



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF HUMAN SERVICES
LANSING

BUREAU OF CHILDREN'S AND ADULT LICENSING



MAURA D. CORRIGAN
DIRECTOR

December 3, 2014

Mr. Paul Valentino
TBI Villas of Troy, LLC
43494 Woodward Ave., Ste. 203
Bloomfield Hills, MI 48302

Re: **License AS630317374**

Dear Mr. Valentino:

On or about October 10, 2014 you were mailed a copy of the Department's Notice of Intent to Revoke your license to operate an adult foster care small group home. In accordance with that notice, and because you did not exercise your right of appeal, your license has been revoked effective November 22, 2014. It is further our understanding that you are not receiving adults for care now, nor will you be in the future, without being properly licensed.

Sincerely,

Jerry Hendrick, Acting Director
AFC/HFA Licensing Division
Bureau of Children & Adult Licensing

JH:kam

cc: Denise Nunn, BCAL, Area Manager
Stephanie Williams, BCAL, Licensing Consultant

Certified letter- return receipt requested.



RICK SNYDER
GOVERNOR

State of Michigan
DEPARTMENT OF HUMAN SERVICES
BUREAU OF CHILDREN AND ADULT LICENSING



MAURA D. CORRIGAN
DIRECTOR

October 10, 2014

Paul Valentino
TBI Villas of Troy, LLC
43494 Woodward Avenue, Suite 203
Bloomfield Hills, MI 48302

License #: AS630317374
SIR #: 2014A0603043

Dear Mr. Valentino:

Enclosed is a copy of a NOTICE OF INTENT TO REVOKE YOUR LICENSE to operate an adult foster care small group home, alleging that you have violated the Adult Foster Care Facility Licensing Act. Your options are as follows:

- 1) You may appeal the Notice of Intent and attend a pre-hearing compliance conference. A Notice of Compliance Conference, which provides the date, time, location, and guidelines of the conference, is enclosed.
- 2) You may appeal the Notice of Intent, waive the compliance conference, and proceed directly to an administrative law hearing.
- 3) You may choose not to appeal the Notice of Intent.

If you choose to appeal the Notice of Intent, the Department must receive your WRITTEN APPEAL within 30 days of your receipt of this Notice. If the Department does not receive your written appeal within 30 days of your receipt of this Notice, you will have WAIVED YOUR RIGHT to an administrative law hearing and the proposed action will be final.

Sincerely,

Jerry Hendrick, Director
Adult Foster Care Division
Bureau of Children and Adult Licensing

Enclosures

Cc: Denise Nunn, Area Manager

STATE OF MICHIGAN
MICHIGAN DEPARTMENT OF HUMAN SERVICES
BUREAU OF CHILDREN AND ADULT LICENSING

In the matter of

License #: AS630317374
SIR #: 2014A0603043

Paul Valentino
TBI Villas of Troy, LLC

NOTICE OF INTENT TO
REVOKE LICENSE

The Michigan Department of Human Services, by Jerry Hendrick, Director, Adult Foster Care Division, Bureau of Children and Adult Licensing, provides notice of the intent to revoke the license of Licensee, TBI Villas of Troy, LLC to operate an adult foster care small group home pursuant to the authority of the Adult Foster Care Facility Licensing Act, 1979 PA 218, as amended, MCL 400.701 et seq., for the following reasons:

1. On or about May 4, 2012, Licensee was issued a license to operate an adult foster care small group home, with a current licensed capacity of six, at 4074 Rouge Circle Drive, Troy, Michigan 48098.
2. On multiple occasions between February and June of 2014, the Licensee failed to assure that medications were administered to residents as prescribed. On more than one occasion, the Licensee's staff failed to refill prescriptions before the residents ran out of their medication.

