



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

MARLON I. BROWN, DPA
ACTING DIRECTOR

August 22, 2023

Isabel Gutierrez
1111 Prospect Ave SE
Grand Rapids, MI 49507

RE: License #: DF410258528
Isabel Gutierrez
1111 Prospect Avenue, SE
Grand Rapids, MI 49507-1112

Dear Ms. Gutierrez:

This letter is a follow-up to the Department's findings regarding the interim inspection conducted at your home on 08/21/2023. The purpose of this inspection was to determine compliance with applicable licensing statutes and administrative rules for Family and Group Child Care Homes.

During my on-site inspection an unknown adult was present caring for seven children. I introduced myself to the adult and asked her name. She informed me that Ms. Gutierrez was at an appointment and did not know when she would return. Two children were sleeping, one child was eating, and the other children were watching age-appropriate television programming. I called Ms. Gutierrez while in the home and she informed me that she was at an appointment and would return within an hour and half and that the individual watching the children used to be a child care provider. A few minutes later Child Care Staff Member 1 (CCSM 1) arrived and completed the inspection.

I provided technical assistance and consultation on the following rules:

- R 400.1904a Child care staff member; employment requirements; ensuring that anyone fitting the definition of a child care staff member has completed training and eligibility requirements.
- R 400.1920(1) Outdoor play area and equipment; ensuring there are no hazards in the path to the outdoor play area.
- R 400.1944(3) Smoke detectors; fire extinguishers; ensuring the fire extinguisher is not mounted higher than five feet.

The violations that were found are:

MCL 722.115n **Application for or renewal of license to operate child care center, group child care home, or family child care home; household member or child care staff member; criminal history check; requirements; duties of department.**

(1) Except as otherwise provided in subsection (13), when a person... applies for or applies to renew a license to operate a child care center, group child care home, or family child care home under section 5m and before ... family child care home,,, allows an individual to become a child care staff member, the department shall do all of the following...

Ms. Gutierrez allowed an individual to care for children without submitting information to the child care licensing bureau to complete criminal history checks. Because the individual was caring for children they are defined as a child care staff member.

R 400.1904a(2)(c) **Child care staff member; employment requirements.**

(2) Before caring for children at a child care home, an individual shall provide the licensee with all of the following:
(c) Proof of training in the prevention of infectious disease, including immunizations.

During my inspection I looked up MiRegistry (online professional development platform) to verify if Child Care Staff Member 2 (CCSM 2) has completed the required health and safety trainings. There were other trainings in CCSM 2's MiRegistry transcript. There was no verification of training in the prevention of infectious disease, including immunizations.

R 400.1904a(3) **Child care staff member; employment requirements.**

(3) Prior to contact with children, the individual shall be determined by the department to be eligible to serve as a child care staff member, pursuant to section 5n of the act, MCL 722.115n, and as required by R 400.1925.

Ms. Gutierrez did not ensure that CCSM 2 had been determined by the department to be eligible to serve as a child care staff member.

R 400.1916(8)**Bedding and sleeping equipment.**

(8) Soft objects, bumper pads, stuffed toys, blankets, quilts or comforters, pillows, and other objects that could smother an infant must not be placed with, under, or within reach of a resting or sleeping infant.

There was an infant asleep in a crib; there were two soft cloths and a stuffed animal attached to a pacifier in the crib with the sleeping infant. I asked CCSM 2 to remove the items from the crib.

Due to the violations, you must send us a corrective action plan by 9/12/2023. You can use our [corrective action plan](#) form or create your own.

If you need help writing the corrective action plan, please contact me. If you do not send a corrective action plan, you may face disciplinary action. The corrective action plan 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.

Due to the infant safe sleep violation(s), all of your infant caregivers must take training on infant safe sleep. This must be included in your corrective action plan. In addition, a follow up inspection may be made to check compliance with the infant safe sleep rules.

Upon receipt of an acceptable corrective action plan, there will be no change to your license status.

You can find a copy of this inspection letter and any associated corrective action plans on our [website](#) under [Statewide Search for Licensed Child Care Centers and Homes](#). A description of when inspection letters are completed can be found under [Overview of Licensing Reports](#).

Please contact me with any questions. In the event that I am not available, and you need to speak to someone immediately, please contact the local office at (517) 284-9730.

Per MCL 722.113g, this report and any related corrective action plans must be filed in your Licensing Notebook.

Sincerely,

A handwritten signature in black ink, appearing to read 'JMB', is positioned above the printed name.

Jessica Miranda-Bevier, Licensing Consultant
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611 W. Ottawa Street
P.O. Box 30664
Lansing, MI 48909
(616) 498-5459