

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

In the matter of

License #: DG330300346
SIR #: 2016D0219007

Gloria Lino

ORDER OF SUMMARY SUSPENSION
AND NOTICE OF INTENT TO REVOKE LICENSE

The Michigan Department of Licensing and Regulatory Affairs, by Mark C. Jansen, Division Director, Child Care Licensing Division, Bureau of Community and Health Systems, orders the summary suspension and provides notice of the intent to revoke the license of Licensee, Gloria Lino, 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 May 8, 2009, Licensee was issued a license to operate a group child care home with a licensed capacity of 12 at 5810 Monticello Dr., Lansing, MI 48911.
2. On January 4, 2016, Licensing Consultant Darlese McConnell interviewed Licensee due to allegations that Licensee was administering Benadryl to child care children without parental permission. Licensee initially admitted that she administered Benadryl to child care children but then retracted the admission. Licensee admitted that she does not have written parental permission to administer medication to any of the child care children.

3. On January 15, 2016, Ms. McConnell interviewed Child A (F, DOB 01/03/06). Ms. McConnell established that Child A could distinguish the difference between the truth and a lie by implementing the Forensic Interview Protocol. When Ms. McConnell asked Child A if she knew an individual with Licensee's first name Child A stated "yes, she used to babysit us but we don't go over [Licensee's] anymore because she gave us Benadryl every day after school." When Ms. McConnell asked Child A to explain this allegation Child A stated that Licensee would pick her up along with Child B, Child C and seven other children every day after school. When they got into Licensee's car Licensee would give each of the children a pink pill and a juice box to swallow the pill. Child A stated that when they got back to Licensee's home Licensee would sometimes leave the medication out in a bedroom. Ms. McConnell had Child A review a picture of a small, pink pill that Ms. McConnell received from Child A, B and C's Mother. Child A confirmed that she took the picture on her tablet and forwarded it to Child A, B and C's Mother using the application called "Text Now." Child A stated that the picture was of a pill that she found on the floor of Licensee's home.
4. On February 10, 2016, Ms. McConnell interviewed Licensee and during this interview Licensee admitted that she gave child care children medication when it appeared that child care children were showing symptoms of headaches, coughs, cold and allergies. Licensee admitted that sometimes she received verbal permission from parents but stated that sometimes "I would just take it upon myself to give them the medications they needed." Ms. McConnell asked if she gave the child care children pink pills and Licensee stated "Yes, it was

children's Benadryl." Ms. McConnell asked Licensee if she had written parental permission to administer the Benadryl and Licensee replied "No." Ms. McConnell then asked Licensee "For clarification purposes, what I hear you telling me is that there have been times when you have given children medication without their parent's permission if the children had various symptoms?" Licensee replied "Yes." Licensee stated that she has had some of the children in care for so long that she treats them as her own and forgets that there are child care rules that she has to follow. Ms. McConnell showed Licensee the picture that Child A, B and C's Mother forwarded to her of the pill that Child A had found on the floor of Licensee's home. When Licensee viewed the picture she stated that the pill that Child A had in her hand was not a Benadryl pill but one of Licensee's medications. An additional finding to Ms. McConnell's investigation was the admission by Licensee that she has allowed children she has for night time care to sleep on the couch rather than an age appropriate crib or bed.

COUNT I

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

R400.1911(1)

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 through 4 above, evidences a willful and substantial violation of:

- R400.1918(2) Medication; administrative procedures.**
(2) Medication, prescription or nonprescription, shall be given or applied only with prior written permission from a parent.

COUNT III

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

- R400.1932(2) Home maintenance and safety.**
(2) All dangerous and hazardous materials or items shall be stored securely and out of the reach of children.

COUNT IV

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

- R400.1916(13) Bedding and sleeping equipment.**
(13) If nighttime care is provided, then children shall sleep in age appropriate cribs and beds.

DUE TO THE serious nature of the above violations and the potential risk it represents to vulnerable children 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 a group child care home is summarily suspended.

EFFECTIVE 6:00 PM, on February 16, 2016, Licensee is ordered not to operate a group child care home at 5810 Monticello Dr., Lansing, MI 48911, or at any other location or address. Licensee is not to receive children for care after that time or date. Licensee is responsible for informing parents or guardians of children in care that license has been suspended and that Licensee can no longer provide care.

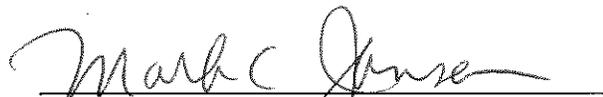
HOWEVER, BECAUSE THE Department has summarily suspended Licensee's license, an administrative hearing will be promptly scheduled before an administrative law judge. Licensee MUST NOTIFY the Michigan Administrative Hearings System (MAHS) in writing within seven calendar days after receipt of this Notice if Licensee wishes to appeal the summary suspension and attend the administrative hearing. The written request must be submitted via MAIL or FAX to:

Michigan Administrative Hearings System
611 West Ottawa Street, 2nd Floor
P.O. Box 30695
Lansing, Michigan 48909-2484
Phone: 517-335-2484
FAX: 517-335-6088

MCL 24.272 of the Administrative Procedures Act of 1969 permits the Department to proceed with the administrative hearing even if Licensee does not appear. Licensee may be represented by an attorney at the administrative hearing.

DATED: _____

2/16/16



Mark C. Jansen, Division Director
Child Care Licensing Division
Bureau of Community and Health Systems

This is the last and final page of the ORDER OF SUMMARY SUSPENSION AND NOTICE OF INTENT in the matter of Gloria Lino, DG330300346, consisting of 5 pages, this page included.

JNH