3. On May 21, 2014, Licensing Consultant Stephanie Williams conducted an inspection of the Licensee's facility. Ms. Williams reviewed the Licensee's adult foster care program records and found the following violations:
 - a. The Licensee failed to complete and post menus of meals served to residents, in violation of R 400.14313(4).
 - b. The Licensee failed to maintain a record of fire drills conducted at the facility, in violation of R 400.14318(5).
4. On May 21, 2014, and June 24, 2014, Ms. Williams reviewed the Licensee's records for residents and observed the following violations:
 - a. The Licensee failed to have a resident care agreement on file for Resident A and Resident B.
 - b. The Licensee failed to have a health care appraisal on file for Resident A and Resident B.
 - c. Resident A utilizes a cane and a walker. Resident A's file did not contain authorization from a physician for the use of therapeutic supports.
5. On June 24, 2014, Ms. Williams inspected the Licensee's records for staff employed at the facility and found the following violations:
 - a. The Licensee failed to have an employee file and staff records for Peter Lopez. The Licensee hired Mr. Lopez to work at the facility during the winter months of 2014. Between the winter months of 2014 and August 2014, Mr. Lopez resided at the facility as a live-in staff member.
 - b. The Licensee failed to have physician's statements of file for the following staff members:

- i. Lecia Johnson;
 - ii. Lela Tucker;
 - iii. Lamammie Williams; and
 - iv. Peter Lopez.
- c. The following employee files were missing verification that the staff member had received the Licensee's personnel policies:
 - i. Lecia Johnson;
 - ii. Lela Tucker;
 - iii. Lamammie Williams;
 - iv. Elnora Glasper; and
 - v. Peter Lopez.
- d. The following employee files were missing verification of reference checks:
 - i. Lecia Johnson;
 - ii. Lamammie Williams; and
 - iii. Elnora Glasper.
- e. The Licensee failed to have criminal history clearances from the automated fingerprint identification system on file for the following staff members:
 - i. Lecia Johnson;
 - ii. Lela Tucker;
 - iii. Lamammie Williams;
 - iv. Peter Lopez; and

v. Elnora Glasper.

6. On June 24, 2014, Ms. Williams reviewed training records for the Licensee's staff and found the following violations:

a. The Licensee failed to have records on file verifying that staff member

Lela Tucker completed the following training:

- i. Reporting requirements;
- ii. CPR;
- iii. First aid;
- iv. Personal care, supervision and protection;
- v. Resident rights;
- vi. Safety and fire prevention; and
- vii. Prevention and containment of communicable diseases.

b. The Licensee failed to have records on file verifying that home manager

Lecia Johnson completed the following training:

- i. Reporting requirements;
- ii. Personal care, supervision and protection;
- iii. Resident rights;
- iv. Safety and fire prevention; and
- v. Prevention and containment of communicable diseases.

c. The Licensee failed to have records on file verifying that staff member

Lamammie Williams completed the following training:

- i. Reporting requirements;
- ii. CPR;

- iii. First aid;
- iv. Personal care, supervision and protection;
- v. Resident rights;
- vi. Safety and fire prevention; and
- vii. Prevention and containment of communicable diseases.

d. The Licensee failed to have records on file verifying that staff member Peter Lopez completed the following training:

- i. Reporting requirements;
- ii. CPR;
- iii. First aid;
- iv. Personal care, supervision and protection;
- v. Resident rights;
- vi. Safety and fire prevention; and
- vii. Prevention and containment of communicable diseases.

e. The Licensee failed to have verification on file that staff member Elnora Jasper completed first aid training.

7. On multiple occasions in 2014, the Licensee's staff verbally and physically mistreated Resident A at the facility. The Licensee failed to assure Resident A's protection and safety, as evidenced by the following:

- a. On one occasion in April 2014, Resident A fell on the floor of the facility. Direct care worker Ashanti accused Resident A of purposely falling and refused to help Resident A up off the floor. Resident A remained on the floor for approximately 30 minutes.

