



RICK SNYDER
GOVERNOR

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

MIKE ZIMMER
DIRECTOR

January 8, 2016

Scott AFC Homes Inc.
Clara Walker, Licensee Designee
7874 Klein
Detroit, MI 48211

RE: License # AS820088708

Dear Ms. Walker:

A *Notice of Intent to Revoke License*, the small group home license of Klein AFC Home #4, was issued on November 12, 2015.

A written request to appeal this decision was not received within 30 days of receipt of the *Notice*. This letter is to notify you that the license for Klein AFC Home #4 is revoked, effective December 16, 2015.

Please note that the Adult Foster Care Facility Licensing Act requires that a person or corporation deemed to be providing adult foster care must be licensed. Therefore, it is incumbent upon you to properly and timely discharge remaining residents in care. For additional information, please refer to MCL 400.731.

Sincerely,

Jay Calewarts, Director
AFC and Camps Licensing Division

JC/sw

cc: Ardra Hunter, Area Manager



RICK SNYDER
GOVERNOR

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

MIKE ZIMMER
DIRECTOR

October 27, 2015

Scott AFC Homes Inc
Clara Walker, Licensee Designee
7874 Klein
Detroit, MI 48211

License #: AS820088708
SIR #: 2015A0778033

Dear Ms. Walker, Licensee Designee:

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,

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

Enclosures

Cc: Ardra Hunter, Area Manager

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

In the matter of

License #: AS820088708
SIR #: 2015A0778033

Scott AFC Homes Inc
Klein AFC Home #4

NOTICE OF INTENT TO
REVOKE LICENSE

The Michigan Department of Licensing and Regulatory Affairs, by Jay Calewarts, Division Director, Adult Foster Care and Camps Licensing Division, Bureau of Community and Health Systems, provides notice of the intent to revoke the license of Licensee, Scott AFC Homes 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 January 30, 1996, Licensee was issued a license to operate an adult foster care small group home, with a current licensed capacity of 6, at 7871 Klein, Detroit, MI 48211.

Previous Licensing Rule Violations

2. On August 19, 2014, Licensing Consultant LaKeitha Stevens completed an on-site renewal inspection of Klein AFC Home #4 and cited Licensee with 16 licensing rule violations, including the following:

- a. R 400.1803(6)(a)(b); Resident A did not have a completed Evacuation E-score for 2014 and Resident B did not have a completed Evacuation E-score for 2013;
- b. R 400.14203(1)(a)(b); Licensee Designee was unable to produce documentation of having completed annual training hours and stated that she did not have any hours for review;
- c. R 400.14204(3)(b); Staff 1 did not have proof of first aid training at the time of hire or prior to assuming assigned tasks;
- d. R 400.14204(3)(c); Staff 1 did not have verification of cardiopulmonary resuscitation at the time of hire or prior to assuming assigned tasks;
- e. R 400.14205(5); At the time of inspection Staff 2 did not have current TB testing and the last test was completed on March 11, 2010;
- f. R 400.14205(6); Staff 2 did not have current verification of annual health status review and the last annual health status review was dated January 14, 2010;
- g. R 400.14208; Staff 1 did not have verification of education or reference checks;
- h. R 400.14301(10); Resident A and Resident D did not have current health care appraisals;
- i. R 400.14312(4)(a-f); The July, 2014, medication logs could not be located by staff or Licensee Designee. Resident A's Aspirin 81 mg was on the medication log but was not present in his medication cart. Additionally,

the medication logs for Resident A and Resident C were missing initials indicating medications had been administered for the following dates:

i. Resident A:

1. June 1, 2014;
2. June 4, 2014;
3. June 15, 2014;
4. June 22, 2014;
5. June 28, 2014;
6. June 29, 2014;
7. August 16, 2014;
8. August 19, 2014;

ii. Resident C:

1. June 1, 2014;
2. June 14, 2014;
3. June 15, 2014;
4. June 21, 2014;
5. June 22, 2014;
6. June 28, 2014;
7. June 29, 2014;
8. August 19, 2014;

j. R 400.14316(1)(a-j); Resident A's resident information record was incomplete;

k. R 400.14403(1); The following maintenance of premises violations were identified;

- i. The screen door was broken near the locking device;
- ii. Dresser drawers were broken;
- iii. The upstairs bedroom was equipped with panel;
- iv. The towel rack in the bathroom was broken;
- v. The stove was missing knobs;
- vi. The refrigerator and freezer were not equipped with thermometers;
- vii. The entire home required cleaning and dusting;
- viii. The home had an unknown odor.

