



STATE OF MICHIGAN
DEPARTMENT OF HUMAN SERVICES
BUREAU OF CHILDREN AND ADULT LICENSING



JENNIFER M. GRANHOLM
GOVERNOR

ISMAEL AHMED
DIRECTOR

February 17, 2009

Phyllis Wagner
Adult Learning Systems-Lower Michigan
Suite A
1954 S Industrial Hwy.
Ann Arbor, MI 48104

RE: License #: AS500082434
Investigation #: 2009A0983011
Macomb TLH

Dear Ms. Wagner:

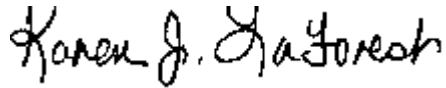
Attached is the Special Investigation Report for the above referenced facility. Due to the violations identified in the report, a written corrective action plan is required. The corrective action plan is due 15 days from the date of this letter and must include the following:

- How compliance with each rule will be achieved.
- Who is directly responsible for implementing the corrective action for each violation.
- Specific time frames for each violation as to when the correction will be completed or implemented.
- How continuing compliance will be maintained once compliance is achieved.
- The signature of the responsible party and a date.

If you desire technical assistance in addressing these issues, please feel free to contact me. In any event, the corrective action plan is due within 15 days. Failure to submit an acceptable corrective action plan will result in disciplinary action.

Please review the enclosed documentation for accuracy and feel free to contact me with any questions. In the event that I am not available and you need to speak to someone immediately, please feel free to contact the local office at (586) 228-2093.

Sincerely,

A handwritten signature in black ink that reads "Karen J. LaForest". The signature is written in a cursive style with a large initial 'K' and 'L'.

Karen LaForest, Licensing Consultant
Bureau of Children and Adult Licensing
39531 Garfield
Clinton Township, MI 48038
(586) 228-2682

enclosure

**MICHIGAN DEPARTMENT OF HUMAN SERVICES
BUREAU OF CHILDREN AND ADULT LICENSING
SPECIAL INVESTIGATION REPORT**

I. IDENTIFYING INFORMATION

License #:	AS500082434
Investigation #:	2009A0983011
Complaint Receipt Date:	01/29/2009
Investigation Initiation Date:	01/29/2009
Report Due Date:	02/28/2009
Licensee Name:	Adult Learning Systems-Lower Michigan
Licensee Address:	Suite A 1954 S Industrial Hwy. Ann Arbor, MI 48104
Licensee Telephone #:	(734) 668-7447
Administrator:	Phyllis Wagner, Designee
Licensee Designee:	Phyllis Wagner, Designee
Name of Facility:	Macomb TLH
Facility Address:	25396 Industrial Warren, MI 48089
Facility Telephone #:	(586) 774-8367
Original Issuance Date:	05/14/1999
License Status:	REGULAR
Effective Date:	11/14/2007
Expiration Date:	11/13/2009
Capacity:	6
Program Type:	MENTALLY ILL

II. ALLEGATION(S)

- Employee 1 is accused of withdrawing \$400 from Resident A's bank account with the resident's ATM card in 2 separate transactions on 1/15/09. There is a Police investigation.

III. METHODOLOGY

01/29/2009	Special Investigation Intake 2009A0983011
01/29/2009	Special Investigation Initiated - Telephone Spoke with corporate area supervisor of ALS-Lower Michigan regarding complaint.
01/29/2009	Contact - Telephone call made Consultant spoke with recipient rights regarding complaint.
01/29/2009	Contact - Telephone call made Left message with APS worker to contact consultant.
01/29/2009	Contact - Telephone call made Left message with Warren Police Department detective regarding criminal investigation report.
01/29/2009	Contact - Telephone call made Consultant called group home and interviewed Employee 2 via telephone.
01/29/2009	Contact - Telephone call made Consultant called Employee 1 and interviewed her via telephone.
01/29/2009	Contact - Telephone call made Consultant contacted Resident A to interview her via telephone however difficult to interview and she stated she would call back.
01/29/2009	Contact - Telephone call made Left message for Employee 3 to call consultant.
01/30/2009	Contact - Telephone call received Employee 3 called and stated she could be reached at the group home today.
01/30/2009	Contact - Telephone call made Consultant interviewed Employee 3 via telephone regarding incident and what had occurred.

01/30/2009	Contact - Telephone call made Consultant called Warren police detective again and left a message.
01/30/2009	Contact - Telephone call received Discussed with corporate area supervisor of ALS-Lower Michigan the incident and if the employee was the only staff working and if she left residents alone when she went to the bank. Will fax employee schedule and time sheet, and client log entries from 1/15/09.
01/30/2009	Contact - Document Received Received fax of documentation requested from home on employee schedule, time sheet and resident log entries.
02/02/2009	Contact - Telephone call received Received a telephone call from Warren Detective on the case. He left message.
02/02/2009	Contact - Telephone call made Called the detective back and left a message of what I needed.
02/02/2009	Contact - Document Sent Sent an e-mail to the APS worker.
02/02/2009	Contact - Telephone call made Consultant spoke to the APS worker regarding her findings of the investigation.
02/02/2009	Contact - Telephone call made Consultant called group home to interview Resident A however she has not returned from leave of absence. Assistant supervisor stated she would call me tomorrow.
02/03/2009	Contact - Telephone call received Consultant spoke to Resident A via telephone and interviewed her on the allegation of theft of her account.
02/04/2009	Contact - Telephone call received Received a telephone call from the Warren Detective who stated he would fax me his report and the information I need.
02/04/2009	Contact - Telephone call received Recipient Rights called and consultant informed the ORR advisor of information obtained from interviews with staff and resident. Informed her I am waiting for the police report.

