



RICK SNYDER
GOVERNOR

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

MIKE ZIMMER
DIRECTOR

June 29, 2015

Lisa MacArthur
822 Sable Street
Alpena, MI 49707

RE: DG040344016

Dear Ms. MacArthur:

On or about May 18, 2015 you were certified mailed a copy of the Department's Notice of Intent to revoke 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 will not be renewed and is now revoked, effective June 26, 2015. It is further understood that you will not receive children for care, now or in the future, without being legally licensed

Sincerely,

Jay Calewarts, Acting Director
Child Care Licensing Division
Office of Children and Adult Licensing

JC: sb

Enclosure

cc: Jacquelin Sharkey, Area Manager



RICK SNYDER
GOVERNOR

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

MIKE ZIMMER
DIRECTOR

May 18, 2015

Lisa MacArthur
822 Sable St.
Alpena, MI 49707

License #: DG040344016
SIR #: 2015D0602007

Dear Ms. MacArthur:

Enclosed is a copy of a NOTICE OF INTENT TO REVOKE 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,

Jay Calewarts, Acting Director
Child Care Licensing Division
Office of Child and Adult Licensing

Enclosures

Cc: Jacquelin Sharkey, Area Manager

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

In the matter of

Lisa MacArthur

License #: DG040344016
SIR #: 2015D0602007

NOTICE OF INTENT TO
REVOKE LICENSE

The Michigan Department of Licensing and Regulatory Affairs, by Jay Calewarts, Acting Director, Child Care Licensing Division, Office of Child and Adult Licensing, provides notice of the intent to revoke the license of Licensee, Lisa MacArthur, 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 July 29, 2013, Licensee was issued a license to operate a group child care home, with a current licensed capacity of 12, at 822 Sable St., Alpena, MI 49707.
2. On March 17, 2015, at approximately 3:00 p.m., Child A (male; DOB 9/17/2012) and Child B (male; DOB 2/11/2013) wandered away from the child care home, leaving out the side door of the home and walking approximately 165 feet through Licensee's back yard and down an alley. Child A and Child B were barefoot and without coats. According to www.wunderground.com, the outdoor temperature in Alpena at 3:00 p.m. that day was 37 degrees Fahrenheit.

3. On March 17, 2015, between sometime between 3:00 p.m. and 3:30 p.m., Witness 1 and Witness 2 observed Child A and Child B standing in the west bound lane of 9th Street in Alpena. 9th Street is a heavily traveled road that connects the north and south sides of Alpena and has a posted speed limit of 25 miles per hour. Witness 1 and Witness 2 got out of their vehicle and approached the children. Child B was shaking as if he was cold. Witness 1 held Child B while Witness 2 knocked on the doors of two neighboring houses in an attempt to locate the children's home and/or parents. When Witness 1 asked Child A where he lived, Child A began running down the alley that ran behind Licensee's home. Witness 1 and Witness 2 followed and observed Licensee standing in front of her home on Sable Street. Witness 1 asked Licensee if Child A and Child B belonged to her. Licensee stated that they did, collected the children, and went into the home.
4. Licensee failed to provide truthful and accurate information to Ms. Ellis during the licensing investigation. During an interview, Licensee told Ms. Ellis that Child A and Child B were never out of her sight after they left the home, as she was following directly behind them. She indicated that Child A and Child B never left the alley way that ran along the back of her property. However, during interviews with Ms. Ellis, Witness 1 and Witness 2 both stated that they found Child A and Child B standing in 9th Street, and no one was following the children at the time. Witness 1 and Witness 2 stated that when they were walking toward Licensee's home with the children, they saw Licensee in front of her house. Both witnesses indicated that there was no way that Licensee could have seen Child A and Child B standing in the street from her location in front of the house.

COUNT I

The conduct of Licensee, as set forth in paragraphs 2 and 3 above, evidences a violation of:

R 400.1911 Supervision.

- (1) The caregiver shall assure appropriate care and supervision of children at all times.

COUNT II

The conduct of Licensee, as set forth in paragraphs 2, 3, and 4 above, evidences a violation of:

R 400.1902 Caregiver and child care home family.

- (2) An applicant or the caregiver shall be of responsible character and shall be suitable and able to meet the needs of children and provide for their care, supervision, and protection.

COUNT III

The conduct of Licensee, as set forth in paragraphs 2, 3, and 4 above, evidences a violation of:

R 400.1911 Supervision.

- (4) Caregiving staff shall know the location of each child at all times.

COUNT IV

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

R 400.1903 Caregiver responsibilities.

- (4) The caregiver shall cooperate with the department in connection with an inspection or investigation. Cooperation shall include, but not be limited to, both of the following:
 - (b) Information provided to the department shall be accurate and truthful.

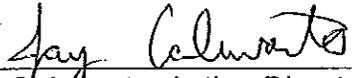
NOTICE IS GIVEN that, Licensee is offered the opportunity to show compliance with all lawful requirements for retention of the license. If Licensee appeals the Notice of Intent and compliance is not shown, formal proceedings will be commenced pursuant to the Child Care Organizations Act, 1973 PA 116, 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 Jennifer Kerr, Departmental Analyst, Bureau of Health Care Services, 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 Office of Child 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 Office of Child 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 revocation of the license.

DATED: 5/19/15



Jay Calworts, Acting Director
Child Care Licensing Division
Office of Child and Adult Licensing
Bureau of Health Care Services

This is the last and final page of a NOTICE OF INTENT in the matter of Lisa MacArthur, DG040344016, consisting of six pages, this page included.

JEK