3. On January 9, 2015, as a result of the licensing rule violations cited during the August 19, 2014, on-site renewal inspection Licensee's license was modified to 1st provisional status for a period of six months.

Current Licensing Rule Violations

4. On May 20, 2015, Ms. Stevens completed an interim inspection at Klein AFC Home #4 and cited Licensee with the following 11 licensing rule violations:
- a. R 330.1803(6)(a)(b); At the time of inspection all fire drills were not available for review;
 - b. R 400.14203(1)(a)(b); Licensee's training was not available for review;
 - c. R 400.14204(3)(b); Staff first aid cards were not available for review;
 - d. R 400.14204(3)(c); Staff CPR cards were not available for review;
 - e. R 400.14205(5); Staff TB results were not available for review;

- f. R 400.14205(6); Staff health/physician assessment was not available for review;
 - g. R 400.14208; Staff files were not available for review and Ms. Stevens could not verify completion of education and reference checks;
 - h. R 400.14301(10); All residents did not have verification of health care appraisals;
 - i. R 400.14312(4)(b)(i-vi); The medication book was in a locked cabinet and not available for review;
 - j. R 400.14316(1)(a-d); All resident files were not equipped with identification sheets;
 - k. R 400.14403(1); Ms. Stevens observed broken dresser drawers.
5. On June 4, 2015, Ms. Stevens contacted the anonymous complainant who filed a May 22, 2015, complaint against Klein AFC Home #4. The complainant stated that on April 30, 2015, Resident A, who is diabetic, was transported from Detroit Central City Day Program to the emergency room due to increased blood pressure. According to the complainant Resident A was supposed to receive medical follow up care by May 31, 2015. The complainant also stated that Resident A is not served breakfast prior to attending the day program. Ms. Stevens interviewed Resident A, who confirmed that he leaves for the day program at 8:00 a.m. and breakfast is not prepared or offered prior to his departure.
6. On June 24, 2015, Ms. Stevens conducted an onsite inspection of Klein AFC Home #4. During the inspection Ms. Stevens asked to review medication logs for

Resident A but Licensee Designee Clara Walker was unable to locate the key to the medication cart.

7. On July 14, 2015, Ms. Stevens conducted an additional onsite inspection of Klein AFC Home #4. Ms. Stevens spoke with Resident A who stated that he is currently out of his high blood pressure medication and, although he was supposed to receive a follow up medical appointment by May 31, 2015, he has not been to the doctor since his April 30, 2015, visit to the emergency room. Ms. Stevens spoke with Ms. Walker and requested to review the June medication log but Ms. Walker was unable to locate the log.
8. On July 14, 2015, Ms. Stevens went to Resident A's day program and spoke with the case manager. Ms. Stevens was informed that Resident A is hungry every morning he arrives at the day program and eats breakfast there.
9. On July 15, 2015, Ms. Stevens completed an onsite inspection of Klein AFC Home #4 and interviewed Ms. Walker. Ms. Walker confirmed that after Resident A was discharged from the emergency room on April 30, 2015, his discharge instructions stated he needed to receive follow up care but he has not received that follow up care. Ms. Walker also confirmed that Resident A is currently out of his high blood pressure medication because he has not been to the doctor. Ms. Stevens also interviewed Resident B and Resident C who confirmed that breakfast is served at approximately 9:30 a.m. and dinner is served at 5:30 p.m. Both residents stated that no snacks are provided to them in between meals. Ms. Walker confirmed that residents go without food from 5:30 p.m. to 9:30 a.m. each day, a total of 16 hours in between dinner and breakfast.

COUNT I

The conduct of Licensee, as set forth in paragraphs 4(i), 6 & 7 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:

- (i) The medication.
- (ii) The dosage.
- (iii) Label instructions for use.
- (iv) Time to be administered.
- (v) The initials of the person who administers the medication, which shall be entered at the time the medication is given.
- (vi) A resident's refusal to accept prescribed medication or procedures.

[**Note:** By this reference paragraph 2(i)(i)(ii) 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 4(e) 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.

