



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF HUMAN SERVICES  
LANSING

BUREAU OF CHILDREN'S AND ADULT LICENSING



MAURA D. CORRIGA  
DIRECTOR

November 10, 2014

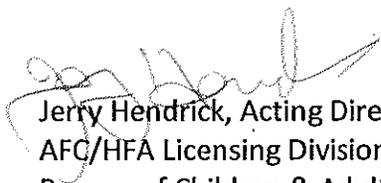
Ms. Dionne Richardson  
TBI Care-N-Case Management, LLC  
3681 Karen Pkwy., Apt. 301  
Waterford, MI 48328

Re: License AS820317185

Dear Ms. Richardson:

On or about September 24, 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 In accordance with that notice, and because you did not exercise your right of appeal, your license has been revoked effective November 4, 2014.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: Ardra Hunter, Area Manager  
K. Robinson, 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

September 24, 2014

COPY

Dionne Richardson, Licensee Designee  
TBI Care-N-Case Management LLC  
3681 Karen Pkwy., Apt. 301  
Waterford, MI 48328

License #: AS820317185  
SIR #: 2014A0121014

Dear Ms. Richardson:

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: Ardra Hunter, Area Manager

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

In the matter of

License #: AS820317185  
SIR #: 2014A0121014

TBI Care-N-Case Management LLC

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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 Care-N-Case Management 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 October 18, 2012, Licensee was issued a license to operate an adult foster care small group home, with a current licensed capacity of five, at 115 Worcester, Detroit, Michigan 48203. On June 27, 2013, Licensee was placed on a first provisional license due to violations cited during a renewal inspection. The license remains on a first provisional status.
2. On March 16, 2014, at 11:00 p.m., Direct Care Worker Antoine Scott began working the midnight shift at the facility, 11:00 p.m. to 7:00 a.m. According to Mr.

Scott, between 2:30 a.m. and 3:00 a.m., he did a routine hourly bed check and observed Resident A in her bed, awake and watching television. Resident A has a history of psychosis and dementia.

3. On March 17, 2014, sometime between 3:00 a.m. and 6:00 a.m., Resident A eloped from the facility and went outside without shoes or a coat. The outside temperature at that time was 10.9 degrees Fahrenheit.
4. On March 17, 2014, at approximately 6:00 a.m., Mr. Scott went outside the facility to smoke. While outside, he observed a neighbor overlooking a body on the ground near the facility. Mr. Scott approached the body and found it was Resident A. Mr. Scott called 911. EMS and police arrived, and Resident A was pronounced dead at the scene.
5. On March 17, 2014, Licensee submitted an incident report to the Bureau of Children and Adult Licensing, reporting Resident A's death. The report, which was signed by Direct Care Worker Pandora Drakes, indicated that Resident A was "very confused and combative during the early morning and wandered outside while the patient sitter was doing rounds and cleaning and she collapsed." During a later interview with Licensing Consultant Kara Robinson, Licensee Designee and Administrator Dionne Richardson told Ms. Robinson that Resident A "didn't want to die in the facility, so that's exactly what she did."
6. On March 17, 2014, after receiving the incident report from the Licensee, the Bureau initiated a special investigation.
7. On March 24, 2014, Licensing Consultant Kara Robinson conducted a phone interview with Mr. Scott. Mr. Scott described the shift as a "normal night" and did

not observe any changes in Resident A's mood, behavior, or appearance, even though the incident report noted that Resident A was confused and combative. Mr. Scott admitted that he did not check on Resident A after 3:00 a.m. even though he is required to do hourly bed checks during the midnight shift. He indicated that after the 3:00 a.m. bed check, he went to the basement to do laundry, leaving Resident A awake and without supervision on the first floor of the facility.

