



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

MARLON I. BROWN, DPA  
DIRECTOR

November 25, 2024

Joyce Divis  
Spectrum Community Services  
Suite 700  
185 E. Main St  
Benton Harbor, MI 49022

RE: License #: AS110010333  
Investigation #: 2025A0790005  
Echo Court Home

Dear Joyce Divis:

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. If I am not available and you need to speak to someone immediately, please contact the local office at (616) 356-0183.

Sincerely,

A handwritten signature in cursive script that reads "Rodney Gill". The signature is written in dark ink on a light background.

Rodney Gill, Licensing Consultant  
Bureau of Community and Health Systems  
Unit 13, 7th Floor  
350 Ottawa, N.W.  
Grand Rapids, MI 49503

enclosure

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

**I. IDENTIFYING INFORMATION**

<b>License #:</b>	AS110010333
<b>Investigation #:</b>	2025A0790005
<b>Complaint Receipt Date:</b>	11/18/2024
<b>Investigation Initiation Date:</b>	11/18/2024
<b>Report Due Date:</b>	01/17/2025
<b>Licensee Name:</b>	Spectrum Community Services
<b>Licensee Address:</b>	Suite 700 185 E. Main St Benton Harbor, MI 49022
<b>Licensee Telephone #:</b>	(734) 458-8729
<b>Administrator:</b>	Joyce Divis
<b>Licensee Designee:</b>	Joyce Divis
<b>Name of Facility:</b>	Echo Court Home
<b>Facility Address:</b>	4185 Echo Road Benton Harbor, MI 49022
<b>Facility Telephone #:</b>	(269) 944-3506
<b>Original Issuance Date:</b>	03/17/1993
<b>License Status:</b>	REGULAR
<b>Effective Date:</b>	05/09/2024
<b>Expiration Date:</b>	05/08/2026
<b>Capacity:</b>	6
<b>Program Type:</b>	PHYSICALLY HANDICAPPED DEVELOPMENTALLY DISABLED

## II. ALLEGATION(S)

	Violation Established?
An employee gave a cold shower to Resident A.	Yes
Additional Findings	Yes

## III. METHODOLOGY

11/18/2024	Special Investigation Intake 2025A0790005
11/18/2024	Special Investigation Initiated - On Site
11/18/2024	Inspection Completed On-site  Interviewed direct care staff member (DCSM) Angel Parker and observed Resident A.
11/18/2024	Contact - Face to Face  Interviewed DCSMs Janice Rhoades and Monica Ricker.
11/25/2024	Inspection Completed-BCAL Sub. Compliance
11/25/2024	Corrective Action Plan Requested and Due on 12/11/2025
11/26/2024	Exit Conference with licensee designee Joyce Divis.

### ALLEGATION:

**An employee gave a cold shower to Resident A.**

### INVESTIGATION:

I reviewed an email sent on 11/15/24. The email indicated an incident occurred at Echo Court Home on 11/14/24 involving Resident A. The email indicated Resident A was having a behavior and direct care staff member (DCSM) Monica Ricker was observed taking Resident A into the shower room and holding a cold shower on him. The email indicated Ms. Ricker has been suspended pending the outcome of an investigation.

I conducted an unannounced onsite investigation on 11/18/24.

On 11/18/24, I interviewed DCSM Angel Parker. Ms. Parker stated she has no knowledge of the allegation. She said she heard there was an incident but has no direct nor indirect knowledge regarding what occurred. Ms. Parker said the only thing she knows is there was “no dragging involved”.

I observed Resident A. Resident A appeared well groomed and had a pleasant affect. I was unable to interview Resident A because of intellectual limitations.

Resident A became agitated while I was speaking with Ms. Parker and threw his tablet at her. Ms. Parker was able to deflect the tablet and verbally redirect Resident A. Resident A was calm and compliant for the remainder of the visit.

On 11/18/24, I participated in interviews at Spectrum Community Services in Benton Harbor, MI with Spectrum Community Services’ quality assurance team David Schnoor, Laurie Kammeraad, Joyce Divis, and Recipient Rights advisor from Riverwood Center Tasha Stewart.

On 11/18/24, DCSM Janice Rhoades was interviewed. Ms. Rhoades confirmed the events that took place at Echo Court Home on 11/14 and which she disclosed in the written statement she wrote before the interview were accurate and comprehensive. She stated on 11/14, Resident A was acting out and attacking Resident B, and Resident C. Ms. Rhoades said DCSM Ms. Ricker took over with Resident A while she was caring for Resident B and Resident C.

Ms. Rhoades said Resident A sat down and when he stood back up, he initially was calm and was acting fine. She stated Resident A then went after Resident B and Resident C again. Ms. Rhoades stated Ms. Ricker took Resident A to the shower room and while she was holding onto his hand, Resident A sat down on the floor. Ms. Rhoades said by the time she got to Resident A and Ms. Ricker; Ms. Ricker had already gotten Resident A into the shower room by dragging him. She stated Ms. Rickers then turned on the cold water and held it on Resident A. Ms. Rhoades said she knew it was cold water because of Resident A’s expression and reaction when Ms. Ricker held it on him.