- b. On one occasion in July 2014, Resident A received a prescription in the mail from his physician for his pain patch medication. Resident A previously had problems at the facility with not receiving all of his pain patch medication and wanted to give the prescription directly to home manager Lecia Johnson. Mr. Lopez got into a verbal altercation with Resident A over the prescription. Mr. Lopez ordered Resident A to give him "the fucking script." Following this disagreement, Mr. Lopez began to have an adversarial relationship with Resident A.
- c. On one occasion during the summer months of 2014, the toilet seat in the bathroom of the facility broke from regular use. Mr. Lopez accused Resident A of intentionally breaking the toilet seat and made Resident A install a new one.
- d. On more than one occasion between July and August of 2014, Mr. Lopez followed Resident A around the facility while making derogatory comments. Mr. Lopez told Resident A, "Get the hell out of here." Mr. Lopez also stated to Resident A, "You are going to live out in the street."
- e. On or about August 11, 2014, Resident A became emotionally distressed regarding Mr. Lopez's conduct towards him in the Licensee's facility. Resident A wanted to leave the facility and was voluntarily admitted to Havenwyck Hospital for mental health treatment.
- f. On August 13, 2014, Resident A was discharged from Havenwyck Hospital. Upon returning to the facility, Resident A noticed that the television was removed from his room and became upset. Resident A was

eventually able to be redirected and calmed down. Later that afternoon, Mr. Lopez arrived at the facility and immediately told Resident A to get out of the home. Mr. Lopez then instructed another direct care worker to call 9-1-1. A verbal altercation ensued between Mr. Lopez and Resident A. During the disagreement, Mr. Lopez stated the following to Resident A:

- i. "Get the fuck out of my house."
- ii. "You are going to go to the fucking hospital."
- iii. "You are going to go back to the fucking street that you came from."

g. On August 13, 2014, Case Manager Sara Tarp attempted to conduct a home visit with Resident A at the Licensee's facility. Upon her arrival at the facility, Ms. Tarp found Resident A standing outside the home.

Resident A stated, "Pete [Lopez] is kicking me out."

h. On or about August 13, 2014, Mr. Lopez placed empty boxes in front of Resident A's bedroom door.

8. The Licensee lacks the administrative capability to operate the facility to assure compliance with adult foster care licensing rules, as demonstrated by the following:

a. In April 2013, previous licensee designee and administrator Deborah Best-Uelsmann resigned from her position at the Licensee's facility. On June 4, 2014, Paul Valentino, president of the Licensee corporation, admitted to Ms. Williams that Ms. Best-Uelsmann had not been involved at the facility since April 2013.

- b. On May 21, 2014, Ms. Williams interviewed home manager Lecia Johnson. Ms. Johnson reported that she was hired by the Licensee on April 1, 2014, to "get the home into shape." Ms. Johnson stated that prior to beginning her employment, the Licensee hired several direct care workers through a staffing agency. Ms. Johnson admitted to Ms. Williams that there were multiple problems with the staffing agency workers, including not ordering medications, and failing to transport residents to scheduled medical appointments. Ms. Johnson then stated, "It was chaos when I arrived."
- c. On May 21, 2014, Ms. Johnson admitted to Ms. Williams that she was unaware of each employee's individual training, but reported that she had provided training to all staff.
- d. On May 21, 2014, Ms. Williams interviewed staff member Peter Lopez. Mr. Lopez reported that he was hired by the Licensee several months prior and subsequently began living at the facility. The Licensee failed to obtain any of the rule-required staff records for Mr. Lopez. Mr. Lopez admitted to Ms. Williams that he had no prior experience in adult foster care.
- e. On May 21, 2014, Mr. Lopez reported to Ms. Williams that he was hired by the Licensee to determine what was going on at the facility. Mr. Lopez further reported that he had cameras installed in the facility in order to "weed" out deficient staff.
- f. On June 4, 2014, Ms. Williams questioned Mr. Valentino regarding the Licensee not having an administrator appointed at facility for the previous

14 months. Mr. Valentino reported that he was working on hiring a licensee designee and administrator. At that time, Mr. Valentino identified Janan Kallabat as a potential new hire for this position. The Licensee appointed Ms. Kallabat as licensee designee and administrator of the facility on or about June 20, 2014.

