

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

**SETTLEMENT AGREEMENT**

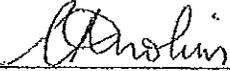
**In the Matter of:  
Clez Human Services Inc.  
License #: AS820283998**

On June 25, 2014, the Bureau of Children and Adult Licensing issued *Notice of Intent To Revoke* Clez Human Services Inc.'s adult foster care small group home license, License #AS820283998.

In settlement of all violations cited in *Notice of Intent To Revoke*, undersigned parties hereby agree:

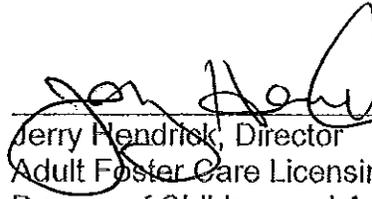
- 1) Licensee Designee Clementine Nnolim and Clez Human Services Inc. neither admit nor deny the violations cited in *Notice of Intent To Revoke* but agree to the administrative closure of the license, effective the date of signature by the Bureau representative.
- 2) Licensee Designee Clementine Nnolim and Clez Human Services Inc. waive their right to an administrative hearing in this matter.
- 3) Licensee Designee Clementine Nnolim and Clez Human Services Inc. have ceased providing adult foster care services at the facility location, and all residents have been moved.
- 4) Licensee Designee Clementine Nnolim and Clez Human Services Inc. agree not to apply for an original license for an adult foster care facility licensed under the Adult Foster Care Facility Licensing Act for a period of four years.
- 5) Other than maintaining a financial interest as the property owner of 34846 John Hawk Street, Westland, Michigan, Licensee Designee Clementine Nnolim agrees not to be connected with any adult foster care facility for a period of four years after the effective date of this agreement. This connection would include, but not limited to, a role of licensee designee, home manager, administrator, and direct care worker.
- 6) Licensee Designee Clementine Nnolim and Clez Human Services Inc. understand that pursuant to MCL 400.731(1), operating an adult foster care facility without a license is

a violation of the Adult Foster Care Licensing Act and a misdemeanor, punishable by imprisonment up to 1 year or a fine of not more than \$1,000, or both.



Clementine Nnolim  
Licensee Designee

Date: 10/14/14



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

Date: 10/16/2014



RICK SNYDER  
GOVERNOR

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



MAURA D. CORRIGAN  
DIRECTOR

June 24, 2014

Clementine Nnolim, Licensee Designee  
Cleze Human Services Inc.  
4362 Fourth St.  
Wayne, MI 48184

License #: AS820283998  
SIR #: 2014A0772017

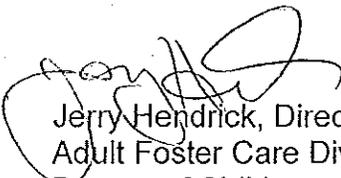
Dear Ms. Nnolim:

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

License #: AS820283998  
SIR #: 2014A0772017

Clez Human Services Inc.

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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, Clez Human Services Inc. 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 June 8, 2006, Licensee was issued a license to operate an adult foster care small group home, with a current licensed capacity of six, at 34846 John Hawk St., Westland, MI 48185.
2. On or about July 25, 2012, Resident A was placed in Grace Home of America, License #AS820292862, another facility previously owned and operated by Licensee. This facility was located at 4362 Fourth Street, Wayne, Michigan 48184.

3. Sometime after placement on July 25, 2012, Licensee moved Resident A from Grace Homes of America to Grace Homes II without written permission from Resident A and the responsible agency, as evidenced by the following:
  - a. Health care appraisals dated 9/25/12, 4/25/13, and 11/1/13 show Resident A as residing at Grace Homes II facility.
  - b. Grace Homes II's visitor log shows Resident A receiving several visits from friends and family at the facility between August 12, 2012, and December 24, 2013.
  - c. Between November 5, 2013, and January 14, 2014, Julian Anyanwu signed and initialed (as Fidelia Nnolim) 15 daily progress notes for Resident A. Ms. Anyanwu's works primarily at Grace Homes II facility.
  - d. During an interview with Ms. Davis, Shirley Hirsch, an employee with Carelink, stated that Resident A was placed in Grace Homes of America facility, not Grace Homes II. Carelink, the agency responsible for Resident A, was not informed of Resident A's placement at Grace Homes II.
  - e. Resident B told Ms. Davis that he shared a room with Resident A and that Resident A had moved into Grace Homes II approximately three or four months prior. Resident B stated that Ms. Nnolim frequently moved residents back and forth between the two facilities.
  - f. On January 16, 2014, at approximately 6:30 a.m., Resident A was at Grace Homes II where he subsequently died.
4. On January 14, 2014, at 11:26 a.m., Consumers Energy shut off gas service to the facility due to Licensee not paying the bill, leaving the home without heat or

hot water. The outside temperature in the area on that day ranged from 25 degrees to 45 degrees Fahrenheit. Licensee left the residents at the facility without furnace heat or hot water.