Ms. Rhoades stated she looked at Ms. Ricker and said, “That is not the way to do it”, and asked Ms. Ricker why she was doing that to Resident A. Ms. Rhoades said Ms. Ricker retorted, “That is the way we have to do it with Resident A because if not it will get so bad he will start throwing stuff.” Ms. Rhoades stated she then walked out of the shower room and checked on the other residents to ensure they were okay. Ms. Rhoades said Ms. Ricker got Resident A out of the shower and changed his clothes.

On 11/19/24, DCSM Monica Ricker was interviewed. Ms. Ricker stated on 11/14 the shift started like it normally does. She said she was working first shift from 8:00 a.m. to 4:00 p.m. with DCSM Janice Rhoades. She stated she and Ms. Rhoades were

provided with a rundown on how the previous shift went and then she passed medications.

Ms. Ricker said Resident B was standing at the counter while breakfast was being cooked. She stated Resident A was walking around the house and Resident C was “chilling” in the living room.

Ms. Ricker said after breakfast, Resident A asked for his tablet. She stated she went to retrieve it for him and found it was only 19% charged. Ms. Ricker said she informed Resident A his tablet needed to be charged and tried to redirect him with things he likes in the activity closet like coloring books, puzzles, etc.

Ms. Ricker stated it was around 9:30 a.m. to 9:45 a.m. by this time and she reminded Ms. Rhoades she was leaving at 10:00 a.m. to take her daughter to her well child checkup and would be back at 12:00 p.m. to pass the residents’ medications.

Ms. Ricker said she returned at 12:17 p.m. and Resident A was in a “moderate behavior”. She stated Resident A was yelling, attempting to pull everyone’s hair, and pulling at his ostomy bag. Ms. Ricker said she gave Resident A his tablet with his favorite song playing and Resident A yelled, “No” and threw it.

Ms. Ricker said she told Resident A he was not being nice and asked him what he wanted. She stated Resident A then put his hands up next to his face and stated, “Night night”. Ms. Ricker said she asked Resident A if he wanted her to tuck him in and he responded, “Yes”. Ms. Ricker stated she and Resident A walked to Resident A’s room, Resident A got into bed, and she covered him up.

Ms. Ricker stated about five minutes later she heard Resident B yelling. She said she was sitting in the medication room after completing a medication intake from the night before. Ms. Ricker said she got up and went to see why Resident B was yelling and found Resident B on the floor and Resident A standing over him. She stated she was able to prompt Resident A to sit on the couch. Ms. Ricker stated she examined Resident B and did not see any marks or bruises. She said while assisting Resident B up off the floor and into a nearby chair, Resident A got up and with an open hand began hitting Resident C on the head. Ms. Ricker stated she reminded Resident A to be nice to the other residents and hitting does nothing good. She said every time she would walk away and get out of eyesight, Resident A would begin hitting one of the other residents again.

Ms. Ricker stated she then asked Resident A if he wanted a “warm shower”, and Resident A stated “warm shower” with a yes head nod. She said she said, “Okay, let’s go.” Ms. Ricker stated she and Resident A then walked to the shower room door, with Resident A leading the way, and Resident A dropped dead weight to the floor. She said she was able to catch Resident A with arm over arm. Ms. Ricker stated she was assisting Resident A up, and Resident A would get his feet flat onto

the floor but instead of standing up he would push his feet which caused Ms. Ricker to lose her balance.

Ms. Ricker said after the third time attempting to help Resident A up, she gently sat him on the floor and walked away. She said she then walked to the medication room to finish the medication intake she had been working on earlier from the night before and start books.

Ms. Ricker denied placing Resident A under the shower on 11/14. She denied Resident A getting wet. Ms. Ricker said she did change Resident A's clothes after attempting to give him the lukewarm shower, but it was because Resident A had soiled clothing around his ostomy bag.

Ms. Ricker admitted to giving Resident A "behavioral showers" on three or four previous occasions. She referred to the showers as "lukewarm showers".

Ms. Ricker stated DCSM Angel Parker instructed her on the positive effects of giving Resident A "cold showers" when he is "having behaviors" and acting out physically. Ms. Ricker explained once Resident A escalates to the point of hitting and pulling hair it is hard to calm him down. She explained a "lukewarm shower" helps Resident A relax.

Ms. Ricker was asked if Resident A willingly walks to the shower room and complies with getting a shower. She stated sometimes Resident A willingly walks to the shower room and complies with a "lukewarm shower" but not always. Ms. Ricker said it is unpredictable. She stated sometimes Resident A will yell, "I'm not going in there" when offered a "lukewarm shower".