- g. On June 24, 2014, Ms. Williams reviewed staff training records with Ms. Johnson. At that time, Ms. Johnson provided checklists for several employees with various training courses listed. Despite the fact that Ms. Johnson previously stated that she personally trained the Licensee's staff, she could not explain what the training courses encompassed.
- h. On June 24, 2014, Ms. Williams met with Ms. Kallabat and Mr. Valentino regarding the recent rule violations found at the Licensee's facility. On June 25, 2014, Ms. Kallabat sent an email to Ms. Williams indicating that she had ended her employment with the Licensee and had resigned from her position as licensee designee and administrator effective June 24, 2014.
- i. On July 15, 2014, Mr. Valentino sent an email to Ms. Williams. Mr. Valentino attached a form appointing Tammy Ford as administrator of the Licensee's facility. Mr. Valentino failed to submit the documentation required to qualify Ms. Ford as an administrator.
- j. On August 15, 2014, Ms. Williams interviewed Ms. Ford regarding a pending special investigation of the Licensee's facility. Later that day, Ms. Ford sent an email to Ms. Williams indicating that she had ended her

employment with the Licensee and had resigned from her position as administrator effective August 15, 2014.

COUNT I

The conduct of the Licensee, as set forth in paragraphs 2 through 8 above, evidences a violation of:

R 400.14201

Qualifications of administrator, direct care staff, licensee, and members of the household; provision of names of employee, volunteer, or member of the household on parole or probation or convicted of felony; food service staff.

- (2) A licensee shall have the financial and administrative capability to operate a home to provide the level of care and program stipulated in the application.
- (9) A licensee and the administrator shall possess all of the following qualifications:
 - (a) Be suitable to meet the physical, emotional, social, and intellectual needs of each resident.
 - (b) Be capable of appropriately handling emergency situations.
 - (c) Be capable of assuring program planning, development, and implementation of services to residents consistent with the home's program statement and in accordance with the resident's assessment plan and care agreement.

COUNT II

The conduct of the Licensee, as set forth in paragraphs 7 and 8 above, evidences a violation of:

R 400.14201 **Qualifications of administrator, direct care staff, licensee, and members of the household; provision of names of employee, volunteer, or member of the household on parole or probation or convicted of felony; food service staff.**

(10) All members of the household, employees, and those volunteers who are under the direction of the licensee shall be suitable to assure the welfare of residents.

COUNT III

The conduct of the Licensee, as set forth in paragraphs 6 and 8 above, evidences a violation of:

R 400.14204 **Direct care staff; qualifications and training.**

(3) A licensee or administrator shall provide in-service training or make training available through other sources to direct care staff. Direct care staff shall be competent before performing assigned tasks, which shall include being competent in all of the following areas:

- (a) Reporting requirements.
- (b) First aid.
- (c) Cardiopulmonary resuscitation.
- (d) Personal care, supervision, and protection.
- (e) Resident rights.
- (f) Safety and fire prevention.
- (g) Prevention and containment of communicable diseases.

COUNT IV

The conduct of the Licensee, as set forth in paragraph 5(b) above, evidences a violation of:

R 400.14205 Health of a licensee, direct care staff, administrator, other employees, those volunteers under the direction of the licensee, and members of the household.

(3) A licensee shall maintain, in the home, and make available for department review, a statement that is signed by a licensed physician or his or her designee attesting to the knowledge of the physical health of direct care staff, other employees, and members of the household. The statement shall be obtained within 30 days of an individual's employment, assumption of duties, or occupancy in the home.

COUNT V

The conduct of the Licensee, as set forth in paragraphs 5 and 6 above, evidences a violation of:

R 400.14208 Direct care staff and employee records.

(1) A licensee shall maintain a record for each employee. The record shall contain all of the following employee information:

- (a) Name, address, telephone number, and social security number.
- (b) The professional or vocational license, certification, or registration number, if applicable.
- (c) A copy of the employee's driver license if a direct care staff member or employee provides transportation to residents.
- (d) Verification of the age requirement.
- (e) Verification of experience, education, and training.
- (f) Verification of reference checks.
- (g) Beginning and ending dates of employment.
- (h) Medical information, as required.
- (i) Required verification of the receipt of personnel policies and job descriptions.

COUNT VI

The conduct of the Licensee, as set forth in paragraph 4 above, evidences a violation of:

R 400.14301 Resident admission criteria; resident assessment plan; emergency admission; resident care agreement; physician's instructions; health care appraisal.