02/04/2009	Contact - Document Received Received information from police detective including statements from the resident and staff, the actual incident report filed at the police precinct, and surveillance pictures of the employee at the ATM machine at the bank.
02/04/2009	Contact - Document Sent Faxed information to ORR.
02/05/2009	Exit Conference Consultant called the ALS-Lower Michigan administrator/licensee designee, Phyllis Wagner, and conducted an exit conference regarding rule violations substantiated.
02/05/2009	Contact-Telephone call made Consultant called the ALS-Lower Michigan area supervisor and left a message.
02/05/2009	Contact-Telephone call received Consultant received a telephone call from Employee 1 inquiring about violations substantiated.
02/06/2009	Contact-Telephone call received Consultant received a message from the ALS-Lower Michigan area supervisor and left a message to contact her.
02/06/2009	Contact-Telephone call made Consultant spoke to ALS-lower Michigan area supervisor and informed her of substantiated violations.
02/10/2009	Contact-Telephone call made Consultant called ALS-Lower Michigan area supervisor after she left a message. Consultant left message for her to call.
02/10/2009	Contact-Telephone call received Consultant spoke with ALS-Lower Michigan area supervisor regarding Resident A's funds.
02/11/2009	Contact-Telephone call received Consultant received a call and message from the Warren Police Department Detective assigned to the case-his report would not be completed until prosecution.

ALLEGATION:

- Employee 1 is accused of withdrawing \$400 from Resident A's bank account with the resident's ATM card in 2 separate transactions on 1/15/09. There is a police investigation.

INVESTIGATION:

The consultant received an allegation that Resident A's funds were taken from her account by someone from the bank's ATM machine. Resident A reported this to the home manager of the facility but stated she did not give anyone her card or pin number to withdraw funds. The manager took Resident A to the bank to complete a missing funds report and also to the Warren Police Department to file a report of her money stolen.

The Warren Police Department initiated an investigation on January 21, 2009 and the Detective assigned obtained surveillance photos from the ATM at Huntington Bank for the times funds were withdrawn from the resident's account. Two separate incidents occurred, a \$100.00 withdrawal and a \$300.00 withdrawal both done on January 15, 2009 in the early evening. The person identified in the photo was an employee of the corporation. The detective obtained written statements from Resident A and from Employee 1 on what had occurred (faxed to consultant) and also faxed the photos of Employee 1 at the ATM to this consultant on February 4, 2009. The consultant received a message on February 11, 2009 from the detective stating that his report would not be completed until the end of the court case and that they do not typically send them but he confirmed there is a warrant out for Employee 1's arrest and he is waiting for her to turn herself in to the court. During a conversation with the detective on February 4, 2009, he stated that he questions why Employee 1 was not forthright when questioned about the missing money by the management and he also stated that the surveillance photos show she is trying to conceal her identity.

On January 30, 2009 the consultant interviewed Employee 2 regarding what had occurred. She reported that Resident A came to her on January 19, 2009 and stated that she discovered money missing out of her account in the amount of \$400.00. The bank was closed this date however they contacted a toll free number and stated that Resident A should come to the bank, report what happened, and complete a written report which was done on the subsequent day, January 20, 2009. Employee 2 asked Resident A if she was positive she did not withdraw the funds, and forgot, and Resident A responded "no". Resident A completed a notarized form at the bank, signed it and an incident report was completed by the home. Employee 2 then stated she questioned all of her staff, who denied taking any of the resident's funds, including Employee 1 who stated "who would do that to the resident". Again, Employee 2 questioned Resident A about withdrawing her own funds and she stated "no" she was sure she did not withdraw her funds. Employee 2 stated that she took

Resident A to the police department to file a complaint report. It was then assigned to a detective.

On January 29, 2009 this consultant interviewed Employee 3 who confirmed she was with Employee 2 when Resident A reported she had funds missing from her account in the amount of \$400.00. At this point, Resident A stated she did not give her card or pin number to anyone and did not know who withdrew her funds, but was upset about the money missing. Employee 3 confirmed that the bank was contacted to complete a report and that a police report was initiated on January 20, 2009 in the resident's behalf by Employee 2.

