



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF HEALTH AND HUMAN SERVICES
LANSING

ROBERT GORDON
DIRECTOR

September 11, 2020

Maria Madaj
Holy Cross Services - Northern Michigan CB
Suite 102
3597 Henry St.
Norton Shores, MI 49441

RE: License #: CB280200990
Investigation #: 2020C0103033
Holy Cross Services - Northern Michigan CB

Dear Ms. Madaj:

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.
- For any repeat violations, include an assessment of why the previous corrective action plan was ineffective.
- 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 note that violations of any licensing rules are also violations of the ISEP and your contract.

Please review the enclosed documentation for accuracy and contact me with any questions. In the event that I am not available and you need to speak to someone immediately, please contact the Area Manager at (616) 552-3662.

Sincerely,

A handwritten signature in cursive script, appearing to read "Rorie Dodge-Garnaat".

Rorie Dodge-Garnaat, Licensing Consultant
MDHHS\Division of Child Welfare Licensing
235 Grand, Ste 1305
P.O. Box 30650
Lansing, MI 48909
(517) 899-6024

enclosure

**MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF COMMUNITY AND HEALTH SYSTEMS
SPECIAL INVESTIGATION REPORT**

I. IDENTIFYING INFORMATION

License #:	CB280200990
Investigation #:	2020C0103033
Complaint Receipt Date:	06/15/2020
Investigation Initiation Date:	06/15/2020
Report Due Date:	08/14/2020
Licensee Name:	Holy Cross Children's Services
Licensee Address:	8759 Clinton-Macon Road Clinton, MI 49236
Licensee Telephone #:	(517) 423-7451
Administrator:	Debora Howard, Designee
Licensee Designee:	Debora Howard, Designee
Name of Facility:	Holy Cross Services - Northern Michigan CB
Facility Address:	Suite 102 3597 Henry St. Norton Shores, MI 49441
Facility Telephone #:	(231) 922-9664
Original Issuance Date:	12/15/1993
License Status:	REGULAR
Effective Date:	02/18/2019
Expiration Date:	02/17/2021
Capacity:	Unknown
Program Type:	CHILD PLACING AGENCY, PRIVATE

II. ALLEGATION(S)

	Violation Established?
Agency failed to complete proper background checks on an adult household member.	Yes
Agency failed to conduct thorough evaluations.	Yes
Additional Findings	Yes

III. METHODOLOGY

06/15/2020	Special Investigation Intake 2020C0103033
06/15/2020	Special Investigation Initiated - Telephone Chief Administrator (CA)
06/15/2020	Inspection Completed On-site This inspection was completed off-site as approved by the Area Manager. Review of home and case file in MiSACWIS.
06/15/2020	Contact - Document Sent E-mail to CA
08/10/2020	Contact - Telephone call made Supervisor 3
08/10/2020	Contact - Telephone call made Supervisor 2
08/10/2020	Contact - Telephone call made Left message for Supervisor 1
08/10/2020	Contact - Document Sent E-mail to/from Administrator
08/10/2020	Contact - Telephone call made PC to Worker 1 could not be completed message says user busy.
08/14/2020	Inspection Completed-BCAL Sub. Compliance
08/28/2020	Exit Conference

ALLEGATION:

Agency failed to complete proper background checks prior to licensure.

INVESTIGATION:

A complaint was received on 6/15/20. The complaint came in via e-mail from the agency. The e-mail stated that the agency had failed to conduct background checks on an Adult Household Member (AHM) who moved into Foster Home A in November of 2019 until May of 2020. The Household member has extensive Child Protective Service (CPS) history. The agency asked for the AHM to leave the home.

A Timeline of events was supplied by the agency. The timeline indicated that the AHM moved into the home and licensing was notified on 11/15/19. AHM supplied background check releases on 1/29/20. The documentation was sent to the department on 5/12/20. On 6/3/20 the agency was notified that the AHM had CPS history and the AHM was asked to leave the home. On 6/4/20 the department notified the agency that the AHM had extensive past and current CPS involvement.

The timeline of events supplied by the agency indicated that the licensing worker (Worker 1) assigned to the home was terminated from her position. Contact information was provided however the phone call could not be completed. Each time a call was attempted the phone indicated "user busy." A review of Worker 1's personnel documentation found that she had previously been disciplined for not reporting potential abuse/neglect in 2017, reporting and record keeping in 2018, timeliness of evaluations in 2016, 2017, and 2019. On 2/7/20 Worker 1 received a discipline for giving a foster home advance warning of a CPS investigation, not completing a timely and thorough special evaluation and unprofessional boundaries. This discipline stated that Worker 1 had to be removed from three separate foster homes cases due to concerns with boundaries. A corrective action plan (CAP) was put in place for Worker 1.

