



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF HEALTH AND HUMAN SERVICES
LANSING

ROBERT GORDON
DIRECTOR

December 9, 2020

Rachel Sykes
Lutheran Adoption Service
1545 Keystone
Lansing, MI 48911

RE: License #: CB330361250
Investigation #: 2021C0103001
Lutheran Adoption Service

Dear Ms. Sykes:

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 MISEP 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 HEALTH AND HUMAN SERVICES
DIVISION OF CHILD WELFARE LICENSING
SPECIAL INVESTIGATION REPORT**

I. IDENTIFYING INFORMATION

License #:	CB330361250
Investigation #:	2021C0103001
Complaint Receipt Date:	10/05/2020
Investigation Initiation Date:	10/05/2020
Report Due Date:	12/04/2020
Licensee Name:	Wellspring Lutheran Services
Licensee Address:	6019 West Side Saginaw Bay City, MI 49707
Licensee Telephone #:	Unknown
Administrator:	Rachel Sykes, Designee
Licensee Designee:	Rachel Sykes, Designee
Name of Facility:	Lutheran Adoption Service
Facility Address:	1545 Keystone Lansing, MI 48911
Facility Telephone #:	(248) 663-0670
Original Issuance Date:	08/13/2014
License Status:	REGULAR
Effective Date:	01/30/2019
Expiration Date:	01/29/2021
Capacity:	Unknown
Program Type:	CHILD PLACING AGENCY, PRIVATE

II. ALLEGATION(S)

	Violation Established?
Agency failed to re-apply for adoption assistance for a family prior to adoption finalization.	Yes
Additional Findings	No

III. METHODOLOGY

10/05/2020	Special Investigation Intake 2021C0103001
10/05/2020	Special Investigation Initiated - Telephone Message left for complainant. Follow-up e-mail sent.
10/06/2020	Inspection Completed On-site On-site not needed approved by Claudia.
10/06/2020	Contact - Document Received E-mail from complainant
11/18/2020	Contact - Document Sent E-mail to Manager
11/20/2020	Contact - Telephone call made Virtual interviews with the Program Manager and Chief Administrator
11/20/2020	Contact - Document Sent E-mail to supervisor
11/23/2020	Contact - Telephone call made Video conferencing with Manager and Supervisor
11/24/2020	Contact - Document Sent E-mail to Worker
11/24/2020	Contact - Document Received E-mail from Supervisor
11/30/2020	Contact - Document Received E-mail from Program manager

12/01/2020	Contact - Document Sent E-mail to Program Manager
12/01/2020	Contact - Document Received E-mail to/from CA
12/01/2020	Inspection Completed-BCAL Sub. Compliance
12/01/2020	Contact – Telephone call made Virtual interview with Adoption Worker
12/07/2020	Exit Conference

ALLEGATION:

Agency failed to re-apply for adoption assistance for a family prior to adoption finalization.

INVESTIGATION:

A complaint was received on 10/5/2020 which stated that the adoption agency failed to re-apply for adoption assistance for a family prior to finalization of the adoption. The complaint stated that the original denial of subsidy occurred on 5/23/17, Order Placing Child After Consent (OPC) occurred on 9/13/17, and Order of Adoption was signed on 11/1/17. The child turned 3 in early October 2017, which would have made the family eligible for adoption assistance if the worker had reapplied.

The Adoption and Guardianship Assistance Office (AGAO) was contacted on 10/5/20 to confirm the information in the complaint and to obtain case information.

A review of the case file indicated the dates in the complaint were correct. Additionally, consent was granted on 8/24/17, the Petition to Adopt was filed on 9/13/17 and The Order Terminating Rights after Release of Consent (OTR) was signed on 9/13/17.

An e-mail was received from the Chief Administrator providing the contact information for the staff on this case. The supervisor at the time of the adoption is no longer with the agency and contact information for her could not be obtained.

Interview with Manager: A video call was completed with the Program Manager on 11/23/20. Also on the call was the Chief Administrator. The Manager stated that the adoption worker had applied for adoption subsidy which was denied because the youth was two years old and not eligible for subsidy. By the time the adoption was finalized the child had turned three, making him eligible for subsidy. She stated the adoption worker did not re-apply for subsidy.

