



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF HUMAN SERVICES
LANSING

BUREAU OF CHILDREN'S AND ADULT LICENSING



MAURA D. CORRIGA
DIRECTOR

October 9, 2014

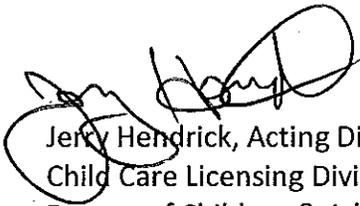
Faith Gaubault
120 White Pine Drive
St. Ignace, MI 49781

Re: License DG490314434

Dear Ms. Gaubault:

On or about August 26, 2014, you were mailed a copy of the Department's Notice of Intent to Refuse your license to operate a group child care home. In accordance with that notice, and because you did not exercise your right of appeal, your license has been revoked effective October 3, 2014. It is further understood that you are not receiving children for care now, or in the future, until such time as you are legally licensed.

Sincerely,



Jerry Hendrick, Acting Director
Child Care Licensing Division
Bureau of Children & Adult Licensing

JH:kam

cc: Jackie Horton, Area Manager, BCAL
Jeannie Ellis, Licensing Consultant, BCAL



RICK SNYDER
GOVERNOR

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



MAURA D. CORRIGAN
DIRECTOR

August 26, 2014

COPY

Faith Gaubault
120 White Pine Drive
Saint Ignace, MI 49781

License #: DG490314434
SIR #: Licensing Study Report

Dear Ms. Gaubault:

Enclosed is a copy of a NOTICE OF INTENT TO REFUSE TO RENEW YOUR LICENSE to operate a group child care home, alleging that you have violated the Child Care Organizations 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
Child Care Licensing Division
Bureau of Children and Adult Licensing

Enclosures

Cc: Jackie Horton, Area Manager

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

In the matter of
Faith Gaubault

License #: DG490314434
SIR #: Licensing Study Report

NOTICE OF INTENT TO
REFUSE TO RENEW LICENSE

The Michigan Department of Human Services, by Jerry Hendrick, Director, Child Care Licensing Division, Bureau of Children and Adult Licensing, provides notice of the intent to refuse to renew the license of Licensee, Faith Gaubault, 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 September 2, 2011, Licensee was issued a license to operate a group child care home, with a current licensed capacity of 12, at 120 White Pine Drive, Saint Ignace, MI 49781.
2. On February 29, 2012, Licensing Consultant Anne O'Neill completed a Licensing Study Report and cited Licensee with three licensing rule violations, including R 400.1905(7)(a). Licensee did not renew her CPR training in the past year. Licensee completed a Corrective Action Plan (CAP) to show compliance with the cited licensing rule violations.

3. On July 10, 2014, Licensing Consultant Jeannie Ellis completed a Licensing Study Report and cited Licensee with the following licensing rule violations:
- a. R 400.1905(7)(a); Licensee has not completed CPR training since March 26, 2012;
 - b. R 400.1907(2); None of the child records reviewed by Ms. Ellis had been updated annually since 2011;
 - c. R 400.1915(4); A posted list of unsafe children's products had not been updated since the summer of 2013;
 - d. R 400.1945(3); Licensee did not have complete fire drill logs since March, 2012;
 - e. R 400.1945(4); Licensee did not have complete tornado drill logs since March, 2012.

COUNT I

The conduct of Licensee, as set forth in paragraph 3(a) above, evidences a violation of:

R400.1905(7)

Training.

- (7) Infant, child, and adult CPR and first aid training shall be maintained in the following manner:
 - (a) Each year for CPR.

[**Note:** By this reference paragraph 2 is incorporated into this count for the purpose of demonstrating a willful and substantial violation of the above rule.]

COUNT II

The conduct of Licensee, as set forth in paragraph 3(b) above, evidences a violation of:

- R400.1907(2) Children's records.**
(2) Records in subrule (1) of this rule shall be reviewed and updated annually or when information changes.

COUNT III

The conduct of Licensee, as set forth in paragraph 3(c) above, evidences a violation of:

- R400.1915(4) Indoor space; play equipment and materials.**
(4) The caregiver shall not use any equipment, materials, and furnishing recalled or identified by the U.S. Consumer Product Safety Commission (<http://www.cpsc.gov/>) as being hazardous. As required by 2000 PA 219, MCL 722.1065, the caregiver shall conspicuously post in the child care home an updated copy of the list of unsafe children's products that is provided by the department.

COUNT IV

The conduct of Licensee, as set forth in paragraph 3(d) above, evidences a violation of:

- R400.1945(3) Fire; tornado; serious accident and injury plans.**
(3) Fire drills shall be practiced at least once a month and a written record that includes the date and time it takes to evacuate shall be maintained.

COUNT V

The conduct of Licensee, as set forth in paragraph 3(e) above, evidences a violation of:

- R400.1945(4) Fire; tornado; serious accident and injury plans.**
(4) Tornado drills shall be practiced once a month, April to October, and a written record that includes the date shall be maintained.

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 be commenced pursuant to the Child Care Organizations Act, 1973 PA 116, as amended, MCL 722.111 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 722.121(2) of the Child Care Organizations 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. You should obtain some type of delivery confirmation to verify delivery;
- Fax your written appeal to the Bureau of Children and Adult Licensing at (517) 284-9709. You should keep a copy of your fax confirmation as proof of submittal; or
- Email your written appeal to DAUappeals@Michigan.gov. You should 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 refusal to renew the license.

DATED: 8/27/2014



Jerry Hendrick, Director
Child Care Licensing Division
Bureau of Children and Adult Licensing

This is the last and final page of a NOTICE OF INTENT in the matter of Faith Gaubault, DG490314434, consisting of 5 pages, this page included.

JNH

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

In the matter of
Faith Gaubault

License #: DG490314434
SIR #: Licensing Study Report

NOTICE OF COMPLIANCE CONFERENCE

Date: October 7, 2014

Time: 11 a.m. to 1 p.m.

Location: 711 West Chisholm Street, Alpena, MI 49707

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 Child Care Organizations 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 Child Care Organizations 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

License #: DG490314434

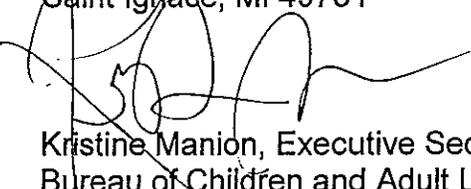
Faith Gaubault

SIR #: Licensing Study Report

PROOF OF SERVICE

The undersigned certifies that a copy of a Notice of Intent to refuse to renew 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 August 29, 2014.

Faith Gaubault
120 White Pine Drive
Saint Ignace, MI 49781



Kristine Manion, Executive Secretary
Bureau of Children and Adult Licensing