(5) A licensee shall obtain written evidence, which shall be available for department review, that each direct care staff, other employees, and members of the household have been tested for communicable tuberculosis and that if the disease is present, appropriate precautions shall be taken as required by state law. Current testing shall be obtained before an individual's employment, assumption of duties, or occupancy

in the home. The results of subsequent testing shall be verified every 3 years thereafter or more frequently if necessary.

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

COUNT III

The conduct of Licensee, as set forth in paragraph 4(c) above, evidences a violation of:

R 400.14204 Direct care staff; qualifications and training.

(3) A licensee or administrator shall provide in-service training or make training available through other sources to direct care staff. Direct care staff shall be competent before performing assigned tasks, which shall include being competent in all of the following areas:

(b) First aid.

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

COUNT IV

The conduct of Licensee, as set forth in paragraph 4(d) above, evidences a violation of:

R 400.14204 Direct care staff; qualifications and training.

(3) A licensee or administrator shall provide in-service training or make training available through other sources to direct care staff. Direct care staff shall be competent before performing assigned tasks, which shall include being competent in all of the following areas:

(c) Cardiopulmonary resuscitation.

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

COUNT V

The conduct of Licensee, as set forth in paragraph 4(h) above, evidences a violation of:

R 400.14301 Resident admission criteria; resident assessment plan; emergency admission; resident care agreement; physician's instructions; health care appraisal.

(10) At the time of the resident's admission to the home, a licensee shall require that the resident or the resident's designated representative provide a written health care appraisal that is completed within the 90-day period before the resident's admission to the home. A written health care appraisal shall be completed at least annually. If a written health care appraisal is not available at the time of an emergency admission, a licensee shall require that the appraisal be obtained not later than 30 days after admission. A department health care appraisal form shall be used unless prior authorization for a substitute form has been granted, in writing, by the department.

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

COUNT VI

The conduct of Licensee, as set forth in paragraphs 5, 7 & 9 above, evidences a violation of:

R 400.14310 Resident health care.

(1) A licensee, with a resident's cooperation, shall follow the instructions and recommendations of a resident's physician or other health care professional with regard to such items as any of the following:

(a) Medications

(d) Other resident health care needs that can be provided in the home. The refusal to follow the instructions and recommendations shall be recorded in the resident's record.

COUNT VII

The conduct of Licensee, as set forth in paragraphs 5, 8 & 9 above, evidences a violation of:

R 400.14313 Resident nutrition.

(1) A licensee shall provide a minimum of 3 regular, nutritious meals daily. Meals shall be of proper form, consistency, and temperature. Not more than 14 hours shall elapse between the evening and morning meal.

COUNT VIII

The conduct of Licensee, as set forth in paragraphs 3 & 5 through 9 above, evidences a violation of:

400.717 Provisional license.

(3) If the provisional license is issued for deficiencies in the quality of care provided in the adult foster care facility, the provisional license is not renewable. If the quality of care deficiencies are corrected and intervening deficiencies of any kind are not incurred, a regular license shall be issued.

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 30664, 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 revocation of the license.

DATED: 10/28/15


Jay Calewarts, Division 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 AS820088708, consisting of 12 pages, this page included.

JNH

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

In the matter of

License #: AS820088708
SIR #: 2015A0778033

Scott AFC Homes Inc
Clara Walker, Licensee Designee

NOTICE OF COMPLIANCE CONFERENCE

Date: December 17, 2015

Time: 11:00 a.m.

Location: ** Josh Hargrove will be conducting this compliance conference by telephone from his office in Lansing, MI. Please call 877-873-8018, access #7443548

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 DAppeals@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.

LARA is an equal opportunity employer/program.

Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.
611 W. Ottawa • P.O. BOX 30664 • LANSING, MICHIGAN 48909 • www.michigan.gov/bhcs • (517) 241-4160

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
Bureau of Community and Health Systems
Michigan Department of Licensing and Regulatory Affairs
Victor Office Center
201 North Washington Square, 4th Floor
P.O. Box 30664
Lansing, MI 48909-8150

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

In the matter of

License #: AS820088708
SIR #: 2015A0778033

Scott AFC Homes Inc
Clara Walker, Licensee Designee

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 November 12, 2015.

Clara Walker, Licensee Designee
7874 Klein
Detroit, MI 48211



Suzanne Bancroft
Adult Foster Care and Camps Licensing Division
Bureau of Health Care Services