8. During his phone interviews with Ms. Robinson on March 17, 2014, and May 6, 2014, Mr. Scott indicated that he began working at the facility in approximately October/November 2013, and that he did not have previous experience working in an adult foster care facility prior to being hired. He stated that he had not been fingerprinted for a background check prior to beginning his job duties at the facility. He also indicated that he had not submitted a physician health appraisal, TB tests results, or proof of CPR and first aid training to Licensee. He stated that Licensee only required him to complete an application.
9. On March 31, 2014, Ms. Robinson conducted an onsite inspection at the facility and interviewed Ms. Richardson. Ms. Richardson claimed that Mr. Scott had quit and had stolen his employee file when he left. However, Ms. Richardson acknowledged that she failed to obtain verification of Mr. Scott's age, experience, education, and training. She also did not verify references for Mr. Scott.
10. On March 31, 2014, during the inspection, Ms. Robinson asked Ms. Richardson for the staff schedule to determine who worked the afternoon shift on March 16, 2014. Ms. Richardson replied, "It could have been either three," referring to Ms.

Drakes, Direct Care Worker Carolyn Drakes, and Direct Care Worker Cortney Tipton. Ms. Richardson stated that she did not keep a written schedule and let the workers make up their own schedules.

11. On March 31, 2014, Ms. Robinson observed several medications in an unlocked refrigerator. She also observed Resident B's unlocked asthma medication in his bedroom.

12. On March 31, 2014, Ms. Robinson found three smoke detectors chirping, indicating low battery, in the facility, one on each level of the home.

13. On April 18, 2014, Ms. Richardson faxed a letter to Ms. Robinson indicating that that she had discharged Resident B, Resident C, and Resident D on April 1, 2014. Licensee failed to give a 30-day written notice before discharging the residents.

#### COUNT I

The conduct of Licensee, as set forth in paragraphs 3, 4, 5, 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 II

The conduct of Licensee, as set forth in paragraph 8 above, evidences a violation of:

MCL 400.734(b)(4)

**Employing or contracting with certain employees providing direct services to residents; prohibitions; criminal history check; exemptions; written consent and identification; conditional employment; use of criminal history record information; disclosure; failure to conduct criminal history check; automated fingerprint identification system database; report to legislature; costs; definitions.**

(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. The adult foster care facility shall make the written consent and identification available to the department of state police and the relevant licensing or regulatory department or agency. If the department of state police or the federal bureau of investigation charges a fee for conducting the initial criminal history check, the charge shall be paid by or reimbursed by the department. The adult foster care facility shall not seek reimbursement for a charge imposed by the department of state police or the federal bureau of investigation from the individual who is the subject of the initial criminal history check. The department of state police shall conduct an initial criminal history check on the individual named in the request. The department of state police shall provide the department with a written report of the criminal history check conducted under this subsection that contains a criminal record. The report shall contain any criminal history record information on the individual maintained by the

department of state police.

**NOTE:** This is a repeat violation. In May 2013, Licensee was cited for failing to conduct employee background checks. On June 27, 2013, Licensee submitted a corrective action plan that addressed this issue.

### COUNT III

The conduct of Licensee, as set forth in paragraphs 8 and 9 above, evidences a violation of:

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

(2) Direct care staff shall possess all of the following qualifications:

(a) Be suitable to meet the physical, emotional, intellectual, and social needs of each resident.

### COUNT IV

The conduct of Licensee, as set forth in paragraph 9 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.

**NOTE:** This is a repeat violation. In May 2013, Licensee was cited for failing to maintain employee records. On June 27, 2013, Licensee submitted a corrective action plan that addressed this issue.

#### COUNT V

The conduct of Licensee, as set forth in paragraph 10 above, evidences a violation of:

**R 400.14208**

#### **Direct care staff and employee records.**

(3) A licensee shall maintain a daily schedule of advance work assignments, which shall be kept for 90 days. The schedule shall include all of the following information:

- (a) Names of all staff on duty and those volunteers who are under the direction of the licensee.
- (b) Job titles.
- (c) Hours or shifts worked.
- (d) Date of schedule.
- (e) Any scheduling changes.

