



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF COMMUNITY AND HEALTH SYSTEMS

MIKE ZIMMER
DIRECTOR

September 23, 2015

Laura Ewing-Lofton
844 Alpine Ave. N.W.
Grand Rapids, MI 49504

Re: License AF410348809

Dear Ms. Ewing-Lofton:

On or about June 26, 2015, you were certified mailed a copy of the Department of Licensing and Regulatory Affairs' Notice of Intent to Revoke your license to operate an adult foster family home. In accordance with that Notice, and because you did not exercise your right of appeal, your license has been refused renewal effective September 21 2015. It is further understood that you will not be receiving adults for care now, or in the future, unless you are legally licensed to do so.

Sincerely,

A handwritten signature in cursive script that reads "Jay Calewarts".

Jay Calewarts, Director
AFC and Camps Licensing Division
Bureau of Community and Health Systems

JC: sb

cc: Jerry Hendrick, Area Manager



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF HEALTH CARE SERVICES

MIKE ZIMMER
DIRECTOR

June 26, 2015

Laura Ewing-Lofton
844 Alpine Ave. N.W.
Grand Rapids, MI 49504

License #: AF410348809
SIR #: 2015A0356016
2015A0356017

Dear Ms. Ewing-Lofton:

Enclosed is a copy of a NOTICE OF INTENT TO REVOKE YOUR LICENSE to operate an adult foster care family 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,

Jay Calewarts, Acting Director
Adult Foster Care Division
Office of Child and Adult Licensing

Enclosures

Cc: Jerry Hendrick, Area Manager

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF HEALTH CARE SERVICES

In the matter of

License #: AF410348809
SIR #: 2015A0356016
2015A0356017

Laura Ewing-Lofton
House of Prayer

NOTICE OF INTENT TO
REVOKE LICENSE

The Michigan Department of Licensing and Regulatory Affairs, by Jay Calewarts, Acting Director, Adult Foster Care Division, Office of Child and Adult Licensing, provides notice of the intent to revoke the license of Licensee, Laura Ewing-Lofton to operate an adult foster care family 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 April 28, 2014, Licensee was issued a license to operate an adult foster care family home, with a current licensed capacity of 6, at 844 Alpine Ave. N.W., Grand Rapids, MI 49504.
2. On February 1, 2015, Tacha Kingsley submitted an AFC/HFA Licensing Record Clearance Request (Form # BCAL-1326A). On the 1326A Ms. Kingsley stated she was requesting clearance to act as a "Responsible Person" for Licensee's

facility. Under the section that asks "Have you ever been convicted of a crime, felony or misdemeanor?" Ms. Kingsley stated "2007 Larsing [sic] from a person."

3. On February 24, 2015, Licensing Consultant Elizabeth Elliott received complaint allegations from Adult Protective Services. The complaint allegations included the following:

- a. Licensee yelled at former Resident A in front of other residents when she would have incontinence accidents;
- b. Licensee was former Resident A's representative payee for her Supplemental Security Income and her Social Security income when Resident A lived at House of Prayer. When former Resident A moved to another facility Licensee failed to pay Resident A's rent for the months of December, 2014 and January, 2015;
- c. Licensee opened an account through Chase Bank and listed her name along with former Resident A's name on the account;
- d. Licensee owed former Resident A approximately \$1200.00 and used former Resident A's money to purchase a mattress former Resident A ruined due to incontinence.

4. On February 25, 2015, Ms. Elliott spoke with Licensing Consultant Arlene Smith, who had a previous conversation with former Resident A. During this previous conversation former Resident A informed Ms. Smith that when she had incontinence accidents Licensee would yell at her in front of the residents and make her get on her hands and knees to clean up her urine. Licensee also made former Resident A shower 1-2 times per day due to her incontinence issues.

Additionally, former Resident A stated that Licensee never gave her enough of her own money for spending. Former Resident A informed Ms. Smith that she did not remember seeing or signing any paperwork upon her admission to House of Prayer, including the Resident Care Agreement or Resident Funds Part I or Part II.

