



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

MARLON I. BROWN, DPA
DIRECTOR

May 29, 2024

Eric Simcox
Landings of Genesee Valley
4444 W. Court Street
Flint, MI 48532

RE: License #: AH250236841
Investigation #: 2024A0784044
Landings of Genesee Valley

Dear Eric Simcox:

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.

Please review the enclosed documentation for accuracy and contact me with any questions. If I am not available, and you need to speak to someone immediately, please contact the local office at (517) 284-9730.

Sincerely,

A handwritten signature in cursive script that reads "Aaron L. Clum".

Aaron Clum, Licensing Staff
Bureau of Community and Health Systems
611 W. Ottawa Street
P.O. Box 30664
Lansing, MI 48909
(517) 230-2778

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AH250236841
Investigation #:	2024A0784044
Complaint Receipt Date:	04/05/2024
Investigation Initiation Date:	04/05/2024
Report Due Date:	06/04/2024
Licensee Name:	Flint Michigan Retirement Housing LLC
Licensee Address:	14005 Outlook Street Overland Park, KS 66223
Licensee Telephone #:	(240) 595-6064
Administrator:	Pauline Bednarick
Authorized Representative:	Eric Simcox
Name of Facility:	Landings of Genesee Valley
Facility Address:	4444 W. Court Street Flint, MI 48532
Facility Telephone #:	(810) 720-5184
Original Issuance Date:	02/01/2001
License Status:	REGULAR
Effective Date:	03/07/2024
Expiration Date:	07/31/2024
Capacity:	114
Program Type:	ALZHEIMERS AGED

II. ALLEGATION(S)

	Violation Established?
Resident A was subjected to abuse.	Yes
Additional Findings	No

III. METHODOLOGY

04/05/2024	Special Investigation Intake 2024A0784044
04/05/2024	Special Investigation Initiated - On Site
04/05/2024	Inspection Completed On-site
04/08/2024	Contact - Telephone call made Interview with Relative A1
04/08/2024	Contact - Document Received Emails received from Relative A1 with several videos attached pertaining to the allegations.
05/02/2024	Contact - Document Sent Email sent to Genesee County Detective Robert Nicklesen requesting report involving alleged perpetrators.
05/06/2024	Contact - Document Sent Email sent to Genesee County Detective Sergeant Nick Leionowicz
05/14/2024	Contact - Document Sent Exemption/Request letter sent to Genesee County Sheriff office FOIA/Detectives Robert Nicklesen/Nick Leonowicz
05/15/2024	Contact - Document Received Documents received from Detective Nicklesen via email
05/15/2024	Contact - Telephone call made Interview with Detective Nicklesen
05/29/2024	EXIT – Email Report sent

ALLEGATION:

Resident A was subjected to abuse.

INVESTIGATION:

On 4/05/2024, the department received this complaint from adult protective services (APS) centralized intake. Information provided on the compliant indicated APS denied the allegations for investigation.

According to the complaint, on 4/04/2024 at 8pm, Associate 1 was observed slapping Resident A by family members via nanny cam. Several Associates were also observed taking snack items from Resident A's room. Resident A did not have any visible injuries and was transferred to the hospital for physical examination. The facility reported the incident to police who are investigating.

On 4/05/2024, I interviewed regional director of operations Sera Henry at the facility. Ms. Henry stated no one from the facility has seen the video footage from the nanny cam. Ms. Henry stated facility staff and administration were not aware of the presence of the nanny came until the incident happened as it had been hidden there by family. Ms. Henry stated that on incident was not reported directly to the facility. Ms. Henry stated that on the evening of 4/04/2024, police arrived at the facility as Resident A's family had called them to report Resident A was being harmed by a staff member. Ms. Henry stated that when police arrived, no staff name had been confirmed. Ms. Henry stated Associate 1 was later identified as the accused perpetrator as the family had described her as the "pregnant one" and Associate 1 was the only one on that shift who was pregnant. Ms. Henry stated Associate 1 had actually left before the end of her shift, which was supposed to end at 10:30pm, shortly after the police arrived at the facility which was sometime around 10pm. Ms. Henry stated administrator Pauline Bednarick had been notified of the situation by telephone. Ms. Henry stated Ms. Bednarick attempted to reach Associate 1 at the facility around 10:20pm but Associate 1 was already gone. Ms. Henry stated attempts were made to contact Associate 1 on her personal phone, but they were unsuccessful. Ms. Henry stated Resident A was still at the hospital and that Resident A will not be returning to the facility. Ms. Henry stated facility administration is not currently aware of the extend of the alleged abuse to Resident A. Ms. Henry stated Resident A's daughter only reported Resident A was being slapped but was too upset by what she saw on the video to go into any more detail.

