



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
LANSING

ELIZABETH HERTEL  
DIRECTOR

April 12, 2022

Sherry Thomas-Cloud  
Family & Children Services  
1608 Lake Street  
Kalamazoo, MI 49001

RE: License #: CB390201118  
Investigation #: 2022C0112006  
Family & Children Services Inc.

Dear Ms. Thomas-Cloud:

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 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 my area manager at 616-204-6992.

Sincerely,

A handwritten signature in cursive script that reads "Holly F. Austin". The signature is written in dark ink and is positioned below the word "Sincerely,".

Holly Austin, Licensing Consultant  
MDHHS\Division of Child Welfare Licensing  
Suite 200  
121 Franklin Street SE  
Grand Rapids, MI 49507  
(269) 330-7082

enclosure

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

**I. IDENTIFYING INFORMATION**

<b>License #:</b>	CB390201118
<b>Investigation #:</b>	2022C0112006
<b>Complaint Receipt Date:</b>	02/04/2022
<b>Investigation Initiation Date:</b>	02/04/2022
<b>Report Due Date:</b>	04/05/2022
<b>Licensee Name:</b>	Family & Children Services
<b>Licensee Address:</b>	1608 Lake Street Kalamazoo, MI 49001
<b>Licensee Telephone #:</b>	Unknown
<b>Administrator:</b>	Sherry Thomas-Cloud, Designee
<b>Licensee Designee:</b>	Sherry Thomas-Cloud, Designee
<b>Name of Facility:</b>	Family & Children Services Inc.
<b>Facility Address:</b>	1608 Lake Street Kalamazoo, MI 49001
<b>Facility Telephone #:</b>	(269) 344-0202
<b>Original Issuance Date:</b>	03/01/1991
<b>License Status:</b>	REGULAR
<b>Effective Date:</b>	02/13/2021
<b>Expiration Date:</b>	02/12/2023
<b>Capacity:</b>	Unknown
<b>Program Type:</b>	CHILD PLACING AGENCY, PRIVATE

## II. ALLEGATION(S)

	Violation Established?
The agency refused services Parent A requested including notification of children's appointments, family therapy, sober living options, and transportation assistance. Foster Care Worker and Supervisor ignored requests to file a grievance. Foster Care Worker and Supervisor ignored Parent A's request to review casefile. Additionally, Foster Care Worker would not send Parent A reports.	No
Foster Care Worker and Supervisor informed Caregiver she was not allowed to attend court hearings.	No
Foster Care Worker and Supervisor have not given Parent A or Caregiver reason for moving the children.	No
Foster Care Worker informed Parent A that missed visits due to foster family or agency would be made up, yet none were.	Yes

## III. METHODOLOGY

02/04/2022	Special Investigation Intake 2022C0112006
02/04/2022	Special Investigation Initiated - Letter Email exchange with complainant to schedule interview
02/07/2022	Contact - Telephone call made Interviewed complainant
02/07/2022	Contact - Document Sent Email exchanges with agency to schedule interviews
02/08/2022	Contact - Document Received Email exchanges with agency staff to confirm interview times
02/09/2022	Inspection Completed On-site
03/24/2022	Contact - Face to Face Conducted interviews & discussed findings
03/24/2022	Contact - Face to Face Pre-exit
03/28/2022	Contact - Document Received email exchange with supervisor re: documentation
03/30/2022	Contact - Document Received email exchange with supervisor regarding documentation
03/30/2022	Inspection Completed-BCAL Sub. Compliance

### ALLEGATION:

The agency refused services Parent A requested including notification of children's appointments, family therapy, sober living options, and transportation assistance. Foster Care Worker and Supervisor ignored requests to file a grievance and that the

supervisor and program manager never responded to her requests to discuss her concerns. Foster Care Worker and Supervisor ignored Parent A's request to review casefile. Additionally, Foster Care Worker would not send Parent A reports.

## **INVESTIGATION:**

### **Interviews**

**Parent A** - On 2/7/2022 I interviewed Parent A by phone. Parent A stated that it was "very rare" that she was notified of the youth's medical appointments. Parent A did not provide any specifics regarding which appointment for which she did not receive notification. On 4/4/2022 I followed up with Parent A via email asking if she had any details regarding the medical appointments, she alleges she was not notified of or allowed to attend. The only missed appointment date she identified was a date she believed to be 1/9/2019 for Youth A. A review of the case record determined that there was an appointment on 1/9/2020 at which time Youth A was placed with Caregiver A. Parent A also stated that she was not notified of any appointments for Youth B; however, also stated that Youth B is placed with his father.