5. On January 15, 2014, at 11:34 a.m., Ms. Nnolim called Consumers Energy and reported that the heat at Grace Homes II was not working. Sometime after this phone call and the morning on January 16, 2014, Ms. Nnolim paid Consumers Energy the amount due, which was over \$400. According to Ms. Nnolim's written statement to Ms. Davis, Consumers Energy informed her that gas service would be restored within 24 hours. Licensee kept the residents at the facility without furnace heat or hot water.
6. On January 16, 2014, at 7:26 a.m., Staff Person Julian Anyanwu, aka Fidelia Nnolim, called 911 after finding Resident A unresponsive in his bedroom. Westland Police officers arrived at the scene soon after and found the facility unusually cold, and there were no space heaters in use at the time. Resident A was wearing a jacket, a T-shirt, an adult diaper, and a pair of socks. Temperature outside that morning was 20 degrees Fahrenheit. Resident A was pronounced dead at the facility. Wayne County Medical Examiner's Office later determined Resident A's manner of death as natural.
7. On January 16, 2014, Ms. Nnolim told Sergeant Kummert that she had been using space heaters at the facility while the gas was shut off. When Sergeant Kummert asked why the heaters were not in use when he arrived at the facility that morning, Ms. Nnolim stated that she told Ms. Anyanwu to put the heaters

away before police arrived because the use of space heaters was prohibited under licensing rules.

8. Licensee failed to complete a criminal history check on Julian Anyanwu upon her employment. On January 24, 2014, Ms. Davis reviewed Ms Anyanwau's employee file. Licensee did not have documentation that Ms. Anyanwau was fingerprinted and a criminal history check was completed at or soon after her hire date. A Workforce Background Check website indicates that Clementine Nnolim entered entered Ms. Anyanwau (under the name Fidelia Nnolim) into the system on January 26, 2014, with a hire date of December 23, 2013. However, the facility log book shows that Ms. Anyanwau was working at the facility as far back as July 23, 2012. Residents B, C, and E told Ms. Davis that Ms. Anyanwau had worked at the facility for two years and went by the names 'Fidelia' and 'Julian.' The Workforce Background Check website also indicates that social security number entered for Ms. Anyanwau either has not been issued or has already been used.
9. During her interviews with police and Ms. Davis, Licensee Designee Clementine Nnolim gave inconsistent and contradictory statements regarding the operation of the facility and care of the residents. Specifically:
  - a. Ms. Nnolim told Westland Police Sergeant Ewing that the heat stopped working at the facility at 3:00 p.m. on January 15, 2014, due to Resident A destroying the plumbing in the bathroom. In a written statement to Ms. Davis dated January 24, 2014, Ms. Nnolim wrote that the heat was shut off on January 14, 2014, of which she was notified "promptly" at 3:30 p.m.

She indicated that she “quickly called Consumer Energy” and “instantly paid the bill.” However, a Consumers Energy technician confirmed that the gas service to the facility was shut off at 11:26 a.m. on January 14, 2014. Ms. Nnolim did not contact Consumers Energy until January 15, 2014, at 11:34 a.m.

- b. In her written statement dated January 24, 2014, Ms. Nnolim indicated that Resident A came to Grace Homes II facility on January 15, 2014, to spend an overnight visit with another resident. However, daily progress notes for Resident A show that he was at the facility on January 14, 2014. The notes were signed by Julian Anyanwu (as Fidelia Nnolim), who works at Grace Homes II.
- c. On January 21, 2014, during an interview with Ms. Davis, Ms. Nnolim stated that she was not privy to the Consumers Energy because they were in her husband’s name. However, in her written statement dated January 24, 2104, Ms. Nnolim indicated that after the gas service was shut off, she contacted Consumers Energy herself and paid the bill. A Consumers Energy technician confirmed that the account is in Ms. Nnolim’s name.
- d. On January 21, 2014, Licensee submitted an incident report signed by Clementine Nnolim to the Bureau regarding Resident A’s death. Initially in the report, Ms. Nnolim indicated that on January 16, 2014, staff “quickly called 911 and informed provider [Ms. Nnolim].” However, further in her report, Ms. Nnolim wrote that “[a]bout 8am on 1/16/14, staff called

Provider that Resident A. M. is not breathing. Provider asked staff to start CPR and call 911 immediately while Provider started rushing to home.”

#### COUNT I

The conduct of Licensee, as set forth in paragraphs 4, 5, 6, and 7 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.

#### COUNT II

The conduct of Licensee, as set forth in paragraphs 4, 5, 6, and 7 above, evidences a violation of:

**R 400.14403      Maintenance of premises.**

(1) A home shall be constructed, arranged, and maintained to provide adequately for the health, safety, and well-being of occupants.

