



RICK SNYDER
GOVERNOR

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

MIKE ZIMMER
DIRECTOR

September 17, 2015

Janet Gray
520 Miller
Saginaw, MI 48602

Re: License AS730012976

Dear Ms. Gray:

On or about July 10, 2015, you were certified mailed a copy of the Department of Licensing and Regulatory Affairs' Notice of Intent to Refuse to Renew your license to operate an adult foster care small group home. In accordance with that Notice, and because you did not exercise your right of appeal, your license has been refused renewal effective August 18, 2015. It is further understood that you will not be receiving adults for care now, or in the future, unless you are legally licensed to do so.

Sincerely,

A handwritten signature in cursive script that reads "Jay Calewarts".

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

JC: sb

Enclosure

cc: Mary Holton, Area Manager



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF HEALTH CARE SERVICES

MIKE ZIMMER
DIRECTOR

July 10, 2015

Janet Gray
520 Miller
Saginaw, MI 48602

License #: AS730012976
SIR #: Renewal Inspection Report

Dear Ms. Gray:

Enclosed is a copy of a NOTICE OF INTENT TO REFUSE TO RENEW 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,

Jay Calewarts, Director
Adult Foster Care and Camps Licensing Division
Bureau of Community and Health Systems

Enclosures

Cc: Mary Holton, Area Manager

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

In the matter of

License #: AS730012976
SIR #: Renewal
Inspection Report

Janet Gray
Grays AFC Home

NOTICE OF INTENT TO
REFUSE TO RENEW LICENSE

The Michigan Department of Licensing and Regulatory Affairs, by Jay Calewarts, Acting Director, Adult Foster Care and Camps Licensing Division, Bureau of Community and Health Systems, provides notice of the intent to refuse to renew the license of Licensee, Janet Gray 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 July 1, 1991, Licensee was issued a license to operate an adult foster care small group home, with a current licensed capacity of 6, at 520 Miller, Saginaw, MI 48602.

Previous Licensing Rule Violations

2. On or about October 8, 2008, a licensing renewal inspection report was completed and Licensee was cited for violating licensing rules R 400.14203(1)(a) and R 400.14203(1)(b) due to her failure to complete 16 hours of training and six credit hours at an accredited college or university.

3. On October 5, 2010, Licensing Consultant Kathryn Huber completed a licensing renewal inspection report and cited Licensee with six licensing rule violations, including R 400.14203(1)(a) and R 400.14203(1)(b). R 400.14203(1)(a) was cited due to Licensee's failure to complete 16 hours of training for the years 2007, 2008 and 2009. R 400.14203(1)(b) was cited due to Licensee's failure to complete six credit hours at an accredited college or university for the years 2007, 2008 and 2009. On October 5, 2010, Licensee submitted an acceptable Corrective Action Plan (CAP) to show compliance with the cited licensing rule violations.
4. On October 19, 2012, Ms. Huber completed a licensing renewal inspection report and cited Licensee with six licensing rule violations, including R 400.14203(1)(a) and R 400.14203(1)(b). Licensee did not complete any training in 2011 or 2012. On November 13, 2012, Licensee submitted an acceptable CAP to show compliance with the cited licensing rule violations and Licensee's license was modified to 1st provisional status.
5. On May 3, 2013, Ms. Huber completed a licensing renewal inspection report and cited Licensee with five licensing rule violations, including the following:
 - a. R 400.14312(4)(b)(v); Medication logs had not been initialed as given since April 24, 2013;
 - b. R 400.14318(5); A fire drill had not been completed for March, 2013, and April, 2013.

6. On May 22, 2013, Licensee submitted an acceptable CAP to show compliance with the cited licensing rule violations identified in the May 3, 2013, licensing renewal inspection report.