The Manager stated she talked to Worker 1 about the allegations and Worker 1 told her she had talked to the family about the eligibility criteria for adoption subsidy. Worker 1 anticipated that the case would be finalized before Youth A turned three. She thought the case would have been finalized in two to three weeks from OTR.

The Manager stated that policy is to push for adoption without subsidy. She said it is the agency's practice to let the family know the criteria and if they want to delay finalization it is up to them. She stated the agency does not want to be the reason that finalization is delayed.

She stated that policy does not say subsidy can be re-applied for when there is a change in eligibility. Policy says it must be re-applied for if there is a change in circumstance or the youth's plan. She stated they were within policy requirements but that is not how the agency typically operates.

Adoption Worker Interview: The adoption worker was interviewed via video conferencing on 12/01/20. Supervisor 1 was also present. She stated that she did not have the date that she applied for subsidy. She said subsidy was denied and she had a discussion with the family about this. She stated there was a delay in completing the Adoption Home Evaluation (612) and consent because they were waiting on a Special Evaluation (SE) being done on the home. She stated once the SE was completed the 612 was then completed on 8/8/17. She then received consent for adoption on 8/10/17. She had everything ready to be filed and she filed the adoption paperwork with the court on 9/1/20. Leading up to the adoption paperwork being filed the Adoption Worker had a discussion with the family and her supervisor about not being able to wait until Youth A turned 3 because all the paperwork was in and complete. She stated the family did not push the issue.

The adoption worker stated the family lived in Kalamazoo County so they decided to file there because it was taking Kalamazoo two to three weeks to finalize adoptions. The adoption worker stated that the court contacted her and said that with Adoption Day coming up they were pushing all finalizations to 11/1/17, which was adoption day. She was informed of this on 9/13/17. The family decided they would do the finalization on adoption day. The adoption worker stated that on 9/13/17 the OTR and OPC were signed. She stated she could no longer apply for adoption subsidy after those orders were signed. The Supervisor was asked to clarify if that was correct and the supervisor stated that was incorrect. Adoption subsidy can be applied for after OTR and OPC are signed. The Adoption worker stated that at the time of the case it was her understanding that she could no longer apply.

Adoption Worker's employee file indicated she was hired on 3/14/14. She received her initial adoption training in 2014 but received a training on Adoption Subsidy on 11/30/20 after this issue was discovered. The Adoption Worker received one discipline for on 10/28/20 for late reports.

The MDHHS Adoption Contract held by the agency states the following:

The Contractor shall be responsible for providing information to the prospective adoptive family parent(s) regarding the adoption assistance programs on behalf of all children available for adoption. If the Contractor fails to provide information, fails to apply for adoption assistance or finalizes an adoption prior to the execution of an adoption assistance contract, and it is later determined that the child was eligible for adoption assistance, the Contractor shall be responsible for providing financial support to the adoptive family equal to the adoption assistance amount and eligible Medicaid coverage, from the time the adoptive family makes the request for the re-determination of eligibility and the date MDHHS determines that an error occurred based on the Contractor's failure to inform or apply for adoption assistance.

Further clarification was sought from the MDHHS Policy Office and it was reported that a child's change in age is a change in circumstance.

APPLICABLE RULE	
AAM 200	CHANGES IN FAMILY OR CHILD'S CIRCUMSTANCES
	After an adoption assistance application has been submitted and/or approved or denied, the adoption caseworker must submit a new DHS 1341, Adoption Assistance and Medical Subsidy Application, if there is a change in the child's adoption plan or circumstances before adoption finalization. The child's eligibility for adoption assistance and nonrecurring adoption expenses programs must be redetermined.
ANALYSIS:	The Adoption Worker, AGAO, Supervisor 1, and the program manager all confirmed that the Adoption worker did not re-apply for adoption assistance once Youth A turned three years old and prior to the finalization of the adoption.
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.



12/7/20

Rorie Dodge-Garnaat
Licensing Consultant

Date

Approved By:



December 9, 2020

Claudia Triestram
Area Manager

Date