#### COUNT III

The conduct of Licensee, as set forth in paragraph 6 above, evidences a violation of:

**R 400.14406 Room temperature.**

All resident-occupied rooms of a home shall be heated at a temperature range between 68 and 72 degrees Fahrenheit during non-sleeping hours. Precautions shall be taken to prevent prolonged resident exposure to stale, noncirculating air that is at a temperature of 90 degrees Fahrenheit or above. Variations from the requirements of this rule shall be based upon a resident's health care appraisal and shall be addressed in the resident's written assessment plan. The resident care agreement shall address the resident's preferences for variations from the temperatures and requirements specified in this rule.

**COUNT IV**

The conduct of Licensee, as set forth in paragraph 7 above, evidences a violation of:

**R 400.14510 Heating equipment generally.**

- (5) Portable heating units shall not be permitted.

**COUNT V**

The conduct of Licensee, as set forth in paragraphs 3, 4, 5, 6, 7, and 8 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.**

- (2) A licensee shall have the financial and administrative capability to operate a home to provide the level of care and program stipulated in the application.

COUNT VI

The conduct of Licensee, as set forth in paragraph 8 above, evidences a violation of:

400.734(b)(6)

**Employing or contracting with certain employees providing direct services to residents; prohibitions; criminal history check; exemptions; written consent and identification; conditional employment; use of criminal history record information; disclosure; failure to conduct criminal history check; automated fingerprint identification system database; report to legislature; costs; definitions.**

(6) If an adult foster care facility determines it necessary to employ or independently contract with an individual before receiving the results of the individual's criminal history check required under this section, the adult foster care facility may conditionally employ the individual if both of the following apply:

(a) The adult foster care facility requests the criminal history check required under this section, upon conditionally employing the individual.

(b) The individual signs a written statement indicating all of the following:

(i) That he or she has not been convicted of 1 or more of the crimes that are described in subsection (1)(a) to (g) within the applicable time period prescribed by subsection (1)(a) to (g).

(ii) That he or she is not the subject of an order or disposition described in subsection (1)(h).

(iii) That he or she has not been the subject of a substantiated finding as described in subsection (1)(i).

(iv) The individual agrees that, if the information in the criminal history check conducted under this section does not confirm the individual's statement under subparagraphs (i) to (iii), his or her employment will be terminated by the adult foster care facility as required under subsection (1) unless and until the individual can prove that the information is incorrect.

(v) That he or she understands the conditions described in subparagraphs (i) to (iv) that result in the termination of his or her employment and that those conditions are good cause for termination.

## COUNT VII

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

**R 400.14302**      **Resident admission and discharge policy; house rules; emergency discharge; change of residency; restricting resident's ability to make living arrangements prohibited; provision of resident records at time of discharge.**

(6) A licensee shall not change the residency of a resident from one home to another without the written approval of the resident or the resident's designated representative and responsible agency.

## COUNT VIII

The conduct of Licensee, as set forth in paragraph 9 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.

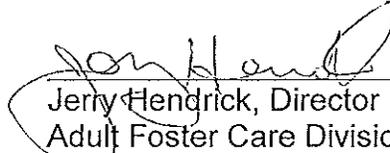
NOTICE IS GIVEN that Licensee is offered the opportunity to show compliance with all lawful requirements for retention of the license. If Licensee appeals the Notice of Intent and compliance is not shown, formal proceedings will commence pursuant to the Adult Foster Care Facility Licensing Act, 1979 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 Jennifer Kerr, 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](mailto: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: 6/25/2014

  
\_\_\_\_\_  
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 Clez Human Services Inc., AS820283998, consisting of 12 pages, this page included.

JEK

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

In the matter of

License #: AS820283998  
SIR #: 2014A0772017

Clez Human Services Inc.

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**NOTICE OF COMPLIANCE CONFERENCE**

**Date:** August 12, 2014

**Time:** 10:30 am

**Location:** BCAL Wayne AFC Conf. Rm., Cadillac Place, 3026 West Grand Blvd. Ste  
11-350, Detroit, MI 48202

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](mailto: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:

Jennifer Kerr, Departmental Analyst  
Disciplinary Action Unit  
Bureau of Children and Adult Licensing  
Michigan Department of Human Services  
Victor Office Center  
201 North Washington Square, 4<sup>th</sup> 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#: AS820283998  
SIR #: 2014A0772017

Clez Human Services Inc.

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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 June 26, 2014.

Clementine Nnolim, Licensee Designee  
Clez Human Services Inc.  
4362 Fourth St.  
Wayne, MI 48184

  
Elva Medrano, Executive Secretary  
Bureau of Children and Adult Licensing