Current Licensing Rule Violations

7. On May 27, 2015, and June 3, 2015, Ms. Huber completed licensing renewal on-site inspections of Licensee's facility and cited Licensee with the following licensing rule violations:
 - a. R 400.14203(1)(a); Licensee completed 11 of 16 hours of training in 2014 but had not completed any of the required 16 hours of training for 2015;
 - b. R 400.14203(1)(b); Licensee had not completed any of the six hours of training at an accredited college or university for 2015;
 - c. R 400.14205(1); Volunteers providing direct care in the facility did not have medical clearances; during the May 27, 2015, on-site inspection volunteers Rochelle Luna and Tina Reis admitted that they did not have a physical completed; Licensee's grandson stated that Licensee has been unavailable to operate the facility as administrator since April 10, 2015;
 - d. R 400.14205(7); The volunteers could not provide documentation that they were free from communicable disease;
 - e. R 400.14206(2); During the May 27, 2015, on-site inspection Ms. Reis and Ms. Luna stated that they volunteer at the facility but neither had training or knowledge of the specified services detailed in the residents Resident Care Agreements and Assessment Plans;

- f. R 400.14206(3); On May 27, 2015, volunteers Ms. Reis and Ms. Luna were the only staff members on duty. On June 3, 2015, volunteer Krystal Gray was the only staff member on duty;
- g. R 400.14206(5); Licensee has been on extended leave since April 10, 2015, but did not provide, in writing, who has the authority to carry out the administrator's responsibilities in her absence;
- h. R 400.14208(3)(a-e); A daily work schedule was not maintained;
- i. R 400.14301(4); All four resident files reviewed contained annual written assessment plans that had not been completed since 2012;
- j. R 400.14301(9); Residents' annual written assessment plans had not been reviewed or updated since 2012;
- k. R 400.14312(1); During the May 27, 2015, on-site inspection residents' medications were not in a locked cabinet; during the June 3, 2015, on-site inspection residents' medications were sitting on top of an unlocked medication cabinet;
- l. R 400.312(4)(b)(v); Medication Administration Records had not been initialed as given since April 6, 2015; on June 3, 2015, Ms. Gray stated that Medication Administration Records were not being initialed because the volunteers "did not feel comfortable" initialing them;
- m. R 400.313(4); Menus were not written one week in advance and posted; on May 27, 2015, Ms. Reis did not know about the menus and stated that the menu is old;

- n. R 400.14318(4); Ms. Reis and Ms. Luna were unaware of the emergency and evacuation procedures;
- o. R 400.14318(5); Documentation of fire drills were not available at the time of the on-site inspection;
- p. R 400.14505(2); At the June 3, 2015, on-site inspection a smoke detector was not installed in the kitchen area;

COUNT I

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

R 400.14203 Licensee and administrator training requirements.

(1) A licensee and an administrator shall complete the following educational requirements specified in subdivision (a) or (b) of this subrule, or a combination thereof, on an annual basis:

(a) Participate in, and successfully complete, 16 hours of training designated or approved by the department that is relevant to the licensee's admission policy and program statement.

[Note: By this reference paragraphs 2, 3 & 4 are incorporated into this count for the purpose of demonstrating a willful and substantial violation of the above cited rule.]

COUNT II

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

R 400.14203 Licensee and administrator training requirements.

(1) A licensee and an administrator shall complete the following educational requirements specified in subdivision (a) or (b) of this subrule, or a combination thereof, on an annual basis:

(b) Have completed 6 credit hours at an accredited college or university in an area that is relevant to the licensee's admission policy and program statement as approved by the department.

[Note: By this reference paragraphs 2, 3 & 4 are incorporated into this count for the purpose of demonstrating a willful and substantial violation of the above cited rule.]

COUNT III

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

R 400.14312 Resident medications.

(4) When a licensee, administrator, or direct care staff member supervises the taking of medication by a resident, he or she shall comply with all of the following provisions:

(b) Complete an individual medication log that contains all of the following information:

(v) The initials of the person who administers the medication, which shall be entered at the time the medication is given.

[Note: By this reference paragraph 5(a) is incorporated into this count for the purpose of demonstrating a willful and substantial violation of the above cited rule.]

