



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

ORLENE HAWKS  
DIRECTOR

May 11, 2023

Tracy Cruz  
10860 Otter Dr  
St. Helen, MI 48656

RE: License #: DG720301083  
**Tracy Cruz**  
**10860 Otter Dr**  
**St. Helen, MI 48656**

Dear Ms. Cruz:

This letter is a follow-up to the Department's findings regarding the interim inspection conducted at your home on 05/11/2023. The purpose of this inspection was to determine compliance with applicable licensing statutes and administrative rules for Family and Group Child Care Homes.

When I arrived on-site, child care staff members Ms. Charmaine Mynarcik and Ms. Dakohta Larive were present with seven children in attendance. Ms. Tracy Cruz arrived shortly after I did. During the inspection, I observed the children sitting at the kitchen table playing with puzzles and coloring. Once the children finished at the table, they were able to play with the toys or watch a Disney program. I also observed two children sleeping in play yards. Ms. Cruz stated that she does not care for any children under the age of 12 months. She also reported that the outdoor play area has been moved to the front yard and driveway.

The violations that were found are:

**R 400.1905**

**Training.**

(3) A licensee shall ensure that child care staff members and child care assistants, prior to caring for children, have training that includes information on all of the following:

(b) Recognition of and the reporting of child abuse and neglect.

Ms. Tracy Cruz did not ensure that child care staff member Ms. Charmaine Mynarcik had completed the training on the recognition of and the reporting of child abuse and neglect prior to caring for children. Ms. Mynarcik has worked for Ms. Cruz since the Fall of 2022.

**R 400.1905 Training.**

(3) A licensee shall ensure that child care staff members and child care assistants, prior to caring for children, have training that includes information on all of the following:

(c) Prevention of shaken baby syndrome, abusive head trauma, and child maltreatment.

Ms. Tracy Cruz did not ensure that child care staff member Ms. Charmaine Mynarcik had completed the training on the prevention of shaken baby syndrome, abusive head trauma, and child maltreatment prior to caring for children. Ms. Mynarcik has worked for Ms. Cruz since the Fall of 2022.

**R 400.1905 Training.**

(4) Within 90 days after receiving a child care license or of being hired at a child care home, a licensee, a child care staff member, and a child care assistant shall complete training on all of the following topics:

(a) Child development.

Ms. Tracy Cruz did not ensure that child care staff member Ms. Charmaine Mynarcik had completed the training on child development within 90 days of being hired. Ms. Mynarcik has worked for Ms. Cruz since the Fall of 2022.

**R 400.1905 Training.**

(4) Within 90 days after receiving a child care license or of being hired at a child care home, a licensee, a child care staff member, and a child care assistant shall complete training on all of the following topics:

(b) Administration of medication.

Ms. Tracy Cruz did not ensure that child care staff member Ms. Charmaine Mynarcik had completed the training on the administration of medication within 90 days of being hired. Ms. Mynarcik has worked for Ms. Cruz since the Fall of 2022.

**R 400.1905 Training.**

(4) Within 90 days after receiving a child care license or of being hired at a child care home, a licensee, a child care staff

member, and a child care assistant shall complete training on all of the following topics:

(c) Prevention of and response to emergencies due to food and allergic reactions.

Ms. Tracy Cruz did not ensure that child care staff member Ms. Charmaine Mynarcik had completed the training on the prevention of and response to emergencies due to food and allergic reactions within 90 days of being hired. Ms. Mynarcik has worked for Ms. Cruz since the Fall of 2022.

**R 400.1905 Training.**

(4) Within 90 days after receiving a child care license or of being hired at a child care home, a licensee, a child care staff member, and a child care assistant shall complete training on all of the following topics:

(d) Handling and storage of hazardous materials and the appropriate disposal of biocontaminants.

Ms. Tracy Cruz did not ensure that child care staff member Ms. Charmaine Mynarcik had completed the training on the handling and storage of hazardous materials and the appropriate disposal of biocontaminants within 90 days of being hired. Ms. Mynarcik has worked for Ms. Cruz since the Fall of 2022.

**R 400.1905 Training.**

(4) Within 90 days after receiving a child care license or of being hired at a child care home, a licensee, a child care staff member, and a child care assistant shall complete training on all of the following topics:

(f) Building and physical premises safety.

Ms. Tracy Cruz did not ensure that child care staff member Ms. Charmaine Mynarcik had completed the training on building and physical premises safety within 90 days of being hired. Ms. Mynarcik has worked for Ms. Cruz since the Fall of 2022.

