



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

MARLON I. BROWN, DPA
DIRECTOR

October 22, 2024

Ramon Beltran
Beacon Specialized Living Services, Inc.
Suite 110
890 N. 10th St.
Kalamazoo, MI 49009

| | |
|------------------|-----------------------|
| RE: License #: | AS250413017 |
| Investigation #: | 2024A0872059 |
| | Beacon Home At Lennon |

Dear Ramon Beltran:

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.

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. 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 (517) 643-7960.

Sincerely,

A handwritten signature in black ink that reads "Susan Hutchinson". The script is cursive and fluid, with the first name "Susan" and last name "Hutchinson" clearly legible.

Susan Hutchinson, Licensing Consultant
Bureau of Community and Health Systems
611 W. Ottawa Street
P.O. Box 30664
Lansing, MI 48909
(989) 293-5222

enclosure

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

I. IDENTIFYING INFORMATION

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|---------------------------------------|---|
| License #: | AS250413017 |
| Investigation #: | 2024A0872059 |
| Complaint Receipt Date: | 09/19/2024 |
| Investigation Initiation Date: | 09/20/2024 |
| Report Due Date: | 11/18/2024 |
| Licensee Name: | Beacon Specialized Living Services, Inc. |
| Licensee Address: | Suite 110 890 N. 10th St. Kalamazoo, MI 49009 |
| Licensee Telephone #: | (269) 427-8400 |
| Administrator: | Nichole VanNiman |
| Licensee Designee: | Ramon Beltran |
| Name of Facility: | Beacon Home At Lennon |
| Facility Address: | 5328 Lennon Rd Swartz Creek, MI 48473 |
| Facility Telephone #: | (269) 427-8400 |
| Original Issuance Date: | 11/29/2022 |
| License Status: | REGULAR |
| Effective Date: | 05/29/2023 |
| Expiration Date: | 05/28/2025 |
| Capacity: | 6 |

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| Program Type: | DEVELOPMENTALLY DISABLED MENTALLY ILL |

II. ALLEGATION(S)

| | Violation Established? |
|---|-----------------------------------|
| Resident A gave cash to the home manager, Megan Smithingell for June, July, and August's AFC payment, for a total of \$3,169.50. There is no record of these payments. HM Smithingell is currently on FMLA from work. | Yes |

III. METHODOLOGY

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|------------|--|
| 09/19/2024 | Special Investigation Intake 2024A0872059 |
| 09/20/2024 | Special Investigation Initiated - Letter I received documentation from St. Clair County RRO, Marissa George |
| 09/23/2024 | APS Referral I made an APS complaint via email |
| 09/24/2024 | Contact - Telephone call received I received a telephone call from APS Melanie Gallego |
| 09/25/2024 | Contact - Document Received I exchanged emails with APS Worker, Melanie Gallego |
| 09/26/2024 | Inspection Completed On-site Unannounced |
| 09/30/2024 | Contact - Document Sent I emailed the licensee designee requesting information about this complaint |
| 10/03/2024 | Contact - Document Received I received information from St. Clair Recipient Rights Officer, Marissa George |
| 10/14/2024 | Contact - Document Sent |

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| | I emailed the licensee designee again requesting information related to this complaint |
| 10/14/2024 | Contact - Telephone call received I spoke to LD Beltran about this investigation |
| 10/15/2024 | Contact - Telephone call made I have left messages for HM Smithingell, but she has not returned my telephone calls |
| 10/15/2024 | Contact - Document Sent I exchanged emails with APS Gallego |
| 10/15/2024 | Contact - Document Sent I emailed Flint Township Police Detective Lacey Lopez |
| 10/18/2024 | Contact - Telephone call made I interviewed HM Smithingell |
| 10/18/2024 | Contact - Telephone call made I spoke to LD Beltran |
| 10/18/2024 | Contact - Document Sent I emailed APS Gallego and Detective Lopez |
| 10/18/2024 | Contact - Document Received Documentation received from LD Beltran |
| 10/18/2024 | Inspection Completed-BCAL Sub. Compliance |
| 10/18/2024 | Exit Conference I conducted an exit conference with the licensee designee, Ramon Beltran |

ALLEGATION: Resident A gave cash to the home manager, Megan Smithingell for June, July, and August's AFC payment, for a total of \$3,169.50. There is no record of these payments. HM Smithingell is currently on FMLA from work.