Termination documentation was reviewed. A note indicated that Worker 1 admitted to management that she did not complete Central Registry or Criminal History checks on the AHM. The documentation states that despite her CAP's Worker 1 continued to have "poor work performance." On 6/3/20 the agency was notified by CPS that an AHM in Foster Home A had CPS history. A review of MiSACWIS found that the clearance documentation was not in the home file. The agency contacted the home and informed them that the AHM had to leave the home. On 6/4/20 after being asked to provide documentation of the background checks Worker 1 sent an e-mail indicating she did not have a record of the clearance checks. Worker 1 stated she was informed by Foster Home A that the AHM moved into the home on 11/15/2019. She stated that she had not been able to collect the clearance documentation until 1/29/20 and she did not receive the AHM license until April of 2020. Worker 1 then sent a request to the Human Resource department at the agency asking them to run clearances for the AHM. The clearances were completed

that same day. Further, when Worker 1 met with her supervisor in May 2020 Worker 1 was asked about a DCWL 1326 Record Clearance which is sent up to the department for completion of Central Registry and criminal history clearances for the AHM. Worker 1 reported that a 1326 had not been completed. She had the form completed on 5/12/20 and the results were received from the department with extensive CPS history. Children were placed in the home at the time the AHM moved into the home. Those children were removed from the home and other children were admitted into the home in January of 2020. Worker 1 did not report any issues with clearances at the time the children were placed in January.

An e-mail from Worker 1 to management stated she did have a text from Foster Home A on 11/15/20 that the AHM had moved into the home. She also stated in her e-mail that she did not get the DCWL 1326 from the AHM until 1/29/20 and she did not get a copy of the AHM's driver's license to run the Central Registry Clearance. She finally received the driver's license on 4/30/20. She stated she did not know if the DCWL 1326 was ever sent to the department.

The DCWL 1326 was provided and did have a date of 1/29/20 on the form that was signed by the AHM. The background check authorization form was signed by the AHM on 1/27/20.

Worker 1 received training in boundaries on 2/9/18. She received licensing training from the department in 2012 and 2013 and again in 2017.

APPLICABLE RULE	
R 400.12309	Records check.
	(1) An agency shall, upon receipt of an application, request the department of state police to conduct both a criminal history check and a criminal records check through the federal bureau of investigation for applicants. The agency shall also request the department to conduct a criminal history check on all persons residing in the home over 18 years of age. Additional checks shall pertain to previous licenses, and substantiated child abuse and neglect records for all applicants and persons residing in the home 18 years of age or over in Michigan and in all states where the applicant has resided in the 5 years preceding the application.

ANALYSIS:	The documentation supplied by the agency including an e-mail from Worker 1 indicating that Worker 1 did not complete the required clearances on an Adult Household Member. The AHM moved into the home in November of 2019 but clearances were not run until June of 2020.
CONCLUSION:	VIOLATION ESTABLISHED

ALLEGATION:

Agency failed to conduct thorough evaluations.

INVESTIGATION:

In the above complaint the agency reported that Foster Mother A has extensive Child Protective Services (CPS) and mental health history that was never assessed during the homes Special Evaluations, Renewals, Annuals, or during the original licensing process. The children who were residing in the home have been removed and Worker 1 was terminated.

The timeline of events supplied by the agency indicated the following dates. The provider file was also reviewed and confirmed the information in the timeline.

- 4/13/17 Foster Home A application and enrollment in the licensing process
- 2/21/17 DHHS 588 Relative Safety Screen completed by Worker 1.
- 3/28/17 DHHS 588 approved. The document indicates a check of Central Registry was completed and there were no findings.
- 4/7/17 DHHS 3130A Relative Placement Home Study completed by Worker 1 and approved by Supervisor 1. The home study indicates a check of Central registry was completed on 3/14/17, 3/29/17, and 4/3/17 with no findings. The report indicated that there was no mental health history for anyone in the home.
- 5/9/17 DCWL 1326 Record Clearance Request came back clear, but the Central Registry Clearance had been completed with the wrong provider number. Worker 1 did not conduct a person search prior to submitting the form.
- 5/23/17 Relative Placement of three siblings who are the foster father's great niece and nephews.
- 9/13/17 DCWL 3130 Initial Foster Home Licensing Study completed by Worker 1 and approved by Supervisor 1. The report indicated CRC's done for all adult household members. Foster Mother A indicated she had breast cancer and cervical cancer. She also stated she had been hospitalized for mental health and saw a counselor. The report did not include an assessment of this history and its effects on the Foster Mother and family. The report also indicated that Foster Mom was not talking to two of her three adult daughters

and she did not have a way to get in touch with them. This was not elaborated on in the report and the adult child references were not completed on the two daughters.