Parent A stated that she asked her foster care worker for therapy services since "day 1" of her case. She reported Foster Care Worker requested family therapy services for her at court, but the court replied Parent A needed to work on her own issues before she could engage in family therapy. She also stated she requested sober living options from Foster Care Worker who stated she would contact someone about this, but never gave any sober living options to Parent A.

Parent A stated she was provided with 2 gas cards and was not offered rides by Foster Care Worker. Parent A stated that she had text messages documenting her requests for transportation assistance that she would provide to this consultant.

Parent A reported she requested an FTM in March of 2020 because Foster Care Worker stated Parent A wasn't being honest or cooperating with services. Parent A also stated she made a request to review her case file, but Foster Care Worker did not respond to this request. Parent A reported Foster Care Worker would not send her copies of reports such as psychiatric evaluations, trauma assessments, and court reports. Parent A stated she would have to "fight for them." When I asked about Parent Agency Treatment Plans, Parent A stated she did receive all of those, but they were never discussed with her.

**Foster Care Worker** - On 2/9/2022 I interviewed Foster Care Worker in person at the agency. Foster Care Worker reported Parent A attended nearly all of the youth's appointments. Foster Care Worker stated Parent A's visitation was supervised by her mother, Caregiver A, with whom the children were placed, and Parent A could attend any appointments Caregiver A brought the children to. Foster Care Worker stated there was one dental appointment Parent A could not attend. This appointment was scheduled after Youth A was moved from Caregiver A's home and Parent A could not attend due to the dentist office only allowing one person to be at

the appointment. Parent A's visits were to be supervised; therefore, she could not attend the appointment with Youth A.

Foster Care Worker reported Youth A's therapist did not feel family therapy was appropriate until Parent A engaged in her own individual therapy and addressed her own history which was discussed during Family Team Meetings (FTMs.) Parent A did not actively engage in individual therapy services. Foster Care Worker reported Parent A was not actively engaged in services overall which is required by sober living programs. Additionally, after denying substance use for several months, Parent A eventually admitted to substance use which also prevented participation in sober living programs.

Foster Care Worker reported Parent A would typically express a need for transportation assistance after she missed a drug screen despite not having pre-planned with Foster Care Worker. Parent A also lived near a bus stop and all bussing was free throughout 2021.

Foster Care Worker reported Parent A requested all reports from her case on the date of the termination hearing. All applicable documents were emailed to Parent A on 3/31/2021. Foster Care Worker Additionally, Foster Care Worker reported having multiple conversations with Parent A about concerns she had throughout the case, but at no time did Parent A make a request to file a formal grievance.

**Program Manager-** On 2/9/2022 I interviewed Program Manager in person at the agency. Program Manager stated after Parent A expressed her concerns to Program Manager about missing one of Youth A's appointments after the youth was replaced, she talked with Parent A and offered to have a meeting to discuss her concerns which Parent A declined. Program Manager reported that she has had multiple conversations with Parent A throughout the concerns she expressed, but Parent A did not request to file a grievance.

**Supervisor -** On 2/9/2022 I interviewed Supervisor in person at the agency. Supervisor provided the same information as Foster Care Worker regarding the family therapy, substance abuse service, and transportation concerns.

Supervisor reported having a conversation with Parent A during which Parent A reported having asthma as a barrier for walking to the bus stop and not having an inhaler due to Medicaid not covering the inhaler. Foster Care Worker verified Parent A's inhaler was covered by Medicaid and assisted her with scheduling the needed appointment.

Supervisor reported speaking to Parent A many times throughout the case and frequently discussed Parent A's concerns, but she did not request to file a grievance.

**Caregiver A –** On 4/11/2022 I interviewed Caregiver A by phone. She reported she did notify Parent A of the youths' appointments, but Parent A did not attend. Parent

A was heard in the background of the call saying that Caregiver A did not tell her about appointments. Caregiver A stated she didn't know if Foster Care Worker would allow Parent A to attend appointments with her.