(6) At the time of a resident's admission, a licensee shall complete a written resident care agreement. A resident care agreement is the document which is established between the resident or the resident's designated representative, the responsible agency, if applicable, and the licensee and which specifies the responsibilities of each party....

(10) At the time of the resident's admission to the home, a licensee shall require that the resident or the resident's designated representative provide a written health care appraisal that is completed within the 90-day period before the resident's admission to the home. A written health care appraisal shall be completed at least annually. If a written health care appraisal is not available at the time of an emergency admission, a licensee shall require that the appraisal be obtained not later than 30 days after admission. A department health care appraisal form shall be used unless prior authorization for a substitute form has been granted, in writing, by the department.

COUNT VII

The conduct of the Licensee, as set forth in paragraphs 2 and 7 above, evidences a violation of:

R 400.14305 Resident protection.

(3) A resident shall be treated with dignity and his or her personal needs, including protection and safety, shall be attended to at all times in accordance with the provisions of the act.

COUNT VIII

The conduct of the Licensee, as set forth in paragraph 7 above, evidences a violation of:

R 400.14308 Resident behavior interventions prohibitions.

- (1) A licensee shall not mistreat a resident and shall not permit the administrator, direct care staff, employees, volunteers who are under the direction of the licensee, visitors, or other occupants of the home to mistreat a resident. Mistreatment includes any intentional action or omission which exposes a resident to a serious risk or physical or emotional harm or the deliberate infliction of pain by any means.
- (2) A licensee, direct care staff, the administrator, members of the household, volunteers who are under the direction of the licensee, employees, or any person who lives in the home shall not do any of the following:
 - (a) Use any form of punishment.
 - (f) Subject a resident to any of the following:
 - (i) Mental or emotional cruelty.
 - (ii) Verbal abuse.
 - (iii) Derogatory remarks about the resident or members of his or her family.
 - (iv) Threats.
 - (g) Refuse the resident entrance to the home.

COUNT IX

The conduct of the Licensee, as set forth in paragraphs 2 and 8 above, evidences a violation of:

R 400.14312 Resident medications.

- (2) Medication shall be given, taken, or applied pursuant to label instructions.

COUNT X

The conduct of the Licensee, as set forth in paragraph 5(e) above, provides grounds for revocation pursuant to:

400.734(b) Employing or contracting with certain employees providing direct services to residents; prohibitions; criminal history check; exemptions; written consent and identification; conditional employment....

(4) Upon receipt of the written consent and identification required under subsection (3), the adult foster care facility that has made a good faith offer of employment or independent contract shall make a request to the department of state police to conduct a criminal history check on the individual and input the individual's fingerprints into the automated fingerprint identification system database, and shall make a request to the relevant licensing or regulatory department to perform a check of all relevant registries established according to federal and state law and regulations for any substantiated findings of abuse, neglect, or misappropriation of property. The request shall be made in a manner prescribed by the department of state police and the relevant licensing or regulatory department or agency....

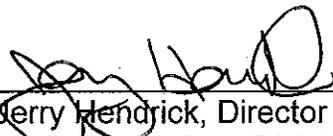
NOTICE IS GIVEN that Licensee is offered the opportunity to show compliance with all lawful requirements for retention of the license. If Licensee appeals the Notice of Intent and compliance is not shown, formal proceedings will commence pursuant to the Adult Foster Care Facility Licensing Act, 1979 PA 218, as amended, MCL 400.701 et seq., rules promulgated thereunder, and the Administrative Procedures Act, 1969 PA 306, as amended; MCL 24.201 et seq. Should formal proceedings commence, you have the right to attorney representation at your own expense.