- 9/28/17 CPS Investigation initiated on Foster Home A. The report stated that the bio-parent of the children placed, niece to the foster father, stated that Foster Mom had been known to be abusive to her own children. The Foster Mom admitted to CPS history. The report also stated that the Foster Care agency was moving the children due to concerns with the placement. There is no indication within the Provider file that the licensing worker reported any concerns or disclosure of CPS history to DCWL for consideration in the licensing process.
- 10/20/17 Addendum to the Initial Foster Home Licensing Study completed by Worker 1 and submitted to DCWL. The addendum does not address the CPS investigation. There are no contacts indicating Worker 1 communicated with DCWL that there was an open CPS investigation in the home.
- 11/1/17 Removal of siblings at bio-parents request.
- 11/15/17 CPS Investigation is concluded.
- 11/16/17 Original license issued to Foster Home A.
- 2/23/18 Special Evaluation (SE) initiated by Worker 1 and completed on 7/6/18. It was reported that the foster parents were interfering with the reunification process for the relative children that are no longer in the home. During this investigation concerns were brought up by the children's bio-mother, the kids' guardian ad litem, and the foster mother's adult daughter. None of the concerns were addressed in the report. The worker did not talk to the bio-parent or the kids' foster care worker. The report indicated no findings.
- 4/13/18 Special evaluation and CPS investigation was initiated. The SE was completed by Worker 1 on 7/10/18. The allegation was that Foster Mom was using physical discipline with her grandchildren. Very little work was completed on this evaluation, but it took almost three months to complete. No findings were indicated.
- 5/15/18 Renewal of the license completed. The renewal home study was not completed on-time due to two open Special Investigations that opened on 2/23/18 and 4/13/18. The renewal Evaluation was not started until 7/13/18 and approved on 10/26/18. The report indicated that the Foster Care Worker had many issues with the home. Those issues were not addressed in the report. Mental Health history also was not addressed.
- 5/31/19 New sibling group placed in the home.
- 6/10/19 Special Investigation initiated and completed by Worker 1 on 8/6/19. The allegation stated Foster Mom had mental health concerns. The previous psychological evaluation was not requested and her daughters were not interviewed. Due to the cost of the psychological evaluation, Supervisor 2 stated the foster mother did not need a new one completed. No findings were indicated.
- 11/18/19 Special Investigation initiated by Worker 1. No findings indicated.
- 11/21/19 Siblings reunified with bio-parent.
- 1/28/20 New sibling group placed.

- 4/28/20 Special Investigation opened by Worker 1 and is currently being investigated by Supervisor 3.
- 6/4/20 Special Evaluation was opened by Supervisor 3. The evaluation is still open. The documents supporting the evaluation were letters from Foster Mother's three daughters indicating why they did not want to live with their mother as well as a psychological assessment done on the Foster Mother for friend of the court in 2012. The report stated that the Foster Mother needed to engage in outpatient psychotherapy to help her deal with her erratic emotions and inconsistent living circumstances. The medical statement from initial licensure does not indicate the cancer diagnoses brought up by Foster Mom. Also, a statement made by Worker 1 to the Foster Care Review Board stated that the foster mother's adult children were given a chance to have input regarding their mother at the time of licensure and they did not provide any information.
- 6/4/20 Worker 1 was suspended pending an investigation.
- 6/10/20 The children were removed from the foster home.
- 6/10/20 Worker 1 was terminated.

Social Work contacts were reviewed for the Foster Family. There were few contacts from Worker 1 and the contacts that were listed did not provide adequate detail. There was no contact indicating that Worker 1 reached out to Foster Mother's adult daughters during the licensing process. There was a contact from one of Foster Mother's daughters stating concerns she had about her mother. This contact was received on 3/9/18. No other details were provided.

Contact was attempted with Worker 1 on three separate occasions. The number provided by the agency always indicated "User busy" when a call was attempted.