COUNT IV

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

R 400.14318 Emergency preparedness; evacuation plan; emergency transportation.

(5) A licensee shall practice emergency and evacuation procedures during daytime, evening, and sleeping hours at least once per quarter. A record of the practices shall be maintained and be available for department review.

[Note: By this reference paragraph 5(b) is incorporated into this count for the purpose of demonstrating a willful and substantial violation of the above cited rule.]

COUNT V

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

R 400.14205 Health of a licensee, direct care staff, administrator, other employees, those volunteers under the direction of the licensee, and members of the household.

(7) A licensee shall obtain certification from a volunteer that the volunteer is free from communicable disease and that the volunteers physical and mental health will not negatively affect either the health of the resident or the quality of the resident's care.

COUNT VI

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

R 400.14206 Staffing requirements.

(2) A licensee shall have sufficient direct care staff on duty at all times for the supervision, personal care, and protection of residents and to provide the services specified in the resident's resident care agreement and assessment plan.

COUNT VII

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

R 400.14206 Staffing requirements.

(5) A licensee or administrator shall designate, in writing, a person who shall be on-site or immediately available and who shall have the authority to carry out the licensee's or administrator's responsibilities in the absence of the licensee or administrator and shall ensure that the identity of the designated person is made known to all staff.

COUNT VIII

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

R 400.14312 Resident medications.

(1) Prescription medication, including dietary supplements, or individual special medical procedures shall be given, taken, or applied only as prescribed by a licensed physician or dentist. Prescription medication shall be kept in the original pharmacy-supplied container, which shall be labeled for the specified resident in accordance with the requirements of Act No. 368 of the Public Acts of 1978, as amended, being §333.1101 et seq. of the Michigan Compiled Laws, kept with the equipment to administer it in a locked cabinet or drawer, and refrigerated if required.

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.

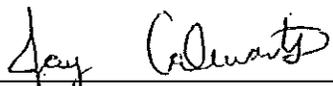
LICENSEE IS NOTIFIED that pursuant to MCL 400.722(3) of the Adult Foster Care Facility Act, Licensee has 30 days from the date of receipt of the Notice of Intent to file a written appeal of the proposed action. The appeal shall be addressed to Joshua Hargrove, Departmental Analyst, Bureau of Community and Health Systems, Michigan Department of Licensing and Regulatory Affairs. 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 Community and Health Systems, 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 Community and Health Systems 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 DAappeals@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 refusal to renew the license.

DATED: 7/13/15


Jay Calewarts, Director
Adult Foster Care and Camps Licensing
Division
Bureau of Community and Health Systems

This is the last and final page of a NOTICE OF INTENT in the matter of AS730012976, consisting of 10 pages, this page included.

JNH

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF HEALTH CARE SERVICES

In the matter of

License #: AS730012976
SIR #: Renewal Inspection
Report

Janet Gray

NOTICE OF COMPLIANCE CONFERENCE

Date: August 26, 2015

Time: 11:00 a.m.

Location: 411 East Genesee, 4 South Conference Room, Saginaw 48605

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 DAappeals@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:

Joshua Hargrove, Departmental Analyst
Office of Child and Adult Licensing
Bureau of Health Care Services
Michigan Department of Licensing and Regulatory Affairs
Victor Office Center
201 North Washington Square, 4th Floor
P.O. Box 30650
Lansing, MI 48909-8150

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF HEALTH CARE SERVICES

In the matter of

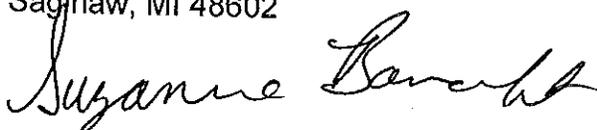
License #: AS730012976
SIR #: Renewal
Inspection Report

Janet Gray

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 July 15, 2015.

Janet Gray
520 Miller
Saginaw, MI 48602



Suzanne Bancroft
Office of Child and Adult Licensing
Bureau of Health Care Services