5. On February 26, 2015, Ms. Elliott received an [REDACTED] report [REDACTED] [REDACTED], who had interviewed former Resident A on February 25, 2015, at her new residence. Former Resident A stated the following to Ms. Boley:
- a. When she lived at House of Prayer she was incontinent at times and when these accidents occurred Licensee would yell at her in front of the other residents, which made her feel ashamed and embarrassed;
 - b. Licensee was her payee from November, 2014, through January, 2015, but Licensee never provided her with any money during December, 2014, or January, 2015;
 - c. Licensee moved out of the facility and was supposed to pay former Resident A's rent for the months of December, 2014, and January, 2015, at her new residence but failed to do so;
 - d. Resident A received an NSF fee of \$34.00 from Chase Bank due to a \$12.41 charge to Basic Talk, a purchase that Licensee made;
 - e. Ms. Boley reviewed the NSF notice, which listed Licensee as "Rep Payee;"

- f. Ms. Boley asked about the mattress issue and former Resident A stated that Licensee was keeping some of her money to replace the mattress she soiled when she lived at House of Prayer.
6. On March 3, 2015, Ms. Elliott received a complaint that former Resident E did not receive her morning medication on February 26, 2015, because staff would not wake up. When Resident E attempted to wake staff they yelled at her.
7. On March 5, 2015, Ms. Elliott conducted an interview with former Resident A at her new residence and stated the following:
 - a. Licensee and Licensee's daughter, Tacha Kingsley, are the primary caregivers in the facility;
 - b. Licensee and Ms. Kingsley were "lazy" about getting out of bed and getting up to administer morning medications or fix breakfast;
 - c. During her stay at House of Prayer Licensee would get mad at her for having urinary incontinence accidents and Licensee would yell at her in front of the other residents, making her feel ashamed and embarrassed;
 - d. On one occasion she had an incontinence accident on her mattress and Licensee became angry with her and "ordered me to get down on my hands and knees to clean up the mess that I made;"
 - e. Licensee also made former Resident A shower 1-2 times per day due to her incontinence issues;
 - f. She moved into her current residence on December 19, 2014, but the partial rent for December and the rent for January were not paid by Licensee;

- a. She opened the Chase Bank account in former Resident A's name and listed herself as representative payee;
- b. Admitted that she kept former Resident A's Supplemental Security Income (SSI) and Social Security Administration (SSA) checks as payment for former Resident A's care at House of Prayer;
- c. When former Resident A's December, 2014, SSI and SSA checks were deposited into the Chase Bank account she did not prorate former Resident A's rent fee for December in spite of her moving out on December 19, 2014;
- d. She kept the December money to purchase a new mattress that former Resident A ruined as a result of incontinence;
- e. Ms. Elliott requested former Resident A's file to review the Resident Funds Part I and Part II, the Resident Care Agreement, the Health Care Appraisal and the Assessment Plan but Licensee stated that she did not have a resident file or any of the requested documents for former Resident A.

11. On March 6, 2015, Ms. Elliott received a document from Licensee, dated July 1, 2014, that attempted to explain disbursement of funds for former Resident A. The document listed the purchase of a \$36.00 bus pass on July 3, 2014, August 3, 2014, September 3, 2015, October 3, 2015 and November 3, 2015. Also included with the bus pass purchases were entries of \$20.00 weekly on July 3, 2014, \$40.00 weekly on August 3, 2014, \$30.00 weekly on September 3, 2015, \$40.00 weekly on October 3, 2015, and \$30.00 weekly on November 3, 2015.

However, there was no signature by former Resident A approving the financial transactions or proving that former Resident A received the bus passes and/or weekly funds and the information was not listed on an approved department form.

12. On April 13, 2015, Ms. Elliott interviewed former Resident E who confirmed that Licensee yelled at former Resident A and called her "fat" and told former Resident A to "be quiet, shut up and quit talking to me. This is my house." Former Resident E stated that Licensee described the residents as "retarded" and "crazy" and would twirl her finger around near her temple to imply that the residents were crazy. Former Resident E stated that Licensee "really should not say things like this around us because we can hear and we know what she's talking about." Former Resident E also stated that if she left the facility early Licensee would not get up in the morning to administer morning medications, which she would then take at lunch. Licensee and Ms. Kingsley did not administer morning medications on February 26, 2015, but "they filled out the sheets as though they" administered the medications that day.
13. On April 13, 2015, Ms. Elliott conducted an onsite inspection at House of Prayer and reviewed the Medication Administration Records (MARs) of Resident B, Resident C, Resident D, Resident F, Resident G and former Resident E and observed the following:
 - a. Former Resident E was a resident at House of Prayer from August 30, 2014, to March 2, 2015, but the only MARs provided to Ms. Elliott for former Resident E were for January and February of 2015;