On January 29, 2009 this consultant interviewed Employee 1 regarding Resident A's missing funds from her account. Employee 1 stated that Resident A told her that her boyfriend (Resident A's) wanted \$1,000 for the move-in with him. Resident A was moving from the group home and going to live with her boyfriend. Employee 1 stated that Resident A told her she had \$600 locked in a safe at Crossroads day program and that she need \$400.00 more but that if Resident A told the manager, she would block the move with her boyfriend. Employee 1 stated she agreed not to tell anyone and that Resident A gave her, her ATM card with the pin number written on a sticky note and that she did withdraw \$400.00 between the hours of 6:30pm and 7:30pm on January 15, 2009. She then stated she returned the card, the sticky note with the pin number, the money, and a receipt for the money to Resident A. When asked if any other residents overheard this conversation or another staff person, Employee 1 stated that no other staff was on duty and there were no other residents that overheard the conversation between her and Resident A. Employee 1 stated that her 16 year old daughter, who was at the facility on the evening of January 15th, overheard the conversation. Employee 1 stated she kept telling Resident A to tell the truth and Resident A told her she would tell the truth after she moves from the group home. When asked why she did not volunteer this information when all staff was questioned by management about the missing funds, she stated that she promised Resident A she would not tell anyone about withdrawing the \$400.00 and giving it to her. Employee 1 denied taking Resident A's money. Employee 1 called this consultant on February 5, 2009 upset about her employment termination with the corporation. I informed her that I do not have anything to do with her losing her job. She stated she understood she was fired for lack of supervision however she did not steal resident's funds. I informed her to contact the police department and discuss this with the detective assigned to the case.

This consultant interviewed Resident A on February 3, 2009. According to Resident A, she did not give her ATM card or pin number to Employee 1 to withdraw funds from her account. She denied writing her pin number on a sticky note, receiving the money or a receipt for the cash. She confirmed she has \$600.00 locked in a safe at Crossroads and that she has been spending this money. She stated that her boyfriend did not ask for \$1,000 and that the home already knows she is moving in with him. Resident A denied several times she gave her ATM card or pin number to

anyone. Resident A stated that she had \$300.00 and \$100.00 taken out of her account on January 16, 2009 (it was actually January 15, 2009) and that she reported the missing money to the manager and the assistant. She confirmed she discovered the money missing on January 19, 2009 but the bank was closed so on January 20, 2009 the manager took her to the bank to file a report and to the police station to file a police report. Resident A stated that the Warren detective came to Crossroads to speak with her and showed her photos of the surveillance, which she identified as Employee 1 by her clothing, height and weight. She stated that Employee 1 always says she needs money for her kids. When this consultant stated that Employee 1 said Resident A should tell the truth, Resident A said that she is telling the truth. Resident A vehemently denies she gave Employee 1 permission to withdraw money from her account. Resident A did confirm that Employee 1's daughter was at the group home until midnight on January 15, 2009 but could not remember if Employee 1 left the facility and left residents unsupervised.

APPLICABLE RULE	
R 400.14305	Resident protection.
	(1) A resident shall be assured privacy and protection from moral, social, and financial exploitation.
ANALYSIS:	Based upon the findings of the special investigation, including the surveillance photos and the initial denial by Employee 1 of withdrawing any money from the resident's account, the above rule violation is substantiated. According to the Warren Police, a warrant has been issued for Employee 1 for criminal prosecution for theft of Resident A's funds.
CONCLUSION:	VIOLATION ESTABLISHED

ADDITIONAL FINDINGS:

INVESTIGATION:

During the course of the investigation, Employee 1 admitted, when interviewed on January 29, 2009, that she left the facility alone on the evening of January 15, 2009 between 6:30 pm and 7:30pm to go to Resident A's bank. She also stated during the interview with this consultant, she was the only staff on duty during this date and time at the group home. The residents were left at the home unsupervised while Employee 1 was at the bank. The staff schedule also reflected only one staff scheduled for the afternoon shift of January 15, 2009. Employee 1 was terminated February 2, 2009 from her employment by the corporation. Employee 1 contacted this consultant on February 5, 2009 inquiring about the allegations. She admitted leaving residents unsupervised to go to the bank but denied theft of Resident A's funds from the ATM machine. Resident A was interviewed on February 3, 2009

about the lack of supervision on January 15, 2009 in the early evening. Resident A stated that she was not sure if residents were left alone without staff supervision.

APPLICABLE RULE	
R 400.14206	Staffing requirements.
	(1) The ratio of direct care staff to residents shall be adequate as determined by the department, to carry out the responsibilities defined in the act and in these rules and shall not be less than 1 direct care staff to 12 residents and children who are under the age of 12 years.
ANALYSIS:	Based upon the findings of the interview with Employee 1 and the staff schedule, residents were left at the group home unsupervised for a period of time in the early evening. The above rule violation is substantiated.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

Upon submission of an acceptable plan of correction, the special investigation will be closed and the status of the license will remain unchanged.

Karen J. LaForest

02/12/2009

Karen LaForest
Licensing Consultant

Date

Approved By:

Denise Y. Nunn

02/17/2009

Denise Y. Nunn
Area Manager

Date