



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

MARLON I. BROWN, DPA  
DIRECTOR

October 24, 2024

Karon Lee  
Michigan Community Services, Inc.  
PO Box 317  
Swartz Creek, MI 48473

RE: License #:	AS090010214
Investigation #:	2024A0123059
	Candlestick CLF

Dear Karon Lee:

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. 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 cursive script, appearing to read "Shamidah Wyden".

Shamidah Wyden, Licensing Consultant  
Bureau of Community and Health Systems  
411 Genesee  
P.O. Box 5070  
Saginaw, MI 48607  
989-395-6853

enclosure

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

**I. IDENTIFYING INFORMATION**

<b>License #:</b>	AS090010214
<b>Investigation #:</b>	2024A0123059
<b>Complaint Receipt Date:</b>	09/18/2024
<b>Investigation Initiation Date:</b>	09/20/2024
<b>Report Due Date:</b>	11/17/2024
<b>Licensee Name:</b>	Michigan Community Services, Inc.
<b>Licensee Address:</b>	5239 Morrish Rd. Swartz Creek, MI 48473
<b>Licensee Telephone #:</b>	(810) 635-4407
<b>Administrator:</b>	Karon Lee
<b>Licensee Designee:</b>	Karon Lee
<b>Name of Facility:</b>	Candlestick CLF
<b>Facility Address:</b>	3123 Candlestick Lane Bay City, MI 48706
<b>Facility Telephone #:</b>	(989) 667-0829
<b>Original Issuance Date:</b>	07/15/1986
<b>License Status:</b>	REGULAR
<b>Effective Date:</b>	01/11/2023
<b>Expiration Date:</b>	01/10/2025
<b>Capacity:</b>	6
<b>Program Type:</b>	PHYSICALLY HANDICAPPED DEVELOPMENTALLY DISABLED MENTALLY ILL AGED

**II. ALLEGATION(S)**

	<b>Violation Established?</b>
The facility had a BBQ on 06/22/2024. The meat for the barbeque was prepared by home manager Kim Nadolny the day before. Staff Nadolyn left the meat out in the home's garage unrefrigerated.	Yes

**III. METHODOLOGY**

09/18/2024	Special Investigation Intake 2024A0123059
09/20/2024	Special Investigation Initiated - Telephone I spoke with recipient rights investigator Kevin Motyka.
09/23/2024	APS Referral APS referral completed.
09/24/2024	Inspection Completed On-site I conducted an unannounced on-site at the facility.
10/17/2024	Contact- Telephone call made I left a voicemail requesting a return call from staff Ashley Rowell.
10/22/2024	Contact- Telephone call made I interviewed staff Ashley Rowell via phone.
10/24/2024	Exit Conference I spoke with licensee designee Karon Lee via phone.

**ALLEGATION:** The facility had a BBQ on 06/22/2024. The meat for the BBQ was prepared by home manager Kim Nadolny the day before. Staff Nadolyn left the meat out unrefrigerated.

**INVESTIGATION:** On 09/20/2024, I spoke with Office of Recipient Rights officer Kevin Motyka via phone. Kevin Motyka stated that staff Kim Nadolny admitted to leaving the food out. There was raw chicken left out in a roaster on the night of 06/20/2024 for hours unrefrigerated. Food that was cooked on the barbeque grill was covered in foil and left unrefrigerated at night. Staff Motyka stated that the main claim was that there was not enough refrigerator space. Kevin Motyka stated that per a Bay Arenac Behavioral Health nurse this would be considered neglect

because it was out of the window for food safety that staff were taught. No one got sick from eating at the barbeque. He stated that multiple people came to the barbeque from other facilities, but the food was prepped at Candlestick CLF. Kevin Motyka stated that Staff Nadolny had to retake a food safety class and disciplinary action is pending.

On 09/24/2024, I conducted an unannounced on-site at the facility. I interviewed home manager Kim Nadolny. Staff Nadolny stated that she had some frozen chicken she prepped and put in a slow cooker. Third shift turned the slow cooker on. Staff Nadolny stated that she had forgotten to turn the slow cooker on herself. Staff Nadolny stated that this was the only food that was left out that day. Staff Nadolny stated that she left her shift at 7:00 pm, but third shift did not turn the slower cooker on until about 3:00 am.

On 09/24/2024, I interviewed staff Katie Yant in the garage of the facility. Staff Yant stated that she worked the day before the barbeque (06/21/2024) from 2:00 pm to 10:00 pm. Staff Yant stated that there were some hamburgers that were left out during her shift. Staff Yant stated that she was instructed not to use the oven because it was food stored in the oven, but she did not check to see what it was. Staff Yant denied knowing anything about the chicken. Staff Yant stated that the refrigerators were full because it was too much food. Staff Yant stated that there were cooked burgers on buns wrapped in foil that was left out for the entire shift. The day of the barbeque someone asked for the left-over meat to be frozen, and it was placed in the freezer. Staff Yant stated that day to day they take appropriate measures when handling food.