### **Documents Reviewed**

On 4/4/2022 I reviewed the following in the MiSACWIS case record:

- Family Team Meeting (FTM) documentation from an FTM held on 6/2/2020 indicated Parent A was encouraged to assist Caregiver A in making appointments. This documentation also indicated Parent A's parenting time was flexible and based on Caregiver A's schedule as they were supervised by Caregiver A.
- Parent A and Youth A's need to engage in and make progress in individual counseling was discussed during FTM's for which documentation of Parent A's attendance was recorded on 11/20/2020, 3/31/2021, and 3/17/2021.
- Parent A's service plans and treatment plans which documented her lack of engagement in substance abuse services as well as overall services
- Case referral documentation verifying that referrals were made for Parent A for mental health evaluation, counseling services, substance abuse services, parenting support, and housing assistance.
- Narrative within social work contacts, service plans, and FTM documentation regarding Parent A's refusal to sign releases of information in order for Foster Care Worker to receive documentation from Parent A's therapist in order to verify participation.
- Social work contact dated 5/26/2021 documenting a video conference during which Parent A reported having issues with transportation. Foster Care Worker documented Parent A had not previously expressed this barrier and identified bus stops near Parent A's home.
- Social work contact dated 7/13/2022 during which Supervisor again had a conversation with Parent A about the bus stops. Parent A stated there was road construction near one of the bus stops and Supervisor confirmed this did not interfere with the bus pick up and offered to call the bus station with Parent A who declined. It was also during this conversation that Supervisor assisted Parent A with scheduling an appointment to address her asthma.
- Social work contacts regarding parenting time. Of the visits scheduled, Parent A attended all except 1, which she cancelled due to her "ride being stuck in traffic."
- Documentation that Treatment Plans were provided was confirmed through either Parent A's signature on the Treatment Plans or documentation of Parent A's refusal to sign.
- Multiple social work contacts during which discussions were held between Foster Care Worker, Supervisor, and Parent A regarding the concerns expressed in this complaint.

<b>APPLICABLE RULE</b>	
<b>MISEP 6.20</b>	<b>Provision of Services (Commitment 70).</b>
	DHHS shall ensure that the services identified in the service plan are made available in a timely and appropriate manner to the child and family and shall monitor the provision of services to determine whether they are of appropriate quality and are having the intended effect. DHHS is responsible for helping the parent(s) from whom the child has been or may be removed, the child(ren), and the foster parent(s) identify appropriate, accessible, and individually compatible services; assisting with transportation when necessary; helping to identify and resolve any barriers that may impede parent(s), child(ren), and foster parent(s) from making effective use of services; and intervening to review and amend the service plan when services are not provided or do not appear to be effective.
<b>ANALYSIS:</b>	There is no documentation to support Foster Care Worker did not provide requested services that were determined appropriate based on Parent A's participation and progress.
<b>CONCLUSION:</b>	<b>VIOLATION NOT ESTABLISHED</b>

### **ALLEGATION:**

Foster Care Worker and Supervisor informed Caregiver A she was not allowed to attend court hearings.

### **INVESTIGATION:**

#### **Interviews**

On 2/7/2022 I interviewed Parent A by phone. Parent A reported her mother, Caregiver A, was told Caregiver A could not attend hearings by Supervisor and Foster Care Worker, but Parent A did not have any additional information.

**Foster Care Worker** - On 2/9/2022 I interviewed Foster Care Worker in person at the agency. Foster Care Worker stated Caregiver A did participate in all virtual hearings held, while that was an option, but did not attend in-person hearings. Foster Care Worker reported she did have a discussion with Caregiver A during which she recommended Caregiver A attend all court hearings as Parent A was not being honest with Caregiver A about the case.

**Caregiver** – On 4/11/2022 I interviewed Caregiver A by phone. She stated that always received the notices of hearings, but they did not indicate what the hearings were about. She stated that, after the first hearing, she got the impression that that she shouldn't be interested in what was going on with Parent A and felt that there was an insinuation that she shouldn't attend. She also stated that she was busy with



the youth in her care and couldn't attend all of the hearings. She stated that no one ever told her she could not attend.

#### **Documents Reviewed**

- On 4/11/2022 I reviewed the Notice of Hearings (DHS-715) for 9 hearings, all addressed to Caregiver A and dated prior to the hearing dates.

<b>APPLICABLE RULE</b>	
<b>722- 10</b>	<b>COURT HEARING NOTIFICATION REQUIREMENTS</b>
	State and federal law requires courts to ensure certain parties are notified of proceedings held with respect to a child under the jurisdiction of the court. To facilitate this process the supervising agency is required to provide notification of all court proceedings to the following: <ul style="list-style-type: none"><li>• The child, if the child is 11 years or older.</li><li>• The foster parents, relative caregivers, court-ordered unrelated caregivers, and pre-adoptive parents.</li></ul>
<b>ANALYSIS:</b>	There is no evidence to support Caregiver A was told to not attend court hearings.
<b>CONCLUSION:</b>	<b>VIOLATION NOT ESTABLISHED</b>

#### **ALLEGATION:**

Foster Care Worker and Supervisor have not given Parent A or Caregiver reason for moving the children.