Supervisor 2 Interview: Supervisor 2 was interviewed via telephone on 8/10/20. She stated that she was fired from the agency on 6/16/20 and had been on furlough since March prior to that. She has not been in licensing for a while and she could not remember the Foster Home in question. She said she did supervise Worker 1 for almost two years which was the entire time she was a supervisor of licensing. When asked if she had any concerns with Worker 1 she stated that there was nothing alarming; adding, Worker 1 would bond with the families. Other people may have thought it was an issue, but Supervisor 2 did not think it was. She said the people who had an issue with it did not work in licensing and they did not know that it was important to have a bond with the foster homes. She was asked if this bond would cause issues with Worker 1 following through on things with the family and she stated she was not aware of any issues. Supervisor 2 said Worker 1 was overwhelmed sometimes and they would meet to work on prioritizing her work.

Supervisor 2 was asked if she was terminated as a result of anything that had to do with licensing, and she stated she was never given a reason for her termination. She stated she was told she was at will and could be let go without reason.

Supervisor 3 Interview: Supervisor 3 was interviewed via telephone on 8/10/20. She stated that she provided the foster parents with the findings of her investigations on Thursday and she will be writing the Special Evaluation when she returns from vacation next week. She stated that she is recommending their license be revoked because the family was not truthful during the licensing process and failed to disclose CPS, Friend of the Court, and mental health history. She stated the Foster Mother also said she was diagnosed with cancer, but her doctor reported she never had a cancer diagnosis.

Supervisor 3 said she started in January 2020, but she did not know the homes until February. She became familiar with the Foster Home when the kids were first placed in the home (1/28/20). She supervised the Licensing Worker (Worker 1) since January 2020. She stated prior to her becoming Worker 1's supervisor Worker 1 had been written up for boundary issues with a different foster home. She stated there were issues with Worker 1's timeliness. Supervisor 3 said Supervisor 2 supervised Worker 1 prior to her. She said Supervisor 2 Supervised Worker 1 until November or December when she transferred to another part of the agency. Supervisor 2 has since been terminated. Supervisor 3 said she did not know why Supervisor 2 was terminated.

Supervisor 3 stated that she was involved in Worker 1's last write-up and subsequent termination. Worker 1 was terminated for not completing thorough investigations. Supervisor 3 said she was shocked that Worker 1's reports were approved the way they were written. After Worker 1 was terminated, Supervisor 3 said she went through all the case files and has been making changes to how they complete their work.

APPLICABLE RULE	
R 400.12327	Special evaluation.
	(1) An agency shall do all of the following when anyone in the agency receives information that relates to possible noncompliance with any foster home rule: (c) Conduct a thorough investigation including all necessary contacts.
ANALYSIS:	In review of all the Special Evaluations it was found that Worker 1 did not conduct a thorough investigation. She did not follow up on information provided by Foster Mom A's daughter, she did not try to access the psychological evaluation and she did not conduct all necessary contacts.
CONCLUSION:	VIOLATION ESTABLISHED

APPLICABLE RULE	
R 400.12310	Initial evaluation.
	(3) The report shall be an assessment of all of the following: (a) Visits at the residence of the foster home applicants for observations of, and interviews with, each member of the household to determine all of the following: (iv) Physical, mental, and emotional health of each member of the household.
ANALYSIS:	Worker 1 did not provide an assessment of Foster Mom A's physical or mental health within the initial evaluation. She did not address the fact that what Foster Mom A reported about her history did not match her medical statement. Worker 1 also did not address the issue of Foster Mom not being in contact with two of her adult daughters.
CONCLUSION:	VIOLATION ESTABLISHED

APPLICABLE RULE	
R 400.12310	Initial evaluation.
	(3) The report shall be an assessment of all of the following: (c) Previous criminal convictions, and substantiated child abuse or neglect for investigations or concerns brought to the agency's or department's attention for any member of the household.
ANALYSIS:	Worker 1 was provided with information that Foster Mother A had CPS history prior to the home being licensed; however, she never updated the initial evaluation to include this information. She also did not reach out to Foster Mother A's adult daughters to get adult child references and input into the CPS history of their mother.
CONCLUSION:	VIOLATION ESTABLISHED

APPLICABLE RULE	
R 400.12324	Reevaluation.
	(2) The annual reevaluation shall include a determination and assessment of all of the following:

