

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

In the matter of

License #: AF530004156
SIR #: 2015A0230020

Dorothy Wallager

ORDER OF SUMMARY SUSPENSION
AND 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, Orders the Summary Suspension and provides notice of the intent to revoke the license of Licensee, Dorothy Wallager, 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 November 25, 1977, Licensee was issued a license to operate an adult foster care family home with a licensed capacity of six at 6030 East US 10 Highway, Custer, Michigan 49405.
2. On January 15, 2015, Mason County Sheriff deputies, in coordination with Sheriff's, State, Chiefs Enforcement Narcotics Team (SSCENT), executed a search warrant at Licensee's adult foster care family home and found evidence of an active methamphetamine laboratory in the garage attached to

the home. Officers also found and seized two rifles. At the time of the raid, there were three residents residing in the home.

3. On January 15, 2015, Russell Wallager, Licensee's adult son and household member, and his girlfriend Alice Ramirez, also a household member, were arrested and each subsequently charged with:

- a. Controlled Substance – Operating/Maintaining A Laboratory Involving Firearm/Other Harmful Device;
- b. Controlled Substance – Delivery/Manufacture – Methamphetamine;
and
- c. Two counts of Weapons – Felony Firearm.

4. On January 16, 2015, Licensing Consultant Rhonda Richards conducted an onsite inspection at Licensee's home. Ms. Richards observed an official Michigan State Police warning sticker posted on the garage indicating that a "clandestine laboratory for the manufacturing of illegal drugs and/or hazardous chemicals was seized at the location." The posting also indicated that "there may still be hazardous substances or waste products on this property, either in buildings or in the ground itself. Please exercise caution while on the premises."

5. On January 16, 2015, during the onsite inspection, Licensee told Ms. Richards that Mr. Wallager and Ms. Ramirez had been living at the home since May 2014. Licensee acknowledged that Ms. Ramirez had been assisting her in caring for the residents.

COUNT I

The conduct of Household Members Russell Wallager and Alice Ramirez, as set forth in paragraphs 3 and 5 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.

COUNT II

The conduct of Licensee, as set forth in paragraphs 2 and 4 above, evidences a violation of:

R 400.1426 Maintenance of premises.

(1) The premises shall be maintained in a clean and safe condition.

DUE TO THE serious nature of the above violations and the potential risk they represents to vulnerable adults 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 an adult foster care family home is summarily suspended.

EFFECTIVE 12:00 p.m., on January 22, 2015, Licensee is ordered not to operate an adult foster care family home at 6030 East US 10 Highway, Custer, Michigan 49405

or at any other location or address. Licensee is not to receive adults for care after that time or date. Licensee is responsible for informing case managers or guardians of adults in care 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 be scheduled before an Administrative Law Judge. Licensee will be notified of the hearing date.

Licensee MUST NOTIFY the Department in writing or by phone no later than 5 days before the hearing whether or not Licensee plans to attend. MCL 24.272 of the Administrative Procedures Act of 1969 permits the Department to proceed with the hearing even if Licensee does not appear. Licensee may be represented by an attorney at the hearing.

DATED: 11/21/2015


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

This is the last and final page of the ORDER OF SUMMARY SUSPENSION AND NOTICE OF INTENT in the matter of Dorothy Wallager, AF530004156, consisting of four pages, this page included.

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

In the matter of

License #: AF530004156
SIR #: 2015A0230020

Dorothy Wallager

Dorothy Wallager

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:

1/22/15 at 8:56 at 6030 E. US 10 Hwy Custer, MI.
Date Time Place 49405

Dorothy Wallager
6030 East US 10 Highway
Custer, Michigan 49405

Rhonda Richards 1/22/15

Bureau of Children and Adult Licensing

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

SETTLEMENT AGREEMENT

In The Matter Of:
Dorothy Wallager
License/Registration #: AF530004156

On January 22, 2015, the Bureau of Children and Adult Licensing issued an *Order of Summary Suspension and Notice of Intent To Revoke* the adult foster care family home license of Dorothy Wallager.

In settlement of all issues raised in that *Order of Summary Suspension and Notice of Intent to Revoke*, the undersigned parties hereby agree:

- 1) Licensee Dorothy Wallager neither admits nor denies the allegations set forth in the *Notice of Intent to Revoke* but agrees that there has been a violation of the Adult Foster Care Facility Licensing Act and/or the rules promulgated under the Act.
- 2) Licensee Dorothy Wallager understands that her adult foster care family home license will be revoked, effective the date of the signature by the representative of the Bureau of Children and Adult Licensing.
- 3) Licensee Dorothy Wallager agrees to immediately cease providing adult foster care services as defined under the Act.
- 4) Licensee Dorothy Wallager understands that she is waiving her right to appeal the *Order of Summary Suspension and Notice of Intent To Revoke*, and an administrative hearing will not be held in this matter.
- 5) Licensee Dorothy Wallager agrees not to apply for a license for an adult foster care organization licensed under the Adult Foster Care Facility Licensing Act for a period of five years, and agrees not to be connected, directly or indirectly, with a licensee for a period of five years from the effective date of this agreement.
- 6) Licensee Designee Dorothy Wallager understands 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.

Dorothy Wallager 1-22-15
Dorothy Wallager Date
Licensee

Jerry Hendrick 1/22/2015
Jerry Hendrick, Director Date
Bureau of Children and Adult Licensing