#### **INVESTIGATION:**

##### **Interviews**

**Parent A** - On 2/7/2022 I interviewed Parent A by phone. Parent A reported she has "no clue" why the children were moved from the placement with her mother to another home. She stated she did participate in an FTM about the move, but the reason for the move was not discussed. She stated her mother filed an appeal regarding the move.

**Foster Care Worker** - On 2/9/2022 I interviewed Foster Care Worker in person at the agency. Foster Care Worker reported Parent A attended all FTM's and three were held specifically regarding placement in Caregiver A's home. Caregiver A was also present for these meetings.

Caregiver A – On 4/11/2022 I interviewed Caregiver A by phone. Caregiver A reported that she didn't know the children were being moved from her home until she received a notice of the move in the mail. She reported that she attended all of the FTM's but she did not remember them talking about reasons the children could be moved from her home. She stated that she was informed about the move by the

children weeks before she received the notice in the mail and they told her they were being moved because Caregiver A needed to work on herself.

Caregiver A reported that she attended the Foster Care Review Board hearing by phone during which time she found out they were concerned about the placement due to Caregiver A's boyfriend having moved into the home without Caregiver A notifying Foster Care Worker. Additionally, Caregiver A's boyfriend had a "record." Caregiver A reported that was her "fault" for not notifying Foster Care Worker and stated that she was given the "big licensing book" but she didn't make it all the way through.

### **Documents Reviewed**

On 4/4/2022 I reviewed the casefile in MiSACWIS I located the following:

- Documentation from a 3/17/2021 FTM regarding placement stability which Parent A and Caregiver A attended. Specific concerns with the placement were documented to have been discussed during this meeting as well options to avoid replacement.
- Documentation from an FTM on 3/31/2021 which Parent A attended, but Caregiver A declined to attend. During this meeting Parent A asked about the youth moving and when she was told they were, she cussed at the worker and ended the meeting.
- Documentation from a 4/15/2021 FTM, which was attended by Caregiver A, Parent A, and several other parties involved in the case including the youth's GAL, during which it was determined that the youth would be moved from Caregiver A's home based in the documented concerns.
- Foster Parent Notification of Move (DHS-30) dated 3/31/2021 documenting Caregiver A's refusal to sign.
- Foster Parent Appeal Investigation completed by the Foster Care Review Board on 4/15/2021 indicating that the board supported the move and documented Caregiver A was present for the appeal process.

<b>APPLICABLE RULE</b>	
<b>R 400.12405</b>	<b>Change of placement.</b>
	<p><b>(3) The agency shall document all of the following in the child's record before a change of placement occurs:</b></p> <p style="padding-left: 40px;"><b>(f) Notification to the parents, referral source, lawyer guardian ad litem, and courts when applicable, of the change in placement.</b></p> <p style="padding-left: 40px;"><b>(i) That the current foster parent was notified in writing of the following information:</b></p> <p style="padding-left: 80px;"><b>(i) Not less than 14 calendar days in advance, of the change, except when prior notification would jeopardize the child's care or safety.</b></p> <p style="padding-left: 80px;"><b>(ii) Of the current foster parent's rights concerning the change in placement.</b></p>

<b>ANALYSIS:</b>	The documentation supports Parent A and Caregiver A were informed of the concerns resulting in the replacement of the youth on multiple occasions. Additionally, the required notice was provided to Caregiver A.
<b>CONCLUSION:</b>	<b>VIOLATION NOT ESTABLISHED</b>

## **ALLEGATION:**

Foster Care Worker informed Parent A that missed visits due to foster family or agency would be made up, yet none were.

## **INVESTIGATION:**

### **Interviews**

On 2/7/2022 I interviewed Parent A by phone. Parent A reported a few visits were cancelled by the agency due to car trouble, the youth being on vacation with the foster family, etc., but make up visits did not take place. She reported she would send text message exchanges with Foster Care Worker regarding the missed visits.

