



RICK SNYDER
GOVERNOR

State of Michigan
DEPARTMENT OF HUMAN SERVICES
BUREAU OF CHILDREN AND ADULT LICENSING



MAURA D. CORRIGAN
DIRECTOR

January 18, 2012

Louis Ezenabo
Tomas Ventures Residence LTD
P.O. Box 40051
Redford, MI 48240

RE: License #: AS820288226
Investigation #: 2012A0121004
Tomas Woodbine Home

Dear Mr Ezenabo:

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 (313) 456-0380.

Sincerely,

A handwritten signature in blue ink that reads "K. Robinson". The signature is written in a cursive, flowing style.

Kara Robinson, LMSW, Licensing Consultant
Bureau of Children and Adult Licensing
Cadillac Pl. Ste 11-350
3026 W. Grand Blvd
Detroit, MI 48202
(313) 456-0118

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AS820288226
Investigation #:	2012A0121004
Complaint Receipt Date:	11/02/2011
Investigation Initiation Date:	11/02/2011
Report Due Date:	01/01/2012
Licensee Name:	Tomas Ventures Residence LTD
Licensee Address:	43500 Forestdale Dr. Belleville, MI 48111
Licensee Telephone #:	(402) 415-6866
Administrator:	Louis Ezenabo
Licensee Designee:	Louis Ezenabo
Name of Facility:	Tomas Woodbine Home
Facility Address:	15763 Woodbine Redford Twp., MI 48239
Facility Telephone #:	(313) 541-6647
Original Issuance Date:	04/11/2007
License Status:	REGULAR
Effective Date:	11/02/2009
Expiration Date:	11/01/2011
Capacity:	6
Program Type:	MENTALLY ILL DEVELOPMENTALLY DISABLED

II. ALLEGATION(S)

Resident A was assaulted by the licensee designee and his staff.

III. METHODOLOGY

11/02/2011	Special Investigation Intake 2012A0121004
11/02/2011	Special Investigation Initiated - Telephone Called the group home; no answer.
11/03/2011	Contact - Telephone call made Phone interview with Resident A.
11/18/2011	Inspection Completed On-site Completed staff and resident interviews.
11/20/2011	Contact - Document Received Received training transcripts via fax.
01/05/2012	Exit Conference with Louis Ezenabo

ALLEGATION:

Resident A was assaulted by the licensee designee and his staff.

INVESTIGATION:

On 11/3/11, I interviewed Resident A by telephone. Resident A said the incident happened two days prior to my call. Resident A acknowledged he was upset that Louis Ezenabo, licensee designee denied his request for transportation services. As a result, Resident A admittedly "wanted to intimidate the provider" so he grabbed a cane and hit Mr. Ezenabo with it. According to Resident A, Mr. Ezenabo responded by tackling the resident down to the floor. Reportedly, the staff person on duty assisted Mr. Ezenabo with the restraint. Resident A also reported Mr. Ezenabo "kept elbowing me" during the restraint procedure. When asked if he sustained any injuries during the process, Resident A said his ankle was twisted. When asked if there had been prior incidents of this nature, Resident A responded "no".

On 11/18/11, I conducted an onsite inspection at the facility. Resident A gave more specifics about the incident stating Staff 1 "tried to take the cane away from me before I could hit the provider" and that during the struggle Resident A accidentally struck Mr. Ezenabo. Resident A was adamant that he did not purposely hit Mr. Ezenabo. He

maintains that Mr. Ezenabo used force while unlawfully restraining him. Resident B was identified as a potential witness to the entire incident.

I did interview Resident B privately. Resident B presented as a credible witness. Resident B did corroborate Resident A's account of the events, insisting that Resident A hit Mr. Ezenabo with a cane by accident. Resident B saw Staff 1 try to take the cane away from Resident A. He also saw Mr. Ezenabo elbow Resident A. Resident B heard Mr. Ezenabo yell and curse Resident A. Resident B saw Resident A walking with a limp once the incident ended.

I interviewed Mr. Ezenabo in-person on 11/18/11. Mr. Ezenabo's account of the events are different than the residents. Mr. Ezenabo said Resident A acted out of anger because he refused to give him a ride to a friend's home. Mr. Ezenabo said he tried to ignore Resident A's antics before the incident ensued, but once the resident attacked him with a cane he had no other recourse than to defend himself. Mr. Ezenabo admits he held Resident A down on the floor until the authorities arrived. He denies elbowing the resident during the restraint process. Mr. Ezenabo said he is the only one who sustained any injuries on this date.

Resident A declined medical treatment. No further action was taken by the police.

Staff 1 reported Resident A did hit Mr. Ezenabo on purpose. He stated, "the first swing hit the provider's hand." Staff 1 acknowledged he took the cane away from Resident A when he attempted to hit Mr. Ezenabo a second time. He denies any involvement in the restraint procedure.

APPLICABLE RULE	
R 400.14309	Crisis intervention.
	(2) Crisis intervention may be used only for the following reasons: <ul style="list-style-type: none">(a) To provide for self-defense or the defense of others.(b) To prevent a resident from harming himself or herself.(c) To quell a disturbance that threatens physical injury to any person.(d) To obtain possession of a weapon or other dangerous object that is in the possession or control of the resident.(e) To prevent serious property destruction.

ANALYSIS:	Resident A was visibly angry as he held a potential weapon (walking stick) in his hand. Resident A posed an immediate risk of harm to others. To reduce the risk of harm, Mr. Ezenabo came into physical contact with Resident A.
CONCLUSION:	VIOLATION NOT ESTABLISHED

ADDITIONAL FINDINGS:

Louis Ezenabo physically restrained Resident A without proper training.

INVESTIGATION:

Resident A sustained an injury to his ankle during the restraint process. He opted to take pain pills to treat his injury rather seek medical treatment.

Mr. Ezenabo and 3 others admittedly state he physically restrained Resident A for at least 5 minutes. Upon review of Mr. Ezenabo's training transcripts, I determined that there is no documentation in the records that meet the training requirements for crisis intervention methods. Specifically, Mr. Ezenabo did not provide verification that he was trained in the use of physical restraints by a source approved by Bureau of Children and Adult Licensing. He did provide a certificate of completion on Conflict in the Workplace dated 7/15/09, however, the training curriculum remains unknown and has not been approved by the department.

APPLICABLE RULE	
R 400.14309	Crisis intervention.
	(8) A licensee or a direct care staff member shall not use crisis intervention until he or she has successfully completed crisis intervention training that has been approved by the department.
ANALYSIS:	Mr. Ezenabo did restrain Resident A with his bare hands. Mr. Ezenabo did not demonstrate proper use of the physical restraint procedure. Mr. Ezenabo failed to provide training verification to the department on the use of physical restraints.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

Upon receipt of an acceptable corrective action plan, I recommend the status of this license remain unchanged.



1/5/12

Kara Robinson
Licensing Consultant

Date

Approved By:



1/18/12

Ardra Hunter
Area Manager

Date