



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

MARLON I. BROWN, DPA  
DIRECTOR

November 26, 2024

Ellen Byrne  
Commonwealth Senior Living at North Byron  
5812 Village Dr SW  
Wyoming, MI 48519

RE: License #: AH410402896  
Investigation #: 2024A1035074  
Commonwealth Senior Living at North Byron

Dear Ellen Byrne:

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) 284-9730.

Sincerely,

Jennifer Heim, Licensing Staff  
Bureau of Community and Health Systems  
611 W. Ottawa Street  
P.O. Box 30664  
Lansing, MI 48909  
(313) 410-3226  
enclosure

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

**I. IDENTIFYING INFORMATION**

|                                       |  |
|---------------------------------------|--|
| <b>License #:</b>                     | AH410402896  |
| <b>Investigation #:</b>               | 2024A1035074   |
| <b>Complaint Receipt Date:</b>        | 08/08/2024   |
| <b>Investigation Initiation Date:</b> | 08/11/2024   |
| <b>Report Due Date:</b>               | 10/07/2024   |
| <b>Licensee Name:</b>                 | MCAP Byron Center LLC  |
| <b>Licensee Address:</b>              | Suite 301<br>915 E. High Street<br>Charlottesville, VA 22902 |
| <b>Licensee Telephone #:</b>          | (434) 220-1055   |
| <b>Administrator:</b>                 | Rebecca Duncan   |
| <b>Authorized Representative:</b>     | Ellen Byrne  |
| <b>Name of Facility:</b>              | Commonwealth Senior Living at North Byron                    |
| <b>Facility Address:</b>              | 5812 Village Dr SW<br>Wyoming, MI 48519                      |
| <b>Facility Telephone #:</b>          | (616) 421-2675   |
| <b>Original Issuance Date:</b>        | 11/05/2020   |
| <b>License Status:</b>                | REGULAR  |
| <b>Effective Date:</b>                | 05/05/2024   |
| <b>Expiration Date:</b>               | 07/31/2024   |
| <b>Capacity:</b>                      | 166  |
| <b>Program Type:</b>                  | AGED<br>ALZHEIMERS   |

## II. ALLEGATION(S)

|   | Violation Established? |
|---|------------------------|
| Resident A served cold pasta warm. Kitchen staff not temping food prior to serving. Refrigerator temperature not being monitored. | Yes                    |
| Additional Findings   | No                     |

## III. METHODOLOGY

|            |  |
|------------|--|
| 08/08/2024 | Special Investigation Intake<br>2024A1035074                           |
| 08/11/2024 | Special Investigation Initiated - Letter                               |
| 08/19/2024 | Contact - Face to Face   |
| 11/21/2024 | Survey Complete. BCAL Sub-Compliance.                                  |
| 11/26/2024 | Exit Conference:<br>Conducted by phone with Authorized Representative. |

### ALLEGATION:

Resident A served cold pasta warm. Kitchen staff not temping food prior to serving. Refrigerator temperature not being monitored.

### INVESTIGATION:

On August 9, 2024, the department received an anonymous complaint through the BCAL online complaint system which read:

*“The resident asked for cold pasta salad to eat for lunch and was served hot pasta salad. The caller is concerned about the temperature of the food as it was served and the refrigerator not functioning properly. He is also concerned about the facility not temperature checking the foods before serving to the residents.”*

On August 19, 2024, an onsite investigation was conducted. While onsite I interviewed Rebecca Duncan Administrator who states she is aware of Resident A receiving warm cold pasta. Rebecca states Resident A was late to diner her tray was placed in the warmer until she arrived in the dining room. Upon arriving Resident A was served dinner. Family A voiced concerns about cold pasta being warm. Chef at that time

offered to prepare something different, Family A declined the offer. Rebecca reviewed incident and addressed concerns.

While onsite I interviewed Staff Person (SP)1 who states he's new to the position and was not a part of the incident noted above. SP1 verbalized temperature recording practices of food and refrigerator. SP1 provided temperature logs.

While onsite I interviewed Resident A who states, "food is good."

While onsite I interviewed Resident B who states the food is good and she receives meals as requested.

| <b>APPLICABLE RULE</b> |   |
|------------------------|---|
| <b>R 325.1976(7)</b>   | <b>Kitchen and dietary.</b>   |
|                        | <b>(7) Perishable foods shall be stored at temperatures which will protect against spoilage.</b>  |
| <b>ANALYSIS:</b>       | <p>Through interview it was reported Resident A was late to diner, her tray was placed in the warmer with the oversight of cold pasta being placed on the tray, upon her arrival she was given prepared tray. Rebecca states she reviewed the concerns and identified the mistake and thought concerns had been rectified.</p> <p>Through direct review of temperature logs there were many missed logged temperatures.</p> <p>Facility policy states "Record keeping of temperature of prepared meal items will be taken regularly, not exceed longer than 2 hours, and recorded."</p> <p>Based on information noted above this allegation has been substantiated.</p> |
| <b>CONCLUSION:</b>     | <b>VIOLATION ESTABLISHED</b>  |

#### **IV. RECOMMENDATION**

Contingent upon receipt of an acceptable corrective action plan, I recommend the status of this license remain unchanged.



09/19/2024

Jennifer Heim, Health Care Surveyor  
Long-Term-Care State Licensing Section

Date

Approved By:



11/21/2024

---

Andrea L. Moore, Manager  
Long-Term-Care State Licensing Section

Date