



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

MARLON I. BROWN, DPA
DIRECTOR

June 14, 2024

Leonardo Marino-Ochoa
ASGW, LLC
36688 Briarcliff
Sterling Hts, MI 48312

RE: License #: AS500366081
Investigation #: 2024A0617011
Hearthstone Communities

Dear Mr. Marino-Ochoa:

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.
- Indicate how continuing compliance will be maintained once compliance is achieved.
- Be signed and dated.

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.

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 (248) 975-5053.

Sincerely,

A handwritten signature in black ink, appearing to be 'EJ', written in a cursive style.

Eric Johnson, Licensing Consultant
Bureau of Community and Health Systems
Cadillac Place, Ste 9-100
3026 W Grand Blvd.
Detroit, MI 48202
enclosure

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

I. IDENTIFYING INFORMATION

License #:	AS500366081
Investigation #:	2024A0617011
Complaint Receipt Date:	01/16/2024
Investigation Initiation Date:	01/17/2024
Report Due Date:	03/16/2024
Licensee Name:	ASGW, LLC
Licensee Address:	36688 Briarcliff Sterling Hts, MI 48312
Licensee Telephone #:	(586) 276-5993
Administrator:	Angelyth Marino
Licensee Designee:	Leonardo Marino-Ochoa
Name of Facility:	Hearthstone Communities
Facility Address:	36688 Briarcliff Sterling Heights, MI 48312
Facility Telephone #:	(586) 276-5993
Original Issuance Date:	08/12/2015
License Status:	REGULAR
Effective Date:	02/12/2022
Expiration Date:	02/11/2024
Capacity:	6
Program Type:	ALZHEIMERS AGED

II. ALLEGATION(S)

	Violation Established?
No English-speaking staff in the home. There are concerns that the staff were labeled as volunteers.	Yes

III. METHODOLOGY

01/16/2024	Special Investigation Intake 2024A0617011
01/17/2024	Special Investigation Initiated - Letter Email sent to Licensee designee Mr. Leonardo Marino-Ochoa
01/22/2024	Inspection Completed On-site I conducted an unannounced onsite investigation at the Hearthstone Communities facility. I interviewed staff Vanessa Lopez, Jairo Pernia, administrator Angelyth Marino, Resident A, Resident B and Resident C.
01/22/2024	Contact - Telephone call made TC to Maria Jose Parra
01/22/2024	Contact - Telephone call made TC to Maria Annabelle
03/27/2024	Contact - Telephone call made TC to Maria Jose Parra
03/27/2028	Contact - Telephone call made TC to Maria Annabelle
03/28/2024	Exit Conference I held an exit conference with licensee designee Mr. Marino informing him the findings of the investigation.

ALLEGATION:

No English-speaking staff in the home. There are concerns that the staff were labeled as volunteers.

INVESTIGATION:

On 01/16/24, I received a complaint regarding the Hearthstone Communities facility. The complaint indicated that at the facility does not have English speaking staff in the home. There are concerns that the staff were labeled as volunteers.

On 01/22/24, I conducted an unannounced onsite investigation at the Hearthstone Communities facility. I interviewed staff Vanessa Lopez, Jairo Pernia, administrator Angelyth Marino, Resident A, Resident B and Resident C.

During the onsite investigation, I completed an interview with Mr. Pernia. Mr. Pernia spoke very limited English and was not able to communicate with me. He was not able to tell me his name or answer any of my questions. Due to Mr. Pernia's limited English, Ms. Lopez had to translate my questions and Mr. Pernia's answers. Mr. Pernia usually works with another person who is more fluent in English. However, he often works alone from 6pm to 7am. Mr. Pernia was not able to tell me how he would contact emergency services if there were an emergency, and he was the only staff working.

During the onsite investigation, I completed an interview with Ms. Vanessa Lopez. My Lopez was able to communicate fluently in English.

During the onsite investigation, I interviewed Resident A. According to Resident A, she has no issues living in the home and she is well cared for. Resident A stated that there is a little bit of a language barrier between her and Mr. Pernia but they work together to figure things out. Resident A stated that she enjoys living in the home and staff treat her well.

During the onsite investigation, I interviewed Resident B. According to Resident B, she has no issues living in the home and she is well cared for. Resident B reported no issues with communicating with staff.

During the onsite investigation, I interviewed Resident C. According to Resident C, she has no issues living in the home and she is well cared for. Resident C reported no issues with communicating with staff and states that she loves living in the home. Staff feels like family to her.

During the onsite investigation, I inspected the facility. The home was clean and there were no concerns to report. Residents appeared to be clean and did not have a noticeable odor. During the onsite investigation, I reviewed several resident files, and

the facility appears to be properly caring for the residents. I also reviewed staff files and staff included all required documentation.

During the onsite investigation, I reviewed the posted staff schedules for the month of January 2024. According to the staff schedules, Mr. Pernia worked alone from 6pm to 7am on the following dates: 12/31, 1/2, 1/3, 1/7, 1/9, 1/10, 1/14, 1/16, 1/17, 1/21, 1/23, 1/24, 1/28, 1/30, 1/31

During the onsite investigation, I interviewed Mrs. Marino via phone. According to Mrs. Marino, Mr. Pernia is never left alone at the facility and there is usually another worker there with him. If he is working alone, it is during the nighttime when residents are sleeping. Mrs. Marino stated that she is always available via phone if there is an emergency.

On 03/28/24, I held an exit conference with licensee designee Mrs. Marino informing her the findings of the investigation. Mrs. Marino understood the findings of the investigations and stated that she would provide a corrective action plan once the report is received.

APPLICABLE RULE	
R 400.14204	Direct care staff; qualifications and training.
	(1) Direct care staff shall not be less than 18 years of age and shall be able to complete required reports and follow written and oral instructions that are related to the care and supervision of residents.
ANALYSIS:	Mr. Pernia spoke very limited English and was not able to communicate with me. He was not able to tell me his name or answer any of my questions. Due to Mr. Pernia's limited English, Ms. Lopez had to translate my questions and Mr. Pernia's answers. Mr. Pernia was not able to tell me how he would contact emergency services if there were an emergency, and he was the only staff working. According to the staff schedules, Mr. Pernia worked alone from 6pm to 7am on the following dates: 12/31, 1/2, 1/3, 1/7, 1/9, 1/10, 1/14, 1/16, 1/17, 1/21, 1/23, 1/24, 1/28, 1/30, 1/31
CONCLUSION:	VIOLATION ESTABLISHED

APPLICABLE RULE	
R 400.14204	Direct care staff; qualifications and training.
	(2) Direct care staff shall possess all of the following qualifications: (b) Be capable of appropriately handling emergency situations.
ANALYSIS:	Mr. Pernia spoke very limited English and was not able to communicate with me. He was not able to tell me his name or answer any of my questions. Due to Mr. Pernia's limited English, Ms. Lopez had to translate my questions and Mr. Pernia's answers. Mr. Pernia was not able to tell me how he would contact emergency services if there were an emergency, and he was the only staff working. According to the staff schedules, Mr. Pernia worked alone from 6pm to 7am on the following dates: 12/31, 1/2, 1/3, 1/7, 1/9, 1/10, 1/14, 1/16, 1/17, 1/21, 1/23, 1/24, 1/28, 1/30, 1/31
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

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

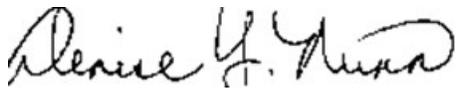


03/28/24

Eric Johnson
Licensing Consultant

Date

Approved By:



06/14/2024

Denise Y. Nunn
Area Manager

Date