident that occurred between Ms. Cowles and Resident A. Ms. Kapanda stated that sometimes, Resident A becomes aggressive when he wants something. Ms. Kapanda confirmed that on the day in question, Resident A was asking for food, stating he was hungry while standing near the kitchen. Mr. Kapanda stated that Ms. Cowles told Resident A not to come into the kitchen during this time. Resident A reportedly got so close to Ms. Cowles that their clothes were touching. After Resident A and Ms. Cowles exchanged words, Mr. Kapanda stated that Ms. Cowles pushed Resident A with two hands. Resident A reportedly responded by saying, "don't touch me." Mr. Kapanda stated that it was clear that Resident A was angry after he was pushed by Ms. Cowles. Mr. Kapanda confirmed that this incident was over Resident A not receiving brownies from Ms. Cowles. Mr. Kapanda was thanked for his time as this call concluded.

On 5/7/24, I spoke to AFC staff member, Amber Cowles via phone and she agreed to discuss case allegations. Ms. Cowles was asked to share what occurred between she and Resident A that led to a complaint being filed accusing her of pushing Resident A. Ms. Cowles stated, "basically I was trying to redirect (Resident A) out of the kitchen." Ms. Cowles stated that during this reported incident, she had a hot stove on preparing dinner in the kitchen and Resident A was insisting on having brownies that were not his. Ms. Cowles stated, "I wasn't trying to push him. I was trying to lead him away from the stove." I then asked Ms. Cowles if she pushed Resident A while trying to lead him away from the stove. Ms. Cowles denied this. Instead, Ms. Cowles stated that she tried to "panda paw him." Ms. Cowles expanded on this by stating that she positioned herself between the stove and Resident A while putting her hands on Resident A's shoulder and tried guiding him away from the stove. Ms. Cowles stated that she called her co-worker, Marcel Kapanda to

assist during this incident in the hope that he could take Resident A elsewhere while she finished dinner for the residents.

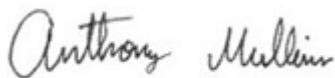
Ms. Cowles was asked if there were similar incidents between she and Resident A in the past. Ms. Cowles confirmed that Resident A has assaulted or attempted to assault her on at least two different occasions in the past. Ms. Cowles stated that this past Friday, she was removed from the schedule pending the outcome of this investigation. Ms. Cowles was thanked for her time.

On 05/14/24, I conducted an exit conference with licensee designee, Delissa Payne. She was informed of the investigative findings and confirmed that Ms. Cowles was suspended pending the outcome of the investigation. Mrs. Payne is aware that a corrective action plan is due within 15 days of receipt of this report.

<b>APPLICABLE RULE</b>	
<b>R 400.14308</b>	<b>Resident behavior interventions prohibitions.</b>
	<b>(2) A licensee, direct care staff, the administrator, members of the household, volunteers who are under the direction of the licensee, employees, or any person who lives in the home shall not do any of the following: (b) Use any form of physical force other than physical restraint as defined in these rules.</b>
<b>ANALYSIS:</b>	Staff member Amber Cowles denied pushing Resident A. Instead, she reported that she tried guiding him away from the stove by putting her hands on his shoulder. Staff member Marcel Kapanda was in the home and confirmed that Ms. Cowles did in fact push Resident A. Therefore, there is a preponderance of evidence to support the allegation.
<b>CONCLUSION:</b>	<b>VIOLATION ESTABLISHED</b>

**IV. RECOMMENDATION**

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



05/14/2024

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Anthony Mullins  
Licensing Consultant

Date

Approved By:



05/14/2024

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Jerry Hendrick  
Area Manager

Date