



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

MARLON I. BROWN, DPA
DIRECTOR

May 14, 2026

James Pilot
Bay Human Services, Inc.
P O Box 741
Standish, MI 48658

RE: License #: AS090238706
Investigation #: 2026A0576030
Mason AFC

Dear James Pilot:

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.
- 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 that reads "C. Garza".

Christina Garza, Licensing Consultant
Bureau of Community and Health Systems
611 W. Ottawa Street
P.O. Box 30664
Lansing, MI 48909
(810) 240-2478

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AS090238706
Investigation #:	2026A0576030
Complaint Receipt Date:	03/19/2026
Investigation Initiation Date:	03/23/2026
Report Due Date:	05/18/2026
Licensee Name:	Bay Human Services, Inc.
Licensee Address:	3463 Deep River Rd., PO Box 741 Standish, MI 48658
Licensee Telephone #:	(989) 846-9631
Administrator:	Melissa Rood
Licensee Designee:	James Pilot
Name of Facility:	Mason AFC
Facility Address:	2540 Mason Street, Bay City, MI 48708
Facility Telephone #:	(989) 894-0312
Original Issuance Date:	08/01/2001
License Status:	REGULAR
Effective Date:	07/15/2024
Expiration Date:	07/14/2026
Capacity:	6
Program Type:	DEVELOPMENTALLY DISABLED MENTALLY ILL

II. ALLEGATION(S)

	Violation Established?
Staff Rachel Smith is restricting Resident A's food choices and making hurtful comments about her weight.	Yes

III. METHODOLOGY

03/19/2026	Special Investigation Intake 2026A0576030
03/23/2026	Special Investigation Initiated - Telephone Message for complainant to return call
04/27/2026	Inspection Completed On-site Interviewed Resident A, Resident B, Staff Monica Dufresne, and Home Manager Kelly Damson
05/11/2026	Contact - Telephone call made Left message for Case Manager Holly Vogel to return call
05/12/2026	Contact - Telephone call made Left message for Holly Vogel to return call
05/12/2026	Contact - Telephone call made Interviewed Resident C
05/13/2026	Contact - Telephone call made Interviewed Staff Isabella Ruiz
05/13/2026	Contact - Telephone call made Interviewed Staff Rachael Smith
05/14/2026	APS Referral
05/14/2026	Exit Conference

ALLEGATION:

Staff Rachel Smith is restricting Resident A's food choices and making hurtful comments about her weight.

INVESTIGATION:

On April 27, 2026, I conducted an unannounced on-site inspection at Mason AFC and interviewed Staff Monica Dufresne who has worked at the home for 2 years. Staff Dufresne reported she has worked with Staff Rachael Smith in the past and Staff Smith can be problematic with staff and residents. According to Staff Dufresne, Staff Smith can be rude to the residents and her tone is off. Staff Smith “can be snippy” with residents and she prefers to engage with some residents over others. Staff Dufresne heard about the allegations and Staff Smith did not want to take Resident A out. Staff Smith did not want to take Resident A in and out of the van because Resident A is in a wheelchair. Staff Dufresne reported she heard that Staff Smith has body shamed Resident A.

On April 27, 2026, I interviewed Resident A who reported Staff Rachael Smith has told Resident A she needs to lose weight and she is heavy. Staff Smith did not want to take Resident A to McDonalds with Resident B and Resident C. Staff Smith would not let Resident A go to McDonalds with her peers because she did not want to get Resident A in and out of the van. Resident A was also told she could not go to McDonalds because she cannot have soda, however there is no reason Resident A cannot have soda. Resident A reported Staff Smith says hurtful and rude comments to her such as Resident A cannot have kids because Resident A cannot take care of herself. Resident A was observed to require a wheelchair to ambulate.

On April 27, 2026, I interviewed Resident B who reported she is not a fan of Staff Rachael Smith and the allegations are true. Resident B reported that Resident A wanted to go with Resident B and Resident C to McDonalds and Staff Smith told Resident A “no” because Staff Smith did not want to “hook Resident A up in the van.” Staff Smith told Resident A “you don’t need any pop because you’ve gained too much weight.” This statement made Resident B uncomfortable. According to Resident B, Staff Smith can be rude and dismissive, and this makes Resident B upset. Resident B was noted to be mobile and does not require the use of any assistive devices for mobility.