Ms. Ricker disclosed other DCSMs give Resident A "lukewarm showers" when he has behaviors. Ms. Ricker said DCSMs Angel Parker, Laurie Johnson, and Miguel Clark also give Resident A "lukewarm showers" when he is having behaviors.

Ms. Ricker was asked if offering Resident A "lukewarm showers" when he is having behaviors is part of Resident A's Behavioral Treatment Plan. Ms. Ricker said, "No."

Ms. Ricker was asked what Resident A's Behavioral Treatment Plan indicates DCSMs should do when Resident A is having a behavior and acting out. Ms. Ricker stated Resident A's Behavioral Treatment Plan indicates DCSMs are to calmly redirect Resident A when he is having a behavior and use other items/activities he likes to do so.

I reviewed Resident A's Behavioral Treatment Plan and found DCSMs are to tell Resident A that the item/activity is not available and then provide an alternative choice. DCSMs are not to make comments on the target behavior when speaking to Resident A. If Resident A makes an appropriate choice DCSMs are to provide high quality attention for making an alternative choice and resume schedule. If Resident

A continues to engage in problem behavior DCSMs will not provide any extra attention and will remind Resident A every 30-60 seconds of what other activities/items are available.

I reviewed an AFC Licensing Division – Incident / Accident Report dated 11/15/24. The report involved Resident A and an incident which happened on 11/14/24. The report indicated DCSM Janice Rhoades, who is a newer employee, witnessed DCSM Monica Rickers dragging Resident A into the bathroom and holding a cold shower on him.

I reviewed the Program Notes for Resident A from 11/14/24. The Program Notes did not mention Resident A having any behaviors. The notes indicated Resident A played with his tablet and read books. It indicated DCSMs asked Resident A if he would like his tablet to assist him. The notes indicated Resident A watched the movie Dumbo. The notes indicated Resident A took his dishes to the kitchen, DCSMs told Resident A thank you, and Resident A responded by saying, “Welcome”. The notes indicated no hygiene was done by Resident A, DCSMs assisted Resident A by stating, “Let’s get changed”, and Resident A went to his room. Resident A was wearing pants and a long sleeve shirt on 11/14 according to the notes. The notes finally indicated Resident A had no laundry during first shift, had dirty laundry during second shift, and Resident A put the dirty laundry in the hamper to help increase his independence.

<b>APPLICABLE RULE</b>	
<b>R 400.14307</b>	<b>Resident behavior interventions generally.</b>
	<b>(2) Interventions to address unacceptable behavior shall be specified in the written assessment plan and employed in accordance with that plan. Interventions to address unacceptable behavior shall also ensure that the safety, welfare, and rights of the resident are adequately protected. If a specialized intervention is needed to address the unique programmatic needs of a resident, the specialized intervention shall be developed in consultation with, or obtained from, professionals who are licensed or certified in that scope of practice.</b>

<b>ANALYSIS:</b>	Based on the information gathered during this special investigation through review of documentation and interviews with DCSMs Ms. Parker, Ms. Rhoades, and Ms. Ricker there was sufficient evidence found indicating on 11/14, DCSM Ms. Ricker held a cold shower on Resident A. Ms. Ricker also admitted to holding a “lukewarm shower” on Resident A on three or four previous occasions even though it is not part of his <i>Behavioral Treatment Plan</i> .
<b>CONCLUSION:</b>	<b>VIOLATION ESTABLISHED</b>

#### **ADDITIONAL FINDING:**

#### **INVESTIGATION:**

On 11/18/24, DCSM Ms. Ricker disclosed other DCSMs give Resident A “lukewarm showers” when he has behaviors. Ms. Ricker said DCSMs Angel Parker, Laurie Johnson, and Miguel Clark also give Resident A “lukewarm showers” when he is having behaviors even though it is not part of his Behavioral Treatment Plan.

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<b>ANALYSIS:</b>	Based on information gathered during this special investigation through review of documentation and interviews with DCSMs Ms. Parker, Ms. Rhoades, and Ms. Ricker there was sufficient evidence found indicating DCSMs Angel Parker, Laurie Johnson, and Miguel Clark also give Resident A “lukewarm showers” when he is having behaviors even though it is not part of his <i>Behavioral Treatment Plan</i> .
<b>CONCLUSION:</b>	<b>VIOLATION ESTABLISHED</b>

On 11/26/24, I conducted an exit conference / interview with licensee designee Joyce Divis via phone. Ms. Divis did not dispute my findings, recommendations, and agreed to complete a Corrective Action Plan (CAP) within the requested timeframe. Ms. Divis had nothing to add to the investigation.

#### IV. RECOMMENDATION

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

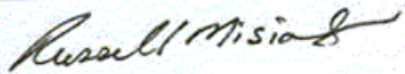


11/26/24

Rodney Gill  
Licensing Consultant

Date

Approved By:



11/27/24

Russell B. Misiak  
Area Manager

Date