During this on-site, I observed four residents. They appeared clean and appropriately dressed. Each refrigerator and freezer in the home was checked. Food was observed frozen and refrigerated at appropriate temperatures per the thermometers in each freezer and refrigerator. No issues were noted.

During this on-site, I obtained written staff statements from Staff Nadolny. Staff Nadolny's statement says the following:

*"On June 19<sup>th</sup> I took the chicken and hotdogs out of the freezer and put into the refrigerator to thaw out, on the 20<sup>th</sup> the chicken was still frozen solid, but I prepped the chicken seasoned it and cut it up and put it in the roaster to cook on low I did not do this until late afternoon and was not done until around 7pm, it cooked on low all night. I am in by 7 am on the 21<sup>st</sup> once I got settled I started to BBQ all the food after doing the chicken I placed in throw away pans and put in the oven to carmalize the sauce, I then cooked all the hotdogs and wrapped them up and put in the fridge in a throw away pan. All the vegetables, salads and dips were prepped cut up and put in the fridge. I prepared the mac and cheese on the 21<sup>st</sup> but didn't add milk or heavy cream yet. But stored in the fridge until the 22<sup>nd</sup> when I got here in the morning I added the milks and baked it before I loaded it in the van. I also warmed all the meats up in the oven before loading At the BBQ I had chaffer holders and was having a*

*hard time keeping the sternos burning I kept relighting them to try to keep everything warm. Everything that needed to be cold I had a tabletop pool with ice and anything that didn't fit in the pool I used a extra pan put ice in it and put the pan on top of it. I have to correct my statement, I thought I turned on the chicken, before I left on the 21<sup>st</sup>. Ashley reminded me I asked 3<sup>rd</sup> shift to turn it on around 3 am, it was on the counter in a roaster I had seasoned it and wrapped the [food] up with aluminum foil then put the lid on it. Ashley said the chicken was still frozen when she turned it on at 3 am at least the chicken on top was. I though I turned it on low cause that's what I was going to do but decided not to, so the chicken wouldn't fall apart for cooking too long."*

A handwritten statement from staff Ashley Rowell states, *"To whom this may concern my names is Ashley Rowell. I am a third shift employee at the Candlestick home. Upon arrival for my 10p-6a shift on 06/21/2024 Friday night food from the BBQ was in the refrigerator in the garage. I turned the crockpot on at 3 am for chicken. Chicken was frozen."*

On 10/22/2024, I interviewed staff Ashley Rowell. Staff Rowell stated that she works third shift. She stated that she helped prepped food for the barbeque. She stated that food was stored in the refrigerator, including the food she personally prepped. She stated that there was chicken that was still frozen solid that was in a crock pot from about 10 pm until she turned the crockpot on at 3:00 am.

On 10/24/2024, I conducted an exit conference with licensee designee Karon Lee. LD Lee stated that they have conducted a corrective action by giving staff disciplinary action, and nutrition training was completed with staff as well. LD Lee stated that nutrition training was added to the annual staff training as well.

<b>APPLICABLE RULE</b>	
<b>R 400.14402</b>	<b>Food service.</b>
	<b>(3) All perishable food shall be stored at temperatures that will protect against spoilage. All potentially hazardous food shall be kept at safe temperatures. This means that all cold foods are to be kept cold, 40 degrees Fahrenheit or below, and that all hot foods are to be kept hot, 140 degrees Fahrenheit or above, except during periods that are necessary for preparation and service. Refrigerators and freezers shall be equipped with approved thermometers.</b>
<b>ANALYSIS:</b>	On 09/24/2024, I conducted an unannounced on-site at the facility. I interviewed home manager Kim Nadolny. She stated that she left chicken in the slow cooker when she left her shift at 7:00 pm, forgot to turn the slow cooker on, and asked third shift staff to turn it on, which they did at 3:00 am.

	<p>I interviewed staff Katie Yant who denied knowing anything about the chicken being left out but stated that there were other food items that were left out during her shift on 06/21/2024. She stated that day to day they take appropriate measures when handling food.</p> <p>During this on-site, I received copies of staff written statements. Staff Nadolny and Staff Ashely Rowell's statements confirm that chicken had been left in the slow cooker.</p> <p>On 10/22/2024, I interviewed staff Ashely Rowell who stated that she turned the slow cooker on at 3:00 am, confirming what was in her written statement.</p> <p>There is a preponderance of evidence to substantiate a rule violation. Reportedly, chicken was left in a crock pot unrefrigerated from about 7:00 pm until 3:00 am, when the crock pot was turned on the following morning.</p>
<b>CONCLUSION:</b>	<b>VIOLATION ESTABLISHED</b>

**IV. RECOMMENDATION**

Contingent upon the receipt of an acceptable corrective action plan, I recommend continuation of the AFC small group home license (capacity 1-6).



10/24/2024

Shamidah Wyden  
Licensing Consultant

Date

Approved By:



10/24/2024

Mary E. Holton  
Area Manager

Date