

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
CHILD CARE LICENSING BUREAU

In the matter of

License #: DF820399163
SIR #: 2021D0918012

Kathleen Mayhue-Radeback

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ORDER OF SUMMARY SUSPENSION
AND NOTICE OF INTENT TO REVOKE LICENSE

The Michigan Department of Licensing and Regulatory Affairs, by Division Director Erika Bigelow and Bureau Director Emily Laidlaw, Child Care Licensing Bureau, hereafter referred to as “the Bureau,” orders the summary suspension and provides notice of the intent to revoke the license of Licensee, Kathleen Mayhue-Radeback, to operate a family 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 August 9, 2019, Licensee was issued a license to operate a family child care home with a licensed capacity of six at 30599 Marquette Street, Garden City, Michigan 48135.
2. Prior to the issuance of the license, and during subsequent modifications of the statutes and rules, Licensee received copies of the Child Care Organizations Act, the licensing rule book for family and group child care homes, and the Child Protection Law. These rules and statutes are posted and available for download at www.michigan.gov/lara.

3. Minor Household Member (MHM) 1 (age [REDACTED] years) is not suitable to meet the needs to children and does not act in a manner that is conducive to the welfare of children, as demonstrated by the following:
 - a. On August 4, 2021, Licensee brought MHM 1 [REDACTED]
[REDACTED] While at the hospital, Licensee told Registered Nurse Lauren Hochstein that she was stressed out because MHM 1 had put a child in the clothes dryer and turned it on. She also stated that on one occasion, [REDACTED]
[REDACTED]
 - b. On August 4, 2021, MHM 1 admitted to Nurse Hochstein and [REDACTED] Social Worker Ashley Brothers that she put a child, later identified as Child A (age [REDACTED] years), in the clothes dryer and turned it on.
 - c. In or around September 2021, Child A told her mother that MHM 1 had put her in the dryer, describing it as “hot, and it was dark and hurt my back. Child A stated that Licensee got her out of the dryer.
4. Licensee failed to provide appropriate care and supervision of children at all times. In or about July or August 2021, MHM 1 put Child A into a clothes dryer and turned it on while Child A was in Licensee’s care. Licensee did not inform Child A’s mother of the incident.
5. Licensee did not inform the Bureau within three business days after a household member was admitted to and released from a hospital after receiving mental health treatment. From January 19, 2021, until January 27, 2021, MHM 1 was

hospitalized [REDACTED]

Licensee did not report MHM 1's hospitalization to the Bureau.

6. Licensee did not provide the Bureau with written statement from a mental health professional verifying MHM 1's mental fitness. In January 2021, MHM 1 was [REDACTED] Licensee has not submitted a written statement from MHM 1's treating mental health professional to the Bureau since her hospitalization.
7. Licensee failed to provide truthful and accurate information to the Bureau during an investigation. During interviews with Licensing Consultant Timika Haley and [REDACTED], Licensee denied MHM 1 having put Child A in the clothes dryer. However, Ms. Brothers and Nurse Hochstein both told Ms. Haley that Licensee reported to them that MHM 1 had put Child A in the dryer and that MHM 1 had admitted to the incident. This was confirmed by Child A's statements to her mother.

COUNT I

The conduct of Licensee, as set forth in paragraphs 3(a) through 3(c) above, evidences a willful and substantial violation of:

R 400.1902

- (3) All persons, including minors, residing in the child care home shall meet all of the following requirements:
 - (a) Be suitable to meet the needs of children.
 - (b) Be able to ensure that services and facilities are conducive to the welfare of children.
 - (c) Act in a manner that is conducive to the welfare of children.

(d) Demonstrate a willingness and ability to comply with the act and these rules.

COUNT II

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

R 400.1911

(1) A licensee shall ensure appropriate care and supervision of children at all times.

COUNT III

The conduct of Licensee, as set forth in paragraph 5 above, evidences a willful and substantial violation of:

R 400.1903

(1) A licensee shall be responsible for all of the following:
(g) Report to the department within, 3 business days, any changes in the household composition or when any new or existing member of the household or child care personnel has any of the following:
(vii) Has been admitted to or released from a health facility or agency that was providing mental health or substance use disorder treatment services to the individual.

COUNT IV

The conduct of Licensee, as set forth in paragraph 6 above, evidences a willful and substantial violation of:

R 400.1903

- (1) A licensee shall be responsible for all of the following:
 - (j) For any member of the household or personnel who has been treated on an inpatient or outpatient basis for an emotional, mental, or substance use disorder during the last 2 years, the licensee shall provide to the department a written statement verifying the individual's fitness to care for or be associated with children. This statement must be obtained from the medical or mental health professional who is directly involved in the individual's treatment plan or the administrator of the health facility or agency that provided services to the individual.

COUNT V

The conduct of Licensee, as set forth in paragraph 7 above, evidences a willful and substantial violation of:

R 400.1903

- (4) The licensee shall cooperate with the department in connection with an inspection or investigation, as required in section 10(1) of the act, MCL 722.120(1). Cooperation includes, but is not limited to, all of the following:
 - (c) Provide accurate and truthful information to the department, and encourage witnesses to provide accurate and truthful information to the department.

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 family child care home is summarily suspended.

EFFECTIVE 6:00 p.m., on November 3, 2021, Licensee is ordered not to operate a family child care home at 30599 Marquette Street, Garden City, Michigan 48135, 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 Department and the Michigan Office of Administrative Hearings and Rules 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 Office of Administrative Hearings and Rules
611 West Ottawa Street, 2nd Floor
P.O. Box 30695
Lansing, Michigan 48909-2484
Phone: 517-335-7519
FAX: 517-763-0155

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: 11/03/2021



Erika Bigelow, Division Director
Child Care Licensing Bureau

DATED: 11/3/2021



Emily Laidlaw, Director
Child Care Licensing Bureau

This is the last and final page of the ORDER OF SUMMARY SUSPENSION AND NOTICE OF INTENT in the matter of Kathleen Mayhue-Radeback, DF820399163, consisting of seven pages, this page included.

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