On April 27, 2026, I attempted to interview Resident C however she said she was sick and did not want to talk. Resident C was sitting in a chair in the living room and does not have any mobility issues.

On April 27, 2026, I interviewed the Home Manager, Kelly Damson. Manager Damson reported that Resident A reported to her that Staff Rachael Smith refused to take Resident A on an outing because she did not want to get her in and out of the van. Staff Smith also told Resident A she cannot have soda anyway. Staff Smith will say inappropriate things and Resident A has reported that Staff Smith body shames Resident A. Manager Damson reported that Resident A is not on a special diet and she can drink soda if she likes. Home Manager Damson reported she has talked with Staff Smith about ensuring Resident A is included in activities that Resident B and Resident C are doing because they are all in the same age range. Staff Isabella Ruiz was working with Staff Smith at the time of the allegations.

On April 27, 2026, I reviewed Resident A's AFC Assessment Plan which revealed Resident A is a 33-year-old female. Resident A can communicate her needs and understands verbal communication. Resident A has a power wheelchair and is unable to walk. Resident A's diet is dairy free, diet for GERD, and encouraged to follow guidelines with Mounjaro.

On May 11, 2026, and May 12, 2026, I left messages with Resident A's Case Manager Holly Vogel from Bay Arenac Behavioral Health to return call.

On May 12, 2026, I interviewed Resident C who was somewhat difficult to understand due to her speech. Resident C reported the allegations are true and Staff Rachel Smith told Resident A she is heavy and cannot have soda. Staff Smith treats Resident A differently and is not too nice to Resident A. Staff Smith tells Resident A to lose weight.

On May 13, 2026, I interviewed Staff Isabella Ruiz who reported she works with Staff Rachael Smith, and she has no knowledge of the allegations. Staff Ruiz did not recall a time when Staff Smith was taking residents to McDonalds and Resident A was excluded.

On May 13, 2026, I interviewed Staff Rachael Smith who stated she unfortunately works at Mason AFC. Staff Smith reported she does not want to work at the facility anymore and staff do not stay at the home. Staff Smith has 4 cases from Recipient Rights and working at the home is a lot. The allegations were discussed with Staff Smith who reported Resident A's dad wants Resident A to "lay off" the soda and Staff Smith tried to redirect Resident A. Staff Smith denied body shaming Resident A and confirmed she did not take Resident A to McDonalds with her 2 peers. Staff Smith reported she thought Resident A was fine with not going to McDonalds.

APPLICABLE RULE	
R 400.681	Resident rights; licensee responsibilities.
	(1) A resident shall be treated with dignity and respect, free from exploitation, and protected and safe.
ANALYSIS:	<p>It was alleged that Staff Rachael Smith restricts Resident A's choices and makes hurtful comments about Resident A. Upon conclusion of investigative interviews, there is a preponderance of evidence to conclude a rule violation.</p> <p>Resident A was interviewed and reported that Staff Smith says rude and hurtful comments to her. Resident A reported that Staff Smith did not allow Resident A to attend an outing with other residents because Staff Smith did not want to strap Resident A in the vehicle to ensure her safety. Resident A requires the use of a wheelchair and requires certain safety protocol when traveling in a vehicle. Resident B confirmed the allegations are true and Resident B and Resident C confirm that</p>

	<p>Staff Smith is not nice to Resident A. Resident B and Resident C report that Staff Smith makes inappropriate comments about Resident A's weight and tells Resident A she cannot have soda. Staff Smith denied the allegations and stated she only tries to redirect Resident A when it comes to her food choices.</p> <p>There is a preponderance of evidence to conclude Staff Smith did not treat Resident A with dignity and respect by making inappropriate comments to her, excluding her from activities, and by not allowing Resident A freedom of choice.</p>
CONCLUSION:	VIOLATION ESTABLISHED

On May 14, 2026, I conducted an exit conference with Licensee Designee James Pilot and advised him of the findings of my investigation. I advised Licesnee Designee Pilot that I would be requesting a corrective action plan for the cited rule violation.

IV. RECOMMENDATION

Contingent upon receipt of an acceptable corrective action plan, I recommend no change to the license status.



5/14/2026

Christina Garza
Licensing Consultant

Date

Approved By:



5/14/2026

Mary E. Holton
Area Manager

Date