

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

In the matter of

License #: DG390399156
SIR #: 2021D0401006

Ashlee Terry
Terry's Playhouse

ORDER OF SUMMARY SUSPENSION
AND NOTICE OF INTENT TO REVOKE LICENSE

The Michigan Department of Licensing and Regulatory Affairs, by Scott Bettys, Division Director, Child Care Licensing Division, Bureau of Community and Health Systems, hereafter referred to as “the Bureau,” orders the summary suspension and provides notice of the intent to revoke the license of Licensee, Ashlee Terry, to operate a group child care home pursuant to the authority of the Child Care Organizations Act, 1973 PA 116, as amended, MCL 722.111 et seq., for the following reasons:

1. On or about July 2, 2019, Licensee was issued a license to operate a group child care home with a licensed capacity of 12 at 1417 Crawford St., Kalamazoo, MI 49006 .
2. Prior to the issuance of the license , and during subsequent modifications of the statutes and rules, Licensee received copies of the Child Care Organizations Act, the licensing rule book for family and group child care homes, and the Child Protection Law. These rules and statutes are posted and available for download at www.michigan.gov/lara.

3. On March 25, 2021 the Bureau received complaint allegations that Licensee overdosed on cocaine in the bathroom basement of her child care home on March 23, 2021. Five child care children and a staff member arrived at Licensee's child care home after Licensee overdosed.
4. On March 26, 2021 Licensing Consultant Rebecca Wagster and Department of Health and Human Services (DHHS) worker Sue Wiseman made an unannounced onsite inspection of Licensee's child care home. When they arrived Licensee and staff member Victoria Gulley were both present. Licensee stated that she was out with friends and received a telephone call at 1:00 a.m. on March 23, 2021 from an acquaintance who needed to be picked up from the hospital. Licensee stated that friends of hers gave her cocaine to use to stay awake, and Licensee admitted to ingesting one or two lines of cocaine. Licensee stated that she and her acquaintance arrived back at her child care home from the hospital at approximately 4:00 a.m. and further stated that she did not go to sleep that night; Licensee stated that she intended to stay awake through the following day of providing child care. Licensee stated that the first child care child was scheduled to arrive at her child care home at 7:00 a.m. but at 6:50 a.m. she received a phone call from the child's parent stating that they slept in. Licensee stated that she then went to the bathroom in the basement of her child care home but does not remember much after that. Licensee stated that she was transported to Borgess Hospital and was released later that day.
5. During their March 26, 2021 onsite inspection Ms. Wagster and Ms. Wiseman interviewed Ms. Gulley. Ms. Gulley stated that she arrived at Licensee's home

with Child A at approximately 7:58 a.m. on March 23, 2021. When Ms. Gulley arrived she observed Child B and Child C on the porch of Licensee's child care home with Child B and C's Mother. The door to the child care home was locked so Ms. Gulley used her key to unlock the door and enter the home. Ms. Gulley stated that two other child care children arrived shortly after they entered the child care home. Ms. Gulley performed a search of the child care home and heard snoring in the bathroom on the lower level of the child care home. Ms. Gulley entered the bathroom and saw Licensee laying on the floor, unresponsive. 911 was called and law enforcement and emergency medical technicians (EMT) arrived at the child care home at approximately 8:30 a.m.

6. During the March 26, 2021 onsite inspection Licensee allowed Ms. Wagster and Ms. Wiseman to review her surveillance camera footage. The footage confirmed that on March 23, 2021 Ms. Gulley entered the child care home with the children and Child B and C's Mother and confirmed that EMT and law enforcement arrived at approximately 8:30 a.m.
7. On March 29, 2021 Ms. Wagster interviewed Child B and C's Mother who confirmed that she arrived at Licensee's child care home at approximately 8:00 a.m. on the morning of March 23, 2021 with Child B and Child C. Child B and C's Mother confirmed that when she arrived she knocked on the door of Licensee's child care home but did not receive a response. Child B and C's Mother confirmed that shortly after Ms. Gulley arrived and allowed entry into Licensee's child care home.

COUNT I

The conduct of Licensee, as set forth in paragraphs 3 through 7 above, evidences a willful and substantial violation of:

- R400.1902(2) Applicant; licensee; requirements.**
(2) An applicant or licensee shall be of responsible character and shall be suitable and able to meet the needs of children and provide for their care, supervision, and protection.

COUNT II

The conduct of Licensee, as set forth in paragraphs 3 through 7 above, evidences a willful and substantial violation of:

- R400.1911(1) Care; supervision; children**
(1) A licensee shall ensure appropriate care and supervision of children at all times.

DUE TO THE serious nature of the above violations and the potential risk it represents to vulnerable children in Licensee's care, emergency action is required. Therefore the provision of MCL 24.292 of the Administrative Procedures Act of 1969, as amended, is invoked. Licensee is hereby notified that the license to operate a group child care home is summarily suspended.

EFFECTIVE 6:00 p.m., on March 30, 2021, Licensee is ordered not to operate a group child care home at 1417 Crawford St., Kalamazoo, MI 49006, or at any other location or address. Licensee is not to receive children for care after that time or date.

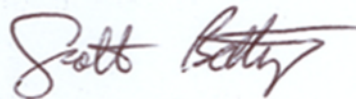
Licensee is responsible for informing parents or guardians of children in care that license has been suspended and that Licensee can no longer provide care.

HOWEVER, BECAUSE THE Department has summarily suspended Licensee's license, an administrative hearing will be promptly scheduled before an administrative law judge. Licensee MUST NOTIFY the Department and the Michigan Office of Administrative Hearings and Rules in writing within seven calendar days after receipt of this Notice if Licensee wishes to appeal the summary suspension and attend the administrative hearing. The written request 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, Michigan 48909-2484
Phone: 517-335-7519
FAX: 517-763-0155

MCL 24.272 of the Administrative Procedures Act of 1969 permits the Department to proceed with the administrative hearing even if Licensee does not appear. Licensee may be represented by an attorney at the administrative hearing.

DATED: March 30, 2021 _____



Scott Bettys, Division Director
Child Care Licensing Division
Bureau of Community and Health Systems

This is the last and final page of the ORDER OF SUMMARY SUSPENSION AND NOTICE OF INTENT in the matter of Ashlee Terry, DG390399156, consisting of 5 pages, this page included.

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_____ /

PROOF OF SERVICE

The undersigned certifies that a copy of the Order of Summary Suspension and Notice of Intent was personally served upon the person below on ___/___/_____ at ___:___ a.m. or p.m.

Ashlee Terry
1417 Crawford St
Kalamazoo, MI 49006

Served by:

Child Care Licensing Consultant
Child Care Licensing Division
Bureau of Community and Health Systems