INVESTIGATION: On 09/24/2024, I received a telephone call from Genesee County Adult Protective Services Worker, Melanie Gallego. APS Gallego said that she has made a referral to the Flint Township Police Department regarding these allegations. APS Gallego said that she will be conducting an unannounced onsite inspection later this morning and she agreed to share her findings with me.

On 09/25/2024, I exchanged emails with APS Gallego. APS Gallego stated that she interviewed Resident A on 09/24/2024 and confirmed that on two occasions, Resident A gave the facility home manager (HM), Megan Smithingell \$1057 for her monthly rent. Resident A told APS Gallego that staff took her to the bank to get the money and staff members Shanareyah Johnson and Alicia Parker, and Resident B witnessed Resident A give HM Smithingell the money. APS Gallego interviewed Staff Parker who confirmed that she took Resident A to the bank on 08/26/2024 and Staff Parker then witnessed Resident A give the money to HM Smithingell. APS Gallego said that she spoke to Relative A1 who stated that she is going to try and assist Resident A with getting bank statements for the transactions she made.

On 09/26/2024, I conducted an unannounced onsite inspection of Beacon Home at Lennon Adult Foster Care facility. I interviewed Resident A, Resident B, and staff Jarae Taylor.

Resident A said that she has lived at this facility since 02/01/24. According to Resident A, in July 2024 she went to court and was named her own payee. Later that month, when Resident A received her check, staff took her to her bank (Fifth Third Bank), she cashed the check and when she returned to the AFC, she gave \$1,057 to the home manager, Megan Smithingell. Resident A said that HM Smithingell did not give her a receipt but told her that she would get a money order and send the money to corporate (Beacon Specialized Living Services, Inc.) to pay for July's rent.

According to Resident A, shortly thereafter HM Smithingell went off on sick leave. Resident A said that in August when she got her check, staff again took her to the bank, she cashed her check and kept the money in her room, waiting to hear from HM Smithingell about how to pay her rent. Resident A stated that even though HM Smithingell was on medical leave, she called the AFC facility and told Staff Parker and Staff Johnson, that Resident A needed to cash her check so she could pay her rent. Staff Johnson told HM Smithingell that Resident A had cashed her check and had the money so HM Smithingell went to the AFC later that day and Resident A gave her \$1,057. According to Resident A, Staff Johnson and Staff Parker were present when this occurred, and HM Smithingell did not give her a receipt.

Resident B told me that on one or two occasions, she witnessed Resident A give HM Smithingell cash, stating it was for her rent. HM Smithingell told Resident A that she would "take care of it." Resident B said that she does not know how much money Resident A gave HM Smithingell but said "it looked like a lot." I asked Resident B if HM Smithingell gave Resident A a receipt and she said no.

On 10/03/24, I received documentation from St. Clair County Recipient Rights Officer (RRO), Marissa George regarding this complaint. According to RRO George, she completed her investigation and substantiated Abuse: Class II – Exploitation. She determined that HM Smithingell took money from Resident A.

On 10/14/24, I interviewed the licensee designee (LD), Ramon Beltran via telephone. According to LD Beltran, he is aware of the complaint made regarding HM Smithingell taking money from Resident A. LD Beltran said that his facility investigated and determined that it is likely that HM Smithingell took money from Resident A, telling her that she would submit it to Beacon Specialized Services on her behalf, but she never did so. LD Beltran said that he was told that in June, HM Smithingell took Resident A to her court hearing and was given information that Resident A no longer had a payee. However, HM Smithingell never updated Resident A's file and according to Resident A, she gave HM Smithingell rent money which HM Smithingell never gave to Beacon Specialized Services. LD Beltran said that because of this investigation, HM Smithingell's employment has been terminated.

On 10/15/24, I exchanged emails with APS Gallego. She said that she has not yet completed her investigation and said that HM Smithingell has not returned her telephone calls. APS Gallego said that Detective Lacey Lopez from the Flint Township Police Department is investigating this complaint, and the complaint number is 24-39906591.

