

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

In the matter of:

License #: DG350060952

Janet Shaffer

_____ /

ORDER OF SUMMARY SUSPENSION

The Michigan Department of Licensing and Regulatory Affairs, by Scott Bettys, Acting Director, Child Care Licensing Division, Bureau of Community and Health Systems, orders the summary suspension of the license of Licensee, Janet Shaffer, to operate a child care group home license pursuant to the authority of the Michigan Administrative Procedures Act, 1969 PA 306, MCL 24.292(2). The Department has found that the public health, safety, or welfare requires the emergency action of summary suspension for the following reasons:

1. On or about July 30, 1992, Licensee was issued a license to operate a child care group home license with a licensed capacity of 12 children at 120 Anna Drive, Tawas City, Michigan 48763.
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, 1973 PA 116, MCL 722.111 et seq., the licensing rule book for child care homes, and the Child Protection Law, 1975 PA 238, MCL 722.621 et seq. These

statutes and rules are posted and available for download at

www.michigan.gov/lara.

3. On January 4, 2021, the Child Care Licensing Division received a complaint against Licensee Janet Shaffer, DG350060952, d/b/a Funshine Child Care. The allegations contained in the complaint resulted in the initiation of a “high-risk special investigation.”
4. MCL 722.113f(6) defines a “high-risk special investigation” to be one that meets “1 or more of the conditions listed in section 8(3)(a) – (c) of the Child Protection Law, 1975 PA 238, MCL 722.628.” MCL 722.628(3) lists the conditions as:
 - a. Child abuse or child neglect is the suspected cause of a child’s death.
 - b. The child is a victim of suspected sexual abuse or sexual exploitation.
 - c. Child abuse or child neglect resulting in severe physical injury to the child.
5. On January 5, 2021, given the nature of the complaint, the Child Care Licensing Division notified Children’s Protective Services and the Michigan State Police of the allegations.
6. On January 6, 2021, Child Care Licensing Consultant Jeannie Ellis called Licensee and informed her that the Child Care Licensing Division had opened a high-risk special investigation and that John Shaffer, Licensee’s adult son, household member, and assistant caregiver, was not allowed to be on the premises during child care hours until further notice. At 2:37 p.m., Ms. Ellis informed her that pursuant to MCL 722.113f(1)(a) she had to verbally inform parents of children in care of the high-risk special investigation within 24 hours.

7. On January 7, 2021, at 12:58 p.m., Ms. Ellis conducted an on-site visit at Licensee's home with [REDACTED]

[REDACTED]. During the on-site visit, Ms. Ellis observed and witnessed the following:

- a. Licensee was caring for eight child care children.
- b. John Shaffer was present in the home, although he was not caring for child care children.
- c. Licensee told Ms. Ellis that she would not remove John Shaffer from the home during child care hours.
- d. Licensee reported that she had not yet informed all parents of children in care that the Child Care Licensing Division had opened a high-risk special investigation.

8. On January 8, 2021, [REDACTED]

[REDACTED]

[REDACTED]

9. [REDACTED]

[REDACTED]

[REDACTED]

COUNT I

The conduct of Licensee, as set forth in paragraphs 3 through 7 above, provides grounds for summary suspension of the license pursuant to:

MCL 24.292

- (2) If the agency finds that the public health, safety or welfare requires emergency action and incorporates this finding in its order, summary suspension of a license may be ordered effective on the date specified in the order or on service of a certified copy of the order on the licensee, whichever is later, and effective during the proceedings. The proceedings shall be promptly commenced and determined.

COUNT II

The conduct of Licensee, as set forth in paragraphs 3, 4, 6, 7, and 8 above, provides grounds for summary suspension of the license pursuant to:

MCL 722.113f

- (3) If the department determines that a child care organization is not complying with either notification requirement in subsection (1) or (2), the department may suspend the child care organization's license issued under this act pending review.

**NOTE:
MCL 722.113f**

- (1) Except as provided in subsection (5), within 24 hours after a child care organization receives notice that a high-risk special investigation is being conducted by the department, the child care organization shall make a good-faith effort to make oral notification to each parent or legal guardian of 1 or more of the following:
 - (a) Children who were under the child care organization's care at the site and the time the incident being investigated occurred.
 - (b) If the individual being investigated is still present at the child care organization at the time of the investigation, children who have or will

come into contact with the individual being investigated as long as that individual is present at the child care organization.

DUE TO THE serious nature of the above conduct and the potential risks it represents to children in Licensee's care, emergency action is required. Therefore, the department is invoking the Michigan Administrative Procedures Act, 1969 PA 306, MCL 24.292(2). Licensee is hereby notified her license to operate a child care group home is SUMMARILY SUSPENDED.

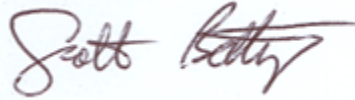
EFFECTIVE 6:00 p.m. on January 12, 2021, Licensee is ordered not to operate a child care home at 120 Anna Drive, Tawas City, Michigan 48763, or any other address or location. Licensee is not to receive children for care after that date and time. Licensee is responsible for informing parents or guardians of children in care that the license has been suspended and Licensee can no longer provide care.

HOWEVER, BECAUSE THE department has summarily suspended the license, an administrative hearing will promptly be scheduled before an administrative law judge with the Michigan Office of Administrative Hearings and Rules (MOAHR). Licensee must notify the department and the Michigan Office of Administrative Hearings and Rules within seven (7) calendar days after receipt of this Order if Licensee wishes to attend the administrative hearing. The written request submitted to MOAHR 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, MI 48909
Phone: (517) 335-7519
Fax: (517) 763-0155

MCL 24.272(1) of the Michigan Administrative Procedures Act permits the department to proceed with the administrative hearing if Licensee does not appear. Licensee may be represented by an attorney at the administrative hearing at the Licensee's expense.

January 11, 2021



DATED: _____

Scott Bettys, Acting Director
Child Care Licensing Division
Bureau of Community and Health Systems

This is the final page of the ORDER OF SUMMARY SUSPENSION in the matter of Janet Shaffer, DG350060952, consisting of six pages, this page included.

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In the matter of:

License #: DG350060952

Janet Shaffer

_____ /

PROOF OF SERVICE

The undersigned certifies that a copy of the *Order of Summary Suspension* was personally served upon the person below on ___/___/_____ at ____:____ a.m. or p.m.

Janet Shaffer
120 Anna Drive
Tawas City, Michigan 48763

Served by:

Child Care Licensing Consultant
Child Care Licensing Division
Bureau of Community and Health Systems