- b. Resident B's Norvasc 2.5mg was not administered from April 1, 2015, to April 13, 2015;
- c. Resident B's Loperamide 2mg was to be administered every six hours for five days but was only initialed as administered at 2:30 p.m. from April 2, 2015, to April 8, 2015;
- d. According to Ms. Kingsley, Resident G was admitted to the hospital on April 7, 2015, where she remains to date. Resident G's MAR is initialed by Ms. Kingsley on April 8, 2015, indicating her medications were administered, even though she was at the hospital that date;
- e. On the January, 2015, MAR former Resident E's Vitamin C 250 mg dosages were not administered from January 1, 2015, to January 12, 2015. During this time frame the initials "CR" were scribbled out;
- f. None of Resident E's medications were administered on January 29, 2015, through January 31, 2015;
- g. Resident E did not receive the following prescribed medications during February, 2015:
 - i. Lac-Hydrin, Ammonium Lactate 12%, to be applied to affected areas twice daily;
 - ii. Minerin, to be applied to skin twice daily;
 - iii. Flonase, two sprays per nostril once daily;
 - iv. Lotrimin SOL, once daily;
 - v. MiraLAX, once daily.

14. On April 17, 2015, Ms. Elliott interviewed Marge Seward, former Resident E's legal guardian. Ms. Seward stated that on February 26, 2015, former Resident E called her and was upset because she left the facility early that day and tried to get staff up to administer her medications but staff would not get up. Resident E left for the day without taking her morning dosages of Thera – M, Prilosec, Lactase/Lactaid, and Fazacloe (Clozapine).
15. On May 13, 2015, the Bureau of Health Care Services forwarded a letter to Ms. Kingsley informing her that the results of her AFC/HFA Licensing Record Clearance Request revealed that she has been convicted of the following Good Moral Character crimes:
- a. March 18, 1996, pled guilty in 17th Circuit Court to one count MCL 333.7403(2)(a)(v), felony controlled substance-possess (cocaine, heroin or another narcotic) less than 25 grams and one count MCL 333.7405(d) misdemeanor controlled substances-maintaining a drug house and was sentenced to 42 months' probation;
 - b. On April 20, 2005, pled guilty in 17th Circuit Court to one count MCL 333.7403(2)(a)(v) felony controlled substance-possess (cocaine, heroin or another narcotic) less than 25 grams and was sentenced to 53 days in jail;
 - c. On October 29, 2008, pled guilty in 17th Circuit Court to one count MCL 750.357 felony larceny from the person and was sentenced to 1095 days' probation and fined \$700.00;

d. On November 20, 2014, pled guilty in 62A District Court Wyoming to one count MCL 750.356d(4) ordinance violation retail fraud-third degree and sentenced to 12 months' probation and fined \$575.00.

16. On June 23, 2015, Ms. Elliott and Ms. Smith made an unannounced onsite inspection of Licensee's facility and Licensee confirmed that Ms. Kingsley is living in the basement of the home. Ms. Smith asked Licensee what duties she requires of Ms. Kingsley and Licensee stated "fixing meals, cleaning the house, doing the laundry, and passing medications." Again proving that Ms. Kingsley was acting as a staff member in Licensee's home.

COUNT I

The conduct of Licensee, as set forth in paragraphs 3(a), 4, 5(a), 7(c), 7(d), 7(e), 8(a)(i-vi), 8(b)(i-ii) and 12 above, evidences a violation of:

R 400.1412 Resident behavior management; prohibitions.

(2) A licensee, responsible person, or any person living in the home shall not use any of the following methods of handling a resident for discipline purposes:

(e) Mental or emotional cruelty, including subjecting a resident to verbal abuse, making derogatory remarks about the resident or members of his or her family or making malicious threats.

COUNT II

The conduct of Licensee, as set forth in paragraphs 2 through 16 above, evidences a violation of:

R 400.1404 **Licensee, responsible person, and member of the household; qualifications.**

(5) All responsible persons and members of the household shall be of good moral character and suitable temperament to assure the welfare of residents.

[Note:

R 400.1401 **Definitions.**

- (1) As used in these rules:
- (n) "Responsible person" means the licensee or adult designated by the licensee to provide foster care to residents.]