On 10/16/24, I exchanged emails with Detective Lopez from the Flint Township Police Department. According to Det. Lopez, the investigation is still continuing. Det. Lopez said that currently, there is not enough information to charge HM Smithingell with a crime.

On 10/18/24, I interviewed HM Smithingell via telephone. HM Smithingell said that she has been on FMLA and was not aware that an investigation was being conducted. HM Smithingell said that she called Beacon human resources yesterday to let them know she could return to work with restrictions, but she was told that her employment has been terminated.

I reviewed the allegations with HM Smithingell. HM Smithingell stated that on two separate occasions, Resident A gave her rent money. HM Smithingell said she got a money order on both occasions and mailed the rent money to the corporate office of Beacon Specialized Services. I asked her what address she mailed the money orders to, and she said, "I don't know, I googled the address and mailed it to the one that showed up." I asked her if she retained any evidence of the money orders, and she said yes. HM Smithingell stated, "I got a tear off thing from each of the money orders." I asked her where she put these documents, and she said that she put them in the top drawer of the manager's desk in the basement of the facility. I asked HM Smithingell if she kept any of the money given to her by Resident A and she said no. HM Smithingell said that once she mailed the money orders to corporate, "I thought everything was fine." HM Smithingell said that she does not know why the money orders were received and she was not aware that Resident A was given an eviction notice due to non-payment.

On 10/18/24, I spoke to LD Beltran via telephone. I told LD Beltran about my conversation with HM Smithingell. LD Beltran said that during this investigation,

employees from the Beacon corporate office “tore that office apart” looking for any documents and nothing was found. LD Beltran said that he will ask someone to go to the facility later today and specifically look in the top drawer of the manager’s desk. LD Beltran stated that as of this date, Beacon has still not received any money orders from HM Smithingell for Resident A’s rent. According to LD Beltran, Beacon Specialized Services wrote off Resident A’s AFC payment debts due to this investigation. LD Beltran agreed to let me know what is found in the manager’s desk and he agreed to send me documentation related to the non-payment of funds.

On 10/18/24, I emailed APS Gallego and Det. Lopez and provided them with an update on this case.

On 10/18/24, I received documentation from LD Beltran related to this complaint. I reviewed photographs of all drawers of the manager’s desk. I did not see any money order receipts. I also received an accounting ledger from Beacon Specialized Services for Resident A. According to this ledger, Resident A’s AFC payment was not received for June, July, and August of 2024. The ledger showed that Beacon reversed the charges for a total credit of \$3,169.50.

On 10/18/24, I conducted an exit conference with the licensee designee, Ramon Beltran. I told him which rule violation I am substantiating, and he agreed to complete and submit a corrective action plan upon the receipt of my investigation report.

| 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: | <p>According to Resident A, she gave her AFC monthly payment in cash to the facility’s home manager, Megan Smithingell, on two separate occasions.</p> <p>The former home manager (HM), Megan Smithingell told me that she did accept cash from Resident A on two separate occasions to pay her AFC monthly rent. HM Smithingell said that she obtained money orders for both payments and mailed the money orders to the corporate office for Beacon Specialized Residential Services. HM Smithingell stated that she put the money order receipts in the top drawer of the manager’s office at Beacon Home at Lennon.</p> |

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| | <p>According to Beacon Specialized Residential Services, they did not receive payment for Resident A's AFC monthly charges for June, July, and August of 2024.</p> <p>The licensee designee, Ramon Beltran said that staff looked in the manager's office and desk and did not find any money order receipts. I reviewed photographs of the manager's desk drawers and did not see any evidence of money order receipts.</p> <p>I conclude that there is sufficient evidence to substantiate this rule violation.</p> |
| CONCLUSION: | VIOLATION ESTABLISHED |

IV. RECOMMENDATION

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

Susan Hutchinson

October 21, 2024

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| Susan Hutchinson Licensing Consultant | Date |
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Approved By:

Mary Holton

October 22, 2024

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| Mary E. Holton Area Manager | Date |
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