



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

MARLON I. BROWN, DPA
DIRECTOR

December 2, 2024

Marion Mustar
1568 E. Beaver Rd.
Kawkawlin, MI 48631

RE: License #:	AF090299125
Investigation #:	2025A0123005
	M & M Adult Foster Care

Dear Marion Mustar:

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 dark ink, appearing to read "Shamidah Wyden". The signature is fluid and cursive, with the first name being more prominent.

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

License #:	AF090299125
Investigation #:	2025A0123005
Complaint Receipt Date:	10/16/2024
Investigation Initiation Date:	10/17/2024
Report Due Date:	12/15/2024
Licensee Name:	Marion Mustar
Licensee Address:	1568 E. Beaver Rd. Kawkawlin, MI 48631
Licensee Telephone #:	(989) 671-8906
Administrator:	N/A
Licensee Designee:	N/A
Name of Facility:	M & M Adult Foster Care
Facility Address:	1568 E. Beaver Rd. Kawkawlin, MI 48631
Facility Telephone #:	(989) 671-8906
Original Issuance Date:	02/25/2009
License Status:	REGULAR
Effective Date:	08/27/2023
Expiration Date:	08/26/2025
Capacity:	5
Program Type:	AGED

II. ALLEGATION(S)

	Violation Established?
On 10/15/2024, licensee Marion Mustar made inappropriate comments towards Resident A in Licensee Mustar's approach to attempt to have Resident A follow a recommended diet and/or lose weight.	Yes

III. METHODOLOGY

10/16/2024	Special Investigation Intake 2025A0123005
10/17/2024	Special Investigation Initiated - Letter
10/17/2024	APS Referral APS referral completed.
10/17/2024	Contact - Telephone call made I left Complainant 1 a voicemail requesting a return call.
10/17/2024	Contact - Telephone call received I received a voicemail from Complainant 1.
10/24/2024	Contact - Telephone call made I made an attempted return call to Complainant 1.
10/25/2024	Inspection Completed On-site I conducted an unannounced on-site at the facility. I interviewed licensee Marion Mustar and Resident A.
12/02/2024	Contact- Telephone call made I attempted to contact Complainant 1 via phone. I sent a follow-up email.
12/02/2024	Contact- Telephone call received I spoke with Complainant 1 via phone.
12/02/2024	Exit Conference I spoke with licensee Marion Mustar via phone.

ALLEGATION: On 10/15/2024, licensee Marion Mustar made inappropriate comments towards Resident A in Licensee Mustar's approach to attempt to have Resident A follow a recommended diet and/or lose weight.

INVESTIGATION: On 10/16/2024, the Bureau of Community and Health Systems received the above allegations. The allegations also noted that Licensee Mustar stated "*I'd never want to weigh as much as you*", and listed off what Resident A has overeaten, why it is too much food, and that if Resident A wants to lose weight, Resident A needs to stop eating so much. Licensee Mustar was not appearing to be respecting the dignity and worth of Resident A. Licensee Mustar's methods to try and get Resident A to eat less and lose weight were more like verbal nagging and negative judgements.

On 10/25/2024, I conducted an unannounced on-site at the facility. I interviewed licensee Marion Mustar. Marion Mustar stated that Resident A has lived in the facility for about six months and was about 300 lbs. at that time. Resident A wants to be on a diet but wants to eat what Resident A wants to eat. Resident A gets argumentative about food. Marion Mustar stated that she tried explaining to Resident A the old fashion way of cutting calories, but anything that is said, Resident A takes offense. Marion Mustar admitted that her words were harsh but stated that Resident A is disrespectful. Marion Mustar stated that she did say "*I'd never want to weigh as much as you*." Marion Mustar denied being disrespectful to Resident A's dignity and worth of Resident A as a human being.

On 10/25/2024, I interviewed Resident A at the facility. Resident A stated that they have lived in the facility for about six months. Resident A stated that they butt heads with licensee Marion Mustar a little bit, but understands Marion Mustar is trying to help Resident A. Resident A stated that they receive three meals per day but feels guilty about asking for extra food. Resident A stated that they butt heads on little things like snacks. Resident A stated that Marion Mustar will say "*You shouldn't eat this. Put it back.*" Resident A stated that they had a bariatric surgery diet and is only allowed to eat a certain amount of calories. Resident A stated they had surgery in November 2023. Resident A stated that Marion Mustar's comments are hurtful in a way because they are blunt/mean. Resident A stated that the comments are said with a stern tone. Resident A stated that food and bariatric issues are sensitive issues because Resident A has been dealing with these things for a long time. Resident A stated that they are happy with living in this facility and does not want to move to a more restrictive setting.

On 10/25/2024, during this unannounced on-site I observed five residents. They appeared clean and appropriately dressed.

On 12/02/2024, I spoke with Complainant 1 via phone. Complainant 1 stated that there have been no other issues regarding the allegations since the submission of this complaint. There was a personality clash between Licensee Marion Mustar and Resident A. Resident A was upset on 10/15/2024 but was just trying to get along

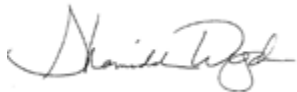
with Licensee Marion Mustar. Resident A did have bariatric surgery in the past, and Resident A has diet recommendations. The comments Licensee Mustar made to Resident A on 10/15/2024 were of a negative, shaming, and demeaning nature. Resident A provided a 30-day notice to move out and was encouraged not to talk to Licensee Mustar about their weight loss. Resident A will be moving out on 12/18/2024.

On 12/02/2024, I conducted an exit conference with licensee Marion Mustar. I informed Marion Mustar of the findings and conclusion. License Mustar stated that Resident A is moving to another home on 12/18/2024 because Resident A has health issues. Licensee Mustar stated that she and Resident A have not had any arguments regarding Resident A's diet since this complaint was submitted.

APPLICABLE RULE	
R 400.1409	Resident rights; licensee responsibilities.
	<p>(1) Upon a resident's admission to the home, the licensee shall inform and explain to the resident or the resident's designated representative all of the following resident rights:</p> <p style="padding-left: 40px;">(o) The right to be treated with consideration and respect, with due recognition of personal dignity, individuality, and the need for privacy.</p>
ANALYSIS:	<p>On 10/25/2024, I conducted an unannounced on-site at the facility. I interviewed licensee Marion Mustar. Licensee Mustar admitted to having conflict with Resident A regarding Resident A's eating habits and admitted that her words towards Resident A were harsh.</p> <p>Resident A was interviewed and reported they butt heads with Licensee Marion Mustar, and that Licensee Mustar's words have been hurtful in a way because they are mean/blunt words.</p> <p>On 12/02/2024, I spoke with Complainant 1 who stated that there have been no issues since 10/15/2024 regarding the allegations, but on 10/15/2024, the words Licensee Mustar said to Resident A were of a negative, shaming, and demeaning nature.</p> <p>There is a preponderance of evidence to substantiate a rule violation in regard to Licensee Mustar not treating Resident A with consideration and respect.</p>
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

Contingent upon the receipt of an acceptable corrective action plan, I recommend continuation of the AFC family home license (capacity 5).

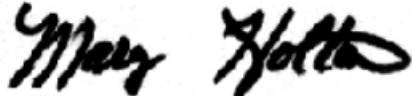


12/02/2024

Shamidah Wyden
Licensing Consultant

Date

Approved By:



12/02/2024

Mary E. Holton
Area Manager

Date