LICENSEE IS NOTIFIED that pursuant to MCL 400.722(3) of the Adult Foster Care Facility Act, Licensee has 30 days from the date of receipt of the Notice of Intent to file a written appeal of the proposed action. The appeal shall be addressed to Kelly Maltby, Departmental Analyst, Bureau of Children and Adult Licensing, Michigan Department of Human Services. Your written appeal must include your name and license number, and must be submitted using one of the following methods:

- Mail your written appeal to the Bureau of Children and Adult Licensing, P.O. Box 30650, Lansing, MI 48909. It is recommended that you obtain some type of delivery confirmation;
- Fax your written appeal to the Bureau of Children and Adult Licensing at (517) 284-9709. It is recommended that you keep a copy of your fax confirmation as proof of submittal; or
- Email your written appeal to DAUappeals@Michigan.gov. It is recommended that you keep a copy of the sent email as proof of submittal.

LICENSEE IS FURTHER NOTIFIED that failure to file a written appeal of this action within 30 days will result in revocation of the license.

DATED: 10/13/2014



Jerry Hendrick, Director
Adult-Foster Care Division
Bureau of Children and Adult Licensing

This is the last and final page of a NOTICE OF INTENT in the matter of AS630317374, consisting of 17 pages, this page included.

KMM

STATE OF MICHIGAN
DEPARTMENT OF HUMAN SERVICES
BUREAU OF CHILDREN AND ADULT LICENSING

In the matter of

License #: AS630317374
SIR #: 2014A0603043

Paul Valentino

NOTICE OF COMPLIANCE CONFERENCE

Date: Monday, November 17, 2014

Time: 2:30 p.m. to 4:30 p.m.

Location: BCAL Pontiac Office, 51111 Woodward Avenue, 4th Floor, Ste. 4B, Pontiac,
MI 48342

Pursuant to the Administrative Procedures Act, MCL 24.292(1), you are afforded the opportunity to attend an informal compliance conference. The purpose of the compliance conference is to allow you to show that you were in compliance with the Adult Foster Care Facility Licensing Act and the licensing rules promulgated thereunder. You have the right, at your expense, to have an attorney represent you at the compliance conference. You may also bring **one** support person to the compliance conference.

To enable a thorough discussion of the Notice of Intent at the compliance conference, please bring any documents, pictures, etc. that you would like the Department to consider. You may also submit documents to the Department prior to the compliance conference by emailing them to DAUappeals@Michigan.gov.

If you are unable to attend the compliance conference at the scheduled date and time, you may request, in writing, that the Department change the date and/or time. The Department will make all reasonable attempts to accommodate your request, but will not reschedule the compliance conference to a date more than 10 days after the scheduled date. If you promptly notify the Department of your inability to attend the

compliance conference as scheduled, the Department may be able to schedule the compliance conference to a date earlier than originally scheduled.

If you are unable to show that you were in compliance with the Adult Foster Care Facility Licensing Act and licensing rules, and a resolution cannot be reached, the Department will forward the matter to the Michigan Administrative Hearing System for the scheduling of a formal administrative hearing. The Michigan Administrative Hearing System will subsequently notify you of the date, time, and location of the administrative hearing.

All Department meetings and hearings are conducted in compliance with the Americans with Disabilities Act in buildings that accommodate mobility-impaired individuals and have accessible parking. If you require additional accommodations to participate in the compliance conference, please notify the Department at least one week in advance to make the necessary arrangements.

Please direct all written communications regarding the compliance conference or administrative hearing, including your license number, to the individual listed below:

Kelly Maltby, Departmental Analyst
Disciplinary Action Unit
Bureau of Children and Adult Licensing
Michigan Department of Human Services
Victor Office Center
201 North Washington Square, 4th Floor
P.O. Box 30650
Lansing, MI 48909-8150

STATE OF MICHIGAN
DEPARTMENT OF HUMAN SERVICES
BUREAU OF CHILDREN AND ADULT LICENSING

In the matter of

License#: AS630317374
SIR #: 2014A0603043

Paul Valentino

_____ /

PROOF OF SERVICE

The undersigned certifies that a copy of a Notice of Intent to revoke the license in the above matter was served upon the following persons by mailing the same to them at their address of record by certified mail on October 17, 2014.

Paul Valentino
43494 Woodward Avenue, Suite 203
Bloomfield Hills, MI 48302



Kristine Manion, Secretary
Bureau of Children and Adult Licensing