On 4/08/2024, I interviewed Relative A1 by telephone. Relative A1 stated police are currently investigating the allegations against Associate 1 as well as other Associates who were observed on the nanny cam stealing Resident A's snacks which she stated included pop candy and chips. Relative A1 stated the nanny cam was placed in Resident A's room due to the family observing bruising on Resident A

that could not be explained on previous occasions. Relative A1 stated the facility was not notified of the camera being placed in the room. Relative A1 stated the video footage was difficult to watch as it showed Associate 1, on the evening of 4/04/2024, physically assaulting Resident A, slapping and hitting her, while Resident A was in her wheelchair in her bathroom. Relative A1 stated Resident A is aged and physically unable to protect herself and did not understand why Associate 1 would physically harm Resident A like that.

On 4/16/2024, I interviewed Ms. Bednarick at the facility. Ms. Bednarick stated that based on comparison video between Resident A’s nanny cam and the facilities video cameras, which records footage in common areas of the facility, police were able to confirm that Associates 1, 2 and 3 did take snack items from Resident A’s room and are being charged with theft. Ms. Bednarick stated Associate 1 is being charged in regard to abuse of Resident A.

On 5/15/2024, I interviewed Office of Genesee County Sheriff Detective Lieutenant Robert Nicklesen by telephone. Det. Nicklesen stated he had reviewed video footage of the incident between Associate 1 and Resident A and confirmed Associate 1 would be charged with elder abuse based on observations from the video. Det. Nicklesen confirmed Ms. Bednaricks statements regarding Associates 1, 2 and 3 being charged in relation to stealing from Resident A based on what was observed on the nanny cam as well as what was observed on video footage from the facility. Det. Nicklesen stated he interviewed Associate 1 regarding the incident. Det. Nicklesen stated that upon viewing the video footage, Associate 1 acknowledged being the person in the video. Det. Nicklesen stated that while Associate 1 attempted to describe her actions as “not as bad as it looks”, she ultimately admitted to hitting Resident A on several occasions as seen in the video as well as raising her hands with clenched fists as if she was going to punch Resident A as seen in the video. Det. Nicklesen stated Associates 1, 2 and 3 all admitted to taking stack items from Resident A’s room.

I reviewed the written interview notes from Det. Nickelsens interview with Associates 1, 2 and 3 provided by Det. Nickelsen, which read consistently with his statements.

APPLICABLE RULE	
MCL 333.20201	Policy describing rights and responsibilities of patients or residents
	(2)(I) A patient or resident is entitled to be free from mental and physical abuse and from physical and chemical restraints, except those restraints authorized in writing by the attending physician or a physician's assistant to whom the physician has delegated the performance of medical care services for a specified and limited time or as are necessitated by an emergency to protect the patient or

	resident from injury to self or others, in which case the restraint may only be applied by a qualified professional who shall set forth in writing the circumstances requiring the use of restraints and who shall promptly report the action to the attending physician or physician's assistant. In case of a chemical restraint, a physician shall be consulted within 24 hours after the commencement of the chemical restraint.
ANALYSIS:	The complaint alleged abuse of Resident A by Associate 1 and that Resident A had snack items stolen by Associate 1 and other Associates. The investigation revealed Associate 1 was physically abusive to Resident A and Associates 1, 2 and 3 also took snack items from Resident A's room. Additionally, police investigated the allegations and are bringing charges against these Associates related to abuse and theft. Based on the findings, the allegations are substantiated.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

Upon receipt of an acceptable corrective action plan, it is recommended that the status of the license remain unchanged.

Aaron L. Clum

5/23/2024

Aaron Clum
Licensing Staff

Date

Approved By:

Andrea L. Moore

05/28/2024

Andrea L. Moore, Manager
Long-Term-Care State Licensing Section

Date