

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

In the matter of:

Nightingale Retreat/Holly Purdy
AS470385115

ORDER OF SUMMARY SUSPENSION

The Michigan Department of Licensing and Regulatory Affairs, by Jay Calewarts, Director, Adult Foster Care and Camp Licensing Division, Bureau of Community and Health Systems, orders the summary suspension of the license of Licensee, Holly Purdy, to operate a small group AFC, pursuant to the authority of the Michigan Administrative Procedures Act, 1969 PA 306, MCL 24.292(2). The Department has found that the public health, safety, or welfare require the emergency action of summary suspension for the following reasons:

1. On or about March 22, 2017, Licensee was issued a license to operate a small group AFC with a licensed capacity of 6 at 3297 Dewdrop Lane, Howell, MI 48843.
2. Prior to the issuance of the license, and during subsequent modifications of the statutes and rules, Licensee received copies of the Adult Foster Care Facility Licensing Act, 1979 PA 218, MCL 400.701 et seq. and the

licensing rule book for AFC small group home. These statues and rules are posted and available for download at www.michigan.gov/lara.

3. On February 7, 2020 Hospice Nurse Jennifer Kniceley reported to Licensing Consultant Julie Elkins that Resident Z's hospice comfort kit was opened despite Licensee Holly Purdy and staff being instructed not to open it as it was only to be opened by hospice staff. Ms. Kniceley determined that the medications in the hospice comfort kit had been replaced with an expired morphine bottle which was partially used. Licensee Ms. Purdy contacted Hospice Nurse Mindy Eagloski about giving Resident Z morphine however Resident Z had no order to be given morphine. Direct Care Staff Shelly Bell admitted to Ms. Eagloski that Ms. Bell gave Resident Z expired morphine. This morphine was off color appearing to be gray instead of blue in color per the label. The lot number on the expired morphine bottle did not match the prescription box lot number. Licensee Ms. Purdy suggested to Ms. Eagloski that Ms. Eagloski should use another resident's morphine since Resident Z's morphine was expired and off color.
4. Resident Z's morphine was located at Blue Heron Pond, AM470397058 which is approximately 17 miles away from Nightingale Retreat. Ms. Purdy is the licensee designee of this Blue Heron Pond. Resident Z's morphine was empty, with a syringe in the top of the bottle.

5. On February 27, 2020, Michigan State Police executed a search warrant for possible prescription narcotic diversion by the licensee.

DUE TO THE serious nature of the above conduct and the potential risks it represents to adult residents in Licensee's care, emergency action is required. Therefore, the Department is invoking the Michigan Administrative Procedures Act, 1969 PA 306, MCL 24.292(2). Licensee is hereby notified that its license to operate an Adult Foster Care small group home is summarily suspended.

EFFECTIVE 6:00 PM on February 27, 2020, Licensee is ordered not to operate an Adult Foster Care home at 10638 N Rushton Road, Suite 3, South Lyon, Michigan, 48178 or any other address or location. Licensee is not to receive adults for foster care after that date and time. Licensee is responsible for informing guardians and responsible agency (if applicable) of residents that the license has been suspended and that Licensee can no longer provide care.


HOWEVER, BECAUSE THE Department has summarily suspended Licensee's license, an administrative hearing will promptly be scheduled before an administrative law judge with the Michigan Office of Administrative Hearings and Rules (MOAHR). Licensee MUST NOTIFY the Department and MOAHR in writing within seven (7) calendar days after receipt of this Order if Licensee wishes to

attend the administrative hearing. The written request submitted to MOAHR must be submitted via MAIL or FAX to:

Michigan Office of Administrative Hearings and Rules
611 West Ottawa Street, 2nd Floor
P.O. Box 30695
Lansing, MI 48909
Phone: (517) 335-2484
Fax: (517) 335-6088

MCL 24.272 of the Michigan Administrative Procedures Act permits the Department to proceed with the hearing even if Licensee does not appear. Licensee may be represented by an attorney at the hearing at its own expense.

DATED: 2-27-2020



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

This is the final page of the ORDER OF SUMMARY SUSPENSION in the matter of Nightingale Retreat LLC, AM470397058, consisting of 4 pages, this page included.

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