

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

In the matter of

License #: DG300413062
SIR #: 2023D0207013

Jolene Pickford

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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, Jolene Pickford, 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 October 4, 2022, Licensee was issued a license to operate a group child care home with a licensed capacity of 12 at 7880 East Bacon Road, Hillsdale, Michigan 49242.
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. Licensee failed to provide appropriate care and supervision of children at all times, failed to use safe sleep practices with infants at all times, and is not conducive to the welfare of children. Specifically:
 - a. On June 29, 2022, during the licensing process, Licensee completed Health and Safety Training for Licensed Child Care Providers Courses 1 and 2 and Infant Safe Sleep for Child Care Providers. Infant Safe Sleep course instructs providers not to place soft items, such as blankets, with sleeping children under the age of one year.
 - b. On September 22, 2022, Licensee attended a child care licensing rule orientation through the Bureau. The orientation specifically addresses infant safe sleep and all corresponding rules that prohibit the placement of soft objects, including blankets, with sleeping infants under the age of 1 year.
 - c. On June 1, 2023, at approximately 8:00 a.m., Child A, [REDACTED] months, arrived at Licensee's child care.
 - d. On June 1, 2023, at approximately 8:30 a.m., Child A started acting fussy, so Licensee moved Child A to a pack and play in the main floor bedroom so [REDACTED] could nap. Licensee placed a blanket in the pack and play with Child A.
 - e. On June 1, 2023, from 8:30 a.m. until approximately 9:50 a.m., Child A remained awake in the pack and play, still fussy and making noises. According to Licensee, she checked on Child A three times during this period, providing [REDACTED] with a pacifier at approximately 9:30 a.m.

- f. On June 1, 2023, at approximately 9:50 a.m., Licensee checked on Child A and observed [REDACTED] to be sleeping on his side with the blanket between [REDACTED] legs and under and near [REDACTED] face. Licensee did not remove the blanket despite it being near [REDACTED] face.
- g. On June 1, 2023, at approximately 10:15 a.m., Licensee checked on Child A and found [REDACTED] face down with the blanket over [REDACTED] head and body. Licensee picked Child A up and noticed that [REDACTED] lips were blue. Licensee started CPR and yelled to Child Care Staff Member (CCSM) 1 to call 911. Licensee continued to perform CPR on Child A until [REDACTED] EMT arrived approximately 18 minutes later.
- h. On June 1, 2023, at 10:51 a.m., Child A arrived at [REDACTED] where medical staff attempted to revive Child A. Child A was pronounced dead at 11:17 a.m.
- i. On June 2, 2023, Licensing Consultant Charnell Lennox, accompanied by [REDACTED] [REDACTED] conducted an on-site inspection and interviewed Licensee. During the interview, Licensee made the following statements:
- i. Licensee admitted that she placed a blanket in the pack and play with Child A on June 1, 2023. She acknowledged that she knows children under 1 year of age must not be placed in a crib with any soft objects, including blankets.
 - ii. Licensee admitted that she also places a blanket with Child B, age [REDACTED] months, when she laid [REDACTED] down to sleep.

- iii. Licensee indicated that she knew she wasn't supposed to place blankets with sleeping infants.
 - j. On June 2, 2023, an autopsy was performed on Child A, and Medical Examiner Investigator [REDACTED] was present during the autopsy. The autopsy report and determination are still pending. On June 7, 2023, [REDACTED] informed Ms. Lennox that Child A's body exhibited no other apparent cause of death, such as an injury or signs of abuse or trauma.
4. Licensee failed to ensure that CCSM 1 completed a criminal background check and was eligible to work at the child care prior to CCSM 1 caring the children. On March 3, 2023, CCSM 1 began working at Licensee's child care home. CCSM 1 did not complete a criminal background check prior to working with children so that her eligibility could be assessed.
5. To date, a criminal investigation is pending with [REDACTED] County Sheriff's Department.

COUNT I

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

R 400.1902

(2) An applicant or licensee 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 II

The conduct of Licensee, as set forth in paragraphs 3(a) through 3(j) 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:

(c) Act in a manner that is conducive to the welfare of children.

**NOTE:
MCL 722.115m**

(13) As used in this section:

(b) "Conducive to the welfare of the children" means:

(i) The service and facility comply with this act and the administrative rules promulgated under this act.

(ii) The disposition, temperament, condition, and action of the applicant, licensee, licensee designee, program director, child care staff member, and member of the household promote the safety and well-being of the children served.

COUNT III

The conduct of Licensee, as set forth in paragraphs 3(d) through 3(j) 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 IV

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

R 400.1916

(7) An infant's head shall remain uncovered during sleep.

COUNT V

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

R 400.1916

(8) Soft objects, bumper pads, stuffed toys, blankets, quilts or comforters, pillows, and other objects that could smother an infant must not be placed with, under, or within reach of a resting or sleeping infant.

COUNT VI

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

R 400.1904a

(3) Prior to contact with children, the individual shall be determined by the department to be eligible to serve as a child care staff member, pursuant to section 5n of the act, MCL 722.115n, and as required by R 400.1925.

COUNT VII

The conduct of Licensee, as set forth in paragraphs 3(a) through 3(j) above, provides grounds for revocation pursuant to:

MCL 722.115m

(2) If the department determines that a service, facility, applicant, licensee, child care staff member, or member of the household is not conducive to the welfare of the children, the department shall deny that application or revoke that licensee's license according to section 11.

**NOTE:
MCL 722.115m**

(13) As used in this section:

(b) "Conducive to the welfare of the children" means:

(i) The service and facility comply with this act and the administrative rules promulgated under this act.

(ii) The disposition, temperament, condition, and action of the applicant, licensee, licensee designee, program director, child care staff member, and member of the household promote the safety and well-being of the children served.

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 p.m., on June 8, 2023, Licensee is ordered not to operate a group child care home at 7880 East Bacon Road, Hillsdale, Michigan 49242, 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 email, fax, or mail 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
MOAHR-BSD-Support@michigan.gov

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: 06/07/2023



Erika Bigelow, Division Director
Child Care Licensing Bureau

DATED: 6/8/23



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 Jolene Pickford, DG300413062, consisting of 8 pages, this page included.

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