On 2/9/2022 I interviewed Foster Care Worker, Supervisor, and Program Manager in person at the agency. Foster Care Worker stated there were 1 or 2 visits missed during the case. She reported she told Parent A that the visits would be made up if the FSW could make them up. On 3/24/2022 I interviewed Foster Care Worker, Supervisor, and Program Manager again in person at the agency. Foster Care Worker reported she thought the FSW had dealt with the makeup visit and Parent A did not bring it up with her until after Parent A's right to the youth were terminated.

### **Documents Reviewed**

- On 2/7/2022 I reviewed screenshots of text messages between Foster Care Worker and Parent A. These messages were as follows:
  - Text which was not dated, but was just prior to a text dated 6/2/2021, from Parent A stating "So when can the one visit be made up?"
  - No response to this question from Foster Care Worker, rather the next message was from Foster Care Worker asking Parent A to confirm her attendance at an appointment on 6/2/2021.
  - Text from Parent A dated 7/1/2022 asking when her visit would be made up.
  - No response for Foster Care Worker.
  - Text from Parent A dated 7/6/2022 again stating a visit was supposed to be made up and asking when that would take place.
  - Foster Care Worker responded that she doesn't handle visits and Parent A would need to discuss that with the FSW "if they can make up the visit".
- Supervisor provided me a written response to Parent A's visit concern which stated: Visits may be cancelled by the agency due to unsafe weather conditions, holidays or unexpected emergencies. For holiday visits, the staff

ensures that the families receive at least one visit that week. Workers will try to accommodate a make-up visit or a longer visit however it is not always possible to do so.

- On 3/28/2022 Supervisor sent an email stating the FSW had documentation of text messages between her and Parent A confirming a visit on 5/27/2021 with one of the youths. Supervisor stated the FSW did not think the visit with the two youth who could not attend because they were camping needed to be made up and Parent A did not mention it again until after her parental rights were terminated. She added Parent A did not show up for a meeting scheduled with Foster Care Worker on 6/2/2021 during which Parent A could have addressed her missed visit.
- On 3/30/2022 Supervisor provided me with screenshots of the following text exchanges between Parent A and FSW:
  - A message dated 5/27/2021 from FSW “are you doing visit today”
  - Parent A - “there is no visit today”
  - FSW - “with Youth B?”
  - Parent A – “I was told there will not be one .. that it was rescheduled”
  - FSW – “That’s not what I was told”
- On 3/30/2022 I reviewed the agency policy/procedure regarding parenting time which was provided by supervisor. This document stated the following:
  - Parenting time cancelled due to weather will not be made up.
  - Parenting time cancelled by the biological parent(s) will not be rescheduled.
  - If you miss three (3) or more consecutive parenting times, your parenting time is taken off the schedule and a meeting needs to be scheduled with your Foster Care Worker to discuss different options that would work for you to be able to attend your parenting times.
  - When the agency is closed for holidays, you will have a minimum of one parenting time that week.

<b>APPLICABLE RULE</b>	
<b>FOM 722-06I</b>	<b>Frequency of In-Person Parenting Time</b>
	The minimum frequency guidelines for in-person parenting time detailed below are to be followed immediately upon out-of-home placement, unless otherwise ordered by the court: • Newborn to age five: twice per week. • Six years and older: once per week. Note: The caseworker must not reduce the frequency of an existing parenting time plan due to a child reaching age 6. If parenting time is not occurring as outlined above, the barriers that are contributing to less frequent parenting time and how

	those barriers are being addressed must be documented in the case service plan
<b>ANALYSIS:</b>	<p>Foster Care Worker did not ensure that all required visits were provided to Parent A and directed Parent A to FSW regarding required makeup visits, failing to ensure these visits took place.</p> <p>Additionally, the agency policy violates the DHHS policy regarding parenting time as the agency must provide either at least one of two visits per week, based on the age of the child, and cannot refuse to make up required visits due to weather, the parent missing 3 consecutive visits, or agency closure due to holidays. Additionally, the agency cannot refuse to make up visits simply based on a parent's cancellation as there may be legitimate circumstances requiring a parent to cancel. Supervisor and Foster Care Worker reported visits are made up when possible, but that it isn't always possible. This is a direct violation as all visits missed due to the agency or foster parents must be provided.</p>
<b>CONCLUSION:</b>	<b>VIOLATION ESTABLISHED</b>

#### IV. RECOMMENDATION

Upon receipt of an acceptable CAP, I recommend no change to license status.



April 5, 2022

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Holly Austin  
Licensing Consultant

Date

Approved By:



April 12, 2022

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Jessica VandenHeuvel  
Area Manager

Date