



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

MARLON I. BROWN, DPA
DIRECTOR

May 29, 2024

Pamela Wilkins and Danielle Beville
1308 Jefferson Ave
Kalamazoo, MI 49006

RE: License #: AS390407928
Investigation #: 2024A1024024
Closer To Home

Dear Pamela Wilkins and Danielle Beville:

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 April 13, 2024, you submitted an acceptable written corrective action plan.

It is expected that the corrective action plan be implemented within the specified time frames as outlined in the approved 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 cursive script that reads "Ondrea Johnson".

Ondrea Johnson, Licensing Consultant
Bureau of Community and Health Systems

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AS390407928
Investigation #:	2024A1024024
Complaint Receipt Date:	04/04/2024
Investigation Initiation Date:	04/05/2024
Report Due Date:	06/03/2024
Licensee Name:	Pamela Wilkins and Danielle Beville
Licensee Address:	4409 Clayborne Dr Kalamazoo, MI 49009
Licensee Telephone #:	Unknown
Administrator:	Pamela Wilkins
Licensee Designee:	Pamela Wilkins and Danielle Beville
Name of Facility:	Closer To Home
Facility Address:	1308 Jefferson Ave Kalamazoo, MI 49006
Facility Telephone #:	(269) 350-5219
Original Issuance Date:	02/17/2022
License Status:	REGULAR
Effective Date:	08/17/2022
Expiration Date:	08/16/2024
Capacity:	6
Program Type:	DEVELOPMENTALLY DISABLED MENTALLY ILL

II. ALLEGATION(S)

	Violation Established?
Staff member Lolita Rose is taking money from Resident A to pay for Netflix streaming service.	Yes

III. METHODOLOGY

04/04/2024	Special Investigation Intake 024A1024024
04/05/2024	Special Investigation Initiated - Face to Face with direct care staff member Brandon Butnette
04/05/2024	Contact - Telephone call made with direct care staff member Lolita Rose
04/05/2024	Contact - Document Received-Resident A's AFC Care Agreement
04/08/2024	Contact - Telephone call made with Bay City Recipient Rights Officer (RRO) Kevin Motyka
04/08/2024	Contact - Document Received-Incident Report written Zachary Mousseau
04/09/2024	Contact - Telephone call made with licensee designee Pamela Wilkins
04/09/2024	Exit Conference with Pamela Wilkins
04/09/2024	Inspection Completed-BCAL Sub Compliance
04/10/2024	Corrective Action Plan Requested and Due on 5/20/2024
04/13/2024	Corrective Action Plan Received
04/13/2024	Corrective Action Plan Approved

ALLEGATION: Staff member Loita Rose is taking money from Resident A to pay for Netflix streaming services.

INVESTIGATION:

On 4/4/2024, I received this complaint through the Bureau of Community and Health Systems (BCHS) online complaint system. This complaint alleged direct care staff member Loita Rose is taking money from Resident A to pay for Netflix streaming services.

On 4/5/2024, I conducted an onsite investigation at the facility with direct care staff member Brandon Butnette who stated that staff members do not handle any personal funds for Resident A and cable at the facility is free of charge. Brandon Butnette stated however direct care staff member Loita Rose assisted Resident A with setting up a streaming service upon his request but Brandon Butnette stated he was unsure of the details of this setup such as how much Resident A had to pay for this service. Brandon Butnette further stated the Netflix streaming service account was set up in Resident A's name and programmed for him to watch on his own personal television in his bedroom. Brandon Butnette stated as of recently he believes the Netflix streaming service is scheduled to be cancelled since Resident A's case manager discussed his disapproval of Resident A spending his money on this service.

While at the facility, I observed Resident A's television with a Netflix account in his name on the television screen.

On 4/5/2024, I conducted an interview with direct care staff member Loita Rose who stated that last month on March 19, 2024, Resident A asked her to assist him with setting up Netflix streaming service on his television. Loita Rose stated she assisted Resident A with setting up the streaming service however when it was time to submit payment Resident A did not have the proper method such as a credit card to make the streaming service payment of \$6.99 therefore she used her personal credit to set up the streaming service and allowed Resident A to pay her \$8 in cash which was the total payment amount to start the streaming service including processing fees. Loita Rose stated the Netflix bill is due on the 19th of each month and Resident A has only paid her once for the service. Loita Rose stated she plans to transport Resident A to the store in the near future in order to help him with getting his own prepaid credit card that he can purchase on his own and use to make all future Netflix payments. Loita Rose further stated she was not aware that she was not supposed to accept any money from residents even upon their request and will not accept funds in the future.

On 4/5/2024 I reviewed Resident A's *AFC Care Agreement* dated 3/9/2023 which stated that Resident A agrees to pay \$1027.50 monthly in addition to CMH fund payments. It should be noted there is no mention of any additional funds for streaming services to be paid to the facility by the resident.

I also reviewed Resident A's Bay City CMH Fund Contract agreement which stated that the facility will receive a daily rate per diem of \$361.40 for Resident A.