COUNT III

The conduct of Licensee, as set forth in paragraphs 6, 12, 13(b-f) and 14 above, evidences a violation of:

R 400.1418 **Resident medications.**

(2) Medication shall be given pursuant to label instructions.

COUNT IV

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

R 400.1418 **Resident medications.**

(4) When a licensee or responsible person supervises the taking of medication by a resident, the licensee or responsible person shall comply with the following provisions:

(a) Maintain a record as to the time and amount of any prescription medication given or applied. Records of prescription medication shall be maintained on file in the home for a period of not less than 2 years.

COUNT V

The conduct of Licensee, as set forth in paragraphs 10(e) and 11 above, evidences a violation of:

R 400.1421 Handling of resident funds and valuables.

(6) All trust fund account transactions shall require the signature of the resident or the resident's designated representative and the licensee, or prior written approval from the resident or resident's designated representative.

COUNT VI

The conduct of Licensee, as set forth in paragraphs 3(c), 5(e) and 10(a) above, evidences a violation of:

R 400.1421 Handling of resident funds and valuables.

(7) A resident's account shall be individual to the resident. A licensee shall be prohibited from having any ownership interest in a resident's account and shall verify such in a written statement to the resident or the resident's designated representative.

COUNT VII

The conduct of Licensee, as set forth in paragraphs 10(e) and 11 above, evidences a violation of:

R 400.1421 Handling of resident funds and valuables.

(3) A licensee shall have a resident's funds and valuables transaction form completed and on file for each resident. A department form shall be used unless prior authorization for a substitute form has been granted in writing by

the department.

COUNT VIII

The conduct of Licensee, as set forth in paragraphs 7(g) & 10(e) above, evidences a violation of:

Rule 400.1407 **Resident admission and discharge criteria; resident assessment plan; resident care agreement; house guidelines; fee schedule; physicians instructions; health care appraisal.**

(5) At the time of a resident's admission, a licensee shall complete a written resident care agreement which shall be established between the resident or the resident's designated representative, the responsible agency, and the licensee. A department form shall be used unless prior authorization for a substitute form has been granted in writing by the department. A resident shall be provided the care and services as stated in the written resident care agreement.

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.

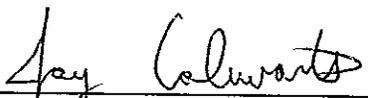
LICENSEE IS NOTIFIED that pursuant to MCL 400.722(3) of the Adult Foster Care Facility Act, Licensee has 30 days from the date of receipt of the Notice of Intent to

file a written appeal of the proposed action. The appeal shall be addressed to Joshua Hargrove, Departmental Analyst, Office of Child and Adult Licensing, Michigan Department of Licensing and Regulatory Affairs. 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 Office of Child 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 Office of Child 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 DAappeals@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: 6/30/15


Jay Calworts, Acting Director
Adult Foster Care Division
Office of Child and Adult Licensing
Bureau of Health Care Services

This is the last and final page of a NOTICE OF INTENT in the matter of AF410348809, consisting of 15 pages, this page included.

JNH

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF HEALTH CARE SERVICES

In the matter of

License #: AF410348809
SIR #: 2015A0356016
2015A0356017

Laura Ewing-Lofton

NOTICE OF COMPLIANCE CONFERENCE

Date: Tuesday, August 25, 2015

Time: 11:00 A.M.

Location: 350 Ottawa NW, BCAL Kent East Conf Room, Grand Rapids, MI 49503

* JOSH HARGROVE will be conducting this compliance conference by telephone from his office in Lansing, MI.

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 DAappeals@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
Office of Child and Adult Licensing
Bureau of Health Care Services
Michigan Department of Licensing and Regulatory Affairs
Victor Office Center
201 North Washington Square, 4th Floor
P.O. Box 30650
Lansing, MI 48909-8150

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF HEALTH CARE SERVICES

In the matter of

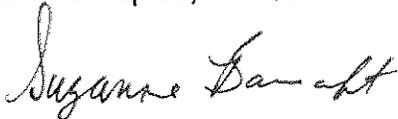
License #: AF410348809
SIR #: 2015A0356016
2015A0356017

Laura Ewing-Lofton

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 July 1, 2015.

Laura Ewing-Lofton
844 Alpine Ave. N.W.
Grand Rapids, MI 49504



Suzanne Bancroft
Office of Child and Adult Licensing
Bureau of Health Care Services