



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF HUMAN SERVICES
LANSING

BUREAU OF CHILDREN'S AND ADULT LICENSING



MAURA D. CORRIG
DIRECTOR

September 2, 2014

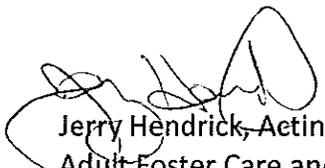
Ms. Donna Miller
Passionate Care, LLC
16163 Colgate
Inkster, MI 48141

Re: **Passionate Care, LLC License AS820320299**

Dear Ms. Miller:

On or about July 16, 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 In accordance with that notice, and because you did not exercise your right of appeal, your license has been revoked effective August 28, 2014. It is further understood that you will not receive adults for care now, or in the future, without being properly licensed.

Sincerely,



Jerry Hendrick, Acting Deputy Director
Adult Foster Care and Homes for the Aged Licensing Division
Bureau of Children and Adult Licensing

JH:kam

cc: Ardra Hunter, Area Manager



RICK SNYDER
GOVERNOR

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



MAURA D. CORRIGAN
DIRECTOR

July 16, 2014

Passionate Care, LLC
Donna Miller
26153 Colgate
Inkster, MI 48141

License #: AS820320299
SIR #: 2014A0122024

Dear Ms. Miller:

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

Passionate Care, LLC
Donna Miller, Licensee Designee

License #: AS820320299
SIR #: 2014A0122024

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, Passionate Care, 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 February 13, 2013, Licensee was issued a license to operate an adult foster care small group home, with a current licensed capacity of 5, at 26153 Colgate, Inkster, MI 48141.
2. On April 11, 2014, Licensing Consultant Vanita Bouldin initiated a special investigation due to complaint allegations that Licensee Designee Donna Miller and Administrator Emily Ogundaisi allowed Johnson Oduka to act as administrator. Mr. Oduka does not have the qualifications to be appointed administrator of an adult foster care home.

3. On April 11, 2014, Ms. Bouldin interviewed Fidel Johnson, a direct care worker at Passionate Care, LLC. During this interview Ms. Johnson stated that Ms. Ogundaisi did not want to manage Passionate Care, LLC, so she asked Ms. Johnson if she knew someone who could assume Ms. Ogundaisi's responsibilities. At that time Ms. Johnson recommended Johnson Uzoma Oduka and Ms. Ogundaisi appointed Mr. Oduka to act as administrator of Passionate Care, LLC.
4. On April 11, 2014, Ms. Bouldin interviewed Mr. Oduka who confirmed that he was hired by Ms. Ogundaisi to act as administrator of Passionate Care, LLC. Mr. Oduka stated that when he met with Ms. Ogundaisi he assumed she was the provider so he signed paper work that he thought was a lease agreement. Ms. Ogundaisi informed him that the license to operate Passionate Care LLC could be transferred over to him and, based on this assumption, he replaced Ms. Ogundaisi as administrator. Mr. Oduka informed Ms. Bouldin that he was involved in a disagreement with Ms. Johnson and as a result Ms. Johnson removed Resident A and Resident B on April 5, 2014. Resident A eventually returned to the home but Resident B chose not to.
5. On April 11, 2014, Ms. Bouldin interviewed Laurie Stover, Resident A's case manager. Ms. Stover stated that when Resident A and Resident B were placed in the facility it was under the assumption that Ms. Ogundaisi was the provider. After placement Ms. Ogundaisi contacted Ms. Stover explaining that she was going to close the facility but later called back stating that she was going to transfer the license to Mr. Oduka. Ms. Stover stated that on April 6, 2014, she

received a phone call from Mr. Oduka informing her that Ms. Johnson had removed Resident A and Resident B from the facility without his knowledge. Ms. Stover later discovered that Ms. Johnson had Resident A and Resident B pack their belongings into garbage bags and took them from the facility with another unidentified female. Ms. Johnson kept Resident A and Resident B at several undisclosed locations in Ypsilanti, MI for a couple of days before taking them to another empty home in Ypsilanti. On April 8, 2014, Ms. Johnson took Resident A and Resident B to the Social Security office in Inkster, MI in an attempt to have both residents assign her as their representative payee for social security benefits. While there Resident A ran to the police station across the street, refused to get back into the car with Ms. Johnson and demanded that she call Ms. Stover. Ms. Stover transported Resident A back to the facility but Resident B chose to stay with Ms. Johnson.

6. On April 14, 2014, Ms. Bouldin contacted Ms. Stover and Arcia Williams from Team Mental Health and recommended the removal of Resident A and Resident B from the facility due to the fact that neither Mr. Oduka nor Ms. Johnson had completed the application process for an approved adult foster care home with the Bureau of Children and Adult Licensing.

COUNT I

The conduct of Licensee, as set forth in paragraphs 2 through 6 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.**

(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.

COUNT II

The conduct of Licensee, as set forth in paragraphs 2, 3, 4 & 6 above, evidences a violation of:

R 400.14202 **Administrator; qualifications.**

(1) A home shall have an administrator who shall not have less than 1 year of experience working with persons who are mentally ill, developmentally disabled, physically handicapped, or aged.

COUNT III

The conduct of Licensee, as set forth in paragraphs 2, 3, 4, & 6 above, evidences a violation of:

R 400.14203 **Licensee and administrator training requirements.**

(1) A licensee and an administrator shall complete the following educational requirements specified in subdivision (a) or (b) of this subrule, or a combination thereof, on an annual basis:

(a) Participate in, and successfully complete, 16 hours of training designated or approved by the department that is relevant to the licensee's admission policy and program statement.

(b) Have completed 6 credit hours at an accredited college or university in an area that is relevant to the licensee's admission policy and program statement as approved by the department.

COUNT IV

The conduct of Licensee, as set forth in paragraphs 2 through 6 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.

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.

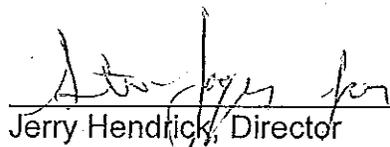
LICENSEE IS NOTIFIED that pursuant to MCL 400.722(3) of the Adult Foster Care Facility Act, Licensee has 30 days from the date of receipt of the Notice of Intent to file a written appeal of the proposed action. The appeal shall be addressed to Joshua Hargrove, Departmental Analyst, Bureau of Children 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: _____

7/22/14



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 AS820320299, consisting of 7 pages, this page included.

JNH

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

In the matter of

Passionate Care, LLC
Donna Miller

License #: AS820320299
SIR #: 2014A0122024

NOTICE OF COMPLIANCE CONFERENCE

Date: August 26, 2014

Time: 11:00 a.m.

Location: Washtenaw Co. DHS, 22 Center Street, Ypsilanti MI 48198

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:

Joshua Hargrove, 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

Passionate Care, LLC
Donna Miller

License#: AS820320299
SIR #: 2014A0122024

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

Donna Miller
26153 Colgate
Inkster, MI 48141



Bureau of Children and Adult Licensing