I reviewed Resident A's *Funds I* form which stated that Resident A funds are managed by Bay City CMH. I also reviewed Resident A's *Funds II* form which showed deposit payments to the licensee for AFC services for dates 4/9/2023 to 5/10/2024. I found no concerns with these forms.

On 4/8/2024, I conducted an interview with RRO Kevin Motyka who stated that he was notified by Resident A's case manager from Bay City that Resident A was paying a staff member to use their Netflix streaming service. Kevin Motyka stated Resident A is on a fixed income therefore the case manager was concerned about this payment being made as Resident A is also currently waiting to be approved for social security benefits and must be careful with his spending. Kevin Motyka stated based on his investigation he did not find any financial exploitation or neglect in this matter and will be closing out his case.

On 4/8/2024, I reviewed *Incident Report* written by Resident A's case manager Zachary Mousseau dated 4/2/2024. According to this incident report, Resident A stated that he now has access to Netflix and Peacock streaming services and is paying a staff member to use their streaming account on his television. Resident A was encouraged to avoid making payments to anyone in the future and offered assistance with helping Resident A identify options for streaming services. Resident A is still awaiting determination on SSA benefits appeal and has no current forms of income.

On 4/9/2024, I conducted an interview with licensee designee Pamela Wilkins who stated staff member Loita Rose accepted money from Resident A to pay for a Netflix streaming service that she helped Resident A set up. Pamela Wilkins stated after concerns were brought up from Resident A's case manager, she had a conversation with Loita Rose and advised her to have Resident A use a prepaid credit card that he can purchase from the store to pay for his streaming services in the future. Pamela Wilkins stated she does not believe Loita Rose was trying to be harmful in any way when she used her own credit card to pay for this streaming service in exchange to receive payment from Resident A. Pamela Wilkins stated Resident A does not have any personal income of his own however he is given money from the facility as part of a behavior incentive program that she uses to encourage good behavior from the residents. Residents are also able to wash their own laundry and clean their bedroom to receive money and she believes this is how Resident A can pay for the streaming service. Pamela Wilkins stated since Resident A's admission he has not paid any money to live in the facility from his own personal funds as agreed upon however she has received his CMH payment. Pamela Wilkins stated Resident A's funds are managed by Bay City CMH and she works closely with this agency.

APPLICABLE RULE	
R 400.14315	Handling of resident funds and valuables.
	(10) A licensee, administrator, direct care staff, other employees, volunteers under the direction of the licensee, and members of their families shall not accept, take, or borrow money or valuables from a resident, even with the consent of the resident.
ANALYSIS:	Based on my investigation which included interviews with direct care staff members Brandon Butnette, Loita Rose, licensee designee Pamela Wilkins, RRO Kevin Motyka, review of incident report, <i>Resident Funds Part I and II</i> forms, review of Resident A's care agreement and inspection of the facility there is evidence direct care staff member Loita Rose took money from Resident A to pay for Netflix streaming service. Loita Rose and Pamela Wilkins both stated that Loita Rose accepted money from Resident A to repay direct care staff member Loita Rose for a Netflix streaming service that she helped Resident A set up on his television. According to Resident A's care agreement there is no mention of any additional funds for streaming services to be paid to the facility by the resident. Pamela Wilkins and Loita Rose both stated after concerns were brought from Resident A's case manager regarding streaming services payment, plans to have alternative methods will be used for Resident A to access and pay for his streaming services and no future payments will be made to any staff member from Resident A. Although there were no malice intentions, funds were still accepted from a resident by a direct care staff member.
CONCLUSION:	VIOLATION ESTABLISHED

ADDITIONAL FINDINGS:

INVESTIGATION:

On 4/5/2024, I reviewed Resident A's *AFC Care Agreement* dated 3/9/2023.

On 4/9/2024, I conducted an interview with Pamela Wilkins who stated that she has not been able to get Resident A's designated representative from Bay City to update Resident A's care agreement at least annually and will continue to reach out to CMH to get this agreement signed and updated as required.

APPLICABLE RULE	
R 400.14301	Resident admission criteria; resident assessment plan; emergency admission; resident care agreement; physician's instructions; health care appraisal.
	(9) A licensee shall review the written resident care agreement with the resident or the resident's designated representative and responsible agency, if applicable, at least annually or more often if necessary.
ANALYSIS:	I reviewed Resident A's <i>AFC Care Agreement</i> dated 3/9/2023. and conducted an interview with Pamela Wilkins on 4/9/2024 who stated that she has not been able to get Resident A's designated representative from Bay City to update Resident A's care agreement at least annually and will continue to reach out to CMH to get this agreement signed and updated as required.
CONCLUSION:	VIOLATION ESTABLISHED

On 4/9/2024, I conducted an exit conference with licensee designee Pamela Wilkins. I informed Pamela Wilkins of my findings and allowed her an opportunity to ask questions and make comments.

On 4/13/2024, I received and approved a corrective action plan.

IV. RECOMMENDATION

An acceptable corrective action has been received therefore I recommend the current license status remain unchanged.

 5/20/24

Ondrea Johnson Date
Licensing Consultant

Approved By:

 05/29/2024

Dawn N. Timm Date
Area Manager