#### COUNT VI

The conduct of Licensee, as set forth in paragraph 11 above, evidences a violation of:

R 400.14312

**Resident medications.**

(1) Prescription medication, including dietary supplements, or individual special medical procedures shall be given, taken, or applied only as prescribed by a licensed physician or dentist. Prescription medication shall be kept in the original pharmacy-supplied container, which shall be labeled for the specified resident in accordance with the requirements of Act No. 368 of the Public Acts of 1978, as amended, being §333.1101 et seq. of the Michigan Compiled Laws, kept with the equipment to administer it in a locked cabinet or drawer, and refrigerated if required.

**NOTE:** This is a repeat violation. In February 2014, Licensee was cited for a violation of this rule for pre-setting resident medications in a 7-day supply pill container. On June 27, 2013, Licensee submitted a corrective action plan that addressed this issue.

COUNT VII

The conduct of Licensee, as set forth in paragraph 12 above, evidences a violation of:

R 400.14505

**Smoke detection equipment; location; battery replacement; testing, examination, and maintenance; spacing of detectors mounted on ceilings and walls; installation requirements for new construction, conversions and changes of category.**

(4) Detectors shall be tested, examined, and maintained as recommended by the manufacturer.

COUNT VIII

The conduct of Licensee, as set forth in paragraph 13 above, evidences a violation of:

R 400.14302

**Resident admission and discharge policy; house rules; emergency discharge; change of residency; restricting resident's ability to make living arrangements prohibited; provision of resident records at time of discharge.**

(3) A licensee shall provide a resident and his or her designated representative with a 30-day written notice before discharge from the home. The written notice shall state the reasons for discharge. A copy of the written notice shall be sent to the resident's designated representative and responsible agency. The provisions of this subrule do not preclude a licensee from providing other legal notice as required by law.

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.

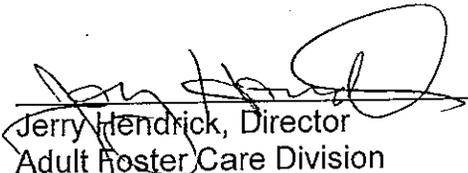
LICENSEE IS NOTIFIED that pursuant to MCL 400.722(3) of the Adult Foster Care Facility Act, Licensee has 30 days from the date of receipt of the Notice of Intent to file a written appeal of the proposed action. The appeal shall be addressed to Jennifer Kerr, Departmental Analyst, Bureau of Children and 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](mailto: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: 9/25/2014

  
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 AS820317185, consisting of 11 pages, this page included.

JEK

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

In the matter of

License #: AS820317185  
SIR #: 2014A0121014

TBI Care-N-Case Management LLC

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**NOTICE OF COMPLIANCE CONFERENCE**

**Date:** Monday, November 3, 2014

**Time:** 1:30 p.m. to 3:30 p.m.

**Location:** Cadillac Place, 3026 West Grand Blvd., Ste. 11-350, Detroit, MI 48202

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](mailto: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:

Jennifer Kerr, Departmental Analyst  
Disciplinary Action Unit  
Bureau of Children and Adult Licensing  
Michigan Department of Human Services  
Victor Office Center  
201 North Washington Square, 4<sup>th</sup> 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#: AS820317185  
SIR #: 2014A0121014

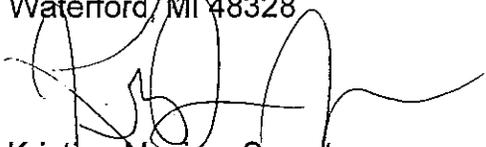
TBI Care-N-Case Management LLC

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**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 September 29, 2014.

Dionne Richardson, Licensee Designee  
TBI Care-N-Case Management LLC  
3681 Karen Pkwy., Apt. 301  
Waterford, MI 48328



Kristine Manion, Secretary  
Bureau of Children and Adult Licensing