	(a) All changes to the factual information contained in the initial evaluation and subsequent renewal evaluations.
ANALYSIS:	The reevaluation which was supposed to be conducted in May of 2018 did not have an assessment of Foster Mother A's CPS history and mental health history which was discovered by the agency prior to licensure and again during the Special Evaluations that were conducted on the home prior to the reevaluation.
CONCLUSION:	VIOLATION ESTABLISHED

ADDITIONAL FINDINGS:

INVESTIGATION:

During the course of the above investigation it was found that Worker 1 did not communicate with the department in regard to the CPS investigation that occurred just prior to the home being licensed. The provider record shows that the Initial Foster Home Study, 3130, was submitted to the department on 9/13/17. A CPS investigation was started on 9/28/17. Contacts in MiSACWIS indicate Worker 1 had communication with the DHHS Worker conducting the investigation during the course of the investigation. There were not any contacts listed between the Worker and DCWL prior to licensure. The worker was required to do an addendum to the 3130 to address questions that DCWL had and that addendum also did not mention the CPS investigation.

APPLICABLE RULE	
R 400.12325	License recommendation.
	(2) An agency shall document foster home license changes in the foster home record and shall communicate the changes immediately to the department in the manner prescribed by the department.
ANALYSIS:	Worker 1 did not notify the department when a CPS investigation was initiated on the home prior to the home being licensed by the department.
CONCLUSION:	VIOLATION ESTABLISHED

ADDITIONAL FINDINGS:

INVESTIGATION:

A review of MiSACWIS found that Foster Home A's license was up for renewal on 5/15/18 however the report was not started until 7/13/18 and finished on 10/26/18. The timeline of events from the agency stated that it was completed late due to the two open Special Evaluations however the Special Evaluations which were initiated on 2/23/18 and 4/13/18 were completed on 7/6/18 and 7/10/18. The application was signed by the Foster Parents on 5/21/18. A letter to the Foster Parents was dated 5/11/18 and the home visit done by Worker 1 to complete the Children's Foster Care Home Rule Compliance Record (BCAL-3080) was done on 5/21/18.

APPLICABLE RULE	
R 400.12324	Reevaluation.
	(8) An agency shall complete a reevaluation and shall make a licensing recommendation to the department at least 15 calendar days before the expiration date of the foster home license.
ANALYSIS:	The provider record indicates that Worker 1 did not get an application for renewal and did not assess Foster Home A's home until after the license had expired. It was several months after the license expired before a reevaluation report was completed and approved.
CONCLUSION:	VIOLATION ESTABLISHED

ADDITIONAL FINDINGS:

INVESTIGATION:

In the above investigation it was discovered that Worker 1 did not follow-up on critical information about a foster home. She did not address Foster Mother A's mental health, CPS history and Friend of the Court history. She also did not get clearances for the adult who was living in the foster home with foster children.

Social Work contacts and Special Evaluation reports indicate Worker 1 was informed of Foster Mother A's history. The reports of Foster Mom's history were never addressed by Worker 1 in the Special Evaluations. These Special Evaluations were approved by Supervisor 2 even though the evaluations were not thoroughly completed.

Subsequent evaluations for the renewal and annual also did not address the history. These reports were also approved by Supervisor 2.

An e-mail from Worker 1 indicated she received notice of the adult household member moving into the home in November of 2019 but the AHM was not cleared until June of 2020.

The Special Evaluations completed by Worker 1 and the Renewal evaluation she completed were not completed timely. The Special Evaluations took two and three months to complete even though minimal work was put into the reports. The Renewal, which was due in May of 2018 was started in July of 2018 and completed in October of 2018.

Worker 1's employee file indicates she had been written up for having boundary issues with the foster parents she worked with. Those boundary issues led to Worker 1 being taken off three cases. Despite this Supervisor 2 indicated she did not think Worker 1's boundaries were an issue.

APPLICABLE RULE	
R 400.12206	Staff qualifications.
	(1) An agency shall require a staff member who has ongoing contact with children or parents to be a person who has the ability, experience, education, and training to perform the duties assigned.
ANALYSIS:	All the documentation reviewed for this investigation indicates Worker 1 and Supervisor 2 did not have the ability, experience, education, or training to perform the duties as required. Technical Assistance: ensure training records for all staff are kept up to date and easily accessible.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

Upon receipt of an acceptable corrective action plan it is recommended that this investigation be closed with no further licensing action.



8/28/20

Rorie Dodge-Garnaat
Licensing Consultant

Date

Approved By:



September 8, 2020

Claudia Triestram
Area Manager

Date