**R 400.1905 Training.**

(4) Within 90 days after receiving a child care license or of being hired at a child care home, a licensee, a child care staff member, and a child care assistant shall complete training on all of the following topics:

(g) All hazards emergency preparedness and response planning.

Ms. Tracy Cruz did not ensure that child care staff member Ms. Charmaine Mynarcik had completed the training on all hazards emergency preparedness and response planning within 90 days of being hired. Ms. Mynarcik has worked for Ms. Cruz since the Fall of 2022.

**R 400.1925                    Comprehensive background check; fingerprinting.**

- (2) An applicant or licensee shall do all of the following:
  - (f) Immediately disconnect each individual from the system once he or she is no longer a licensee, adult member of the household, child care assistant, child care staff member, or an unsupervised volunteer under the license.

Ms. Tracy Cruz did not immediately “disconnect” child care staff member Ms. Jodie Gage from her Child Care Background Check account when she left employment with her in 2022. Ms. Tracy Cruz also did not “connect” child care staff member Ms. Dakotha Larive prior to her working with child care children beginning in June of 2022.

**R 400.1932                    Home maintenance and safety.**

- (1) The structure, premises, and furnishings of a child care home must be in good repair and maintained in a clean, safe, and comfortable condition.

When entering the home and while in the kitchen and living room, where the child care children were playing, a powerful ammonia-like odor (cat urine) was present.

**REPEAT VIOLATION ESTABLISHED**

**LSR dated 05/19/2017**

**Corrective Action Plan dated 05/07/2017**

**R 400.1933                    Water supply; sewage disposal; water temperature.**

- (1) The water supply must be from a municipal water supply or an onsite well approved by the local health department.

Ms. Cruz has a variance for R400.193391). The variance requires Ms. Cruz to complete quarterly water testing on the well water and keep testing results on file. Ms. Cruz only had two water sample results on file for 2022; 03/21/2022 and 11/15/2022. She was not able to provide any test results for 2023.

**REPEAT VIOLATION ESTABLISHED**

**LSR dated 03/30/2018**  
**Corrective Action Plan dated 04/24/2018**

**LSR dated 10/10/2019**  
**Corrective Action Plan dated 10/31/2019**

**LSR dated 12/02/2020**  
**Corrective Action Plan dated 12/02/2020**

**R 400.1942                    Electrical service; maintenance.**

(3) Electrical cords must be arranged so they are not hazardous to children.

Several electrical cords were found in the bedrooms within the reach of child care children; with the potential to cause a tripping hazard and/or a strangulation hazard.

**R 400.1945                    Emergency; plan; drill.**

(4) Fire drills must be practiced while children are in care at least once quarterly, and a written record that includes the date and time it takes to evacuate must be maintained.

Ms. Tracy Cruz did not complete a fire drill for the first quarter of 2023 (January thru March).

Technical assistance and consultation were provided to Ms. Tracy Cruz in the following areas:

- **R400.1923(2)(e) Diapering and toilet learning.** Ms. Cruz must ensure that her child care staff members are cleaning and sanitizing the changing pad after each diaper use. (3-step process)
- **R400.1907(1)(b) Child's records.** Ms. Cruz must ensure that all sections of the child in care statements are completed and completed correctly, signed and dated by the parents. Ms. Cruz stated she is in the process of updating the forms with the parents.
- **R400.1925(2)(b) Comprehensive background check; fingerprinting.** Consent and Disclosure Forms must be kept on file and accessible upon the request of the bureau.
- **R400.1945 Emergency; plan; drill.** Fire and tornado drill logs must be kept on file and accessible upon the request of the bureau.
- **Failure to complete and submit the quarterly water samples could result in a 1<sup>st</sup> Provisional License.**

Due to the violations, you must send us a corrective action plan by **05/31/2023**. 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.

Upon receipt of an acceptable corrective action plan, I recommend increased monitoring with no change to your license status.

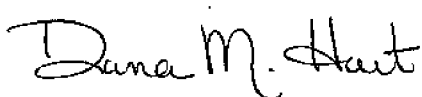
| <b>During calendar year 2022:</b>   | <b>Total</b> |
|---|--------------|
| Number of serious injuries that occurred in facility.   | <b>0</b>     |
| Number of deaths that occurred in the facility.   | <b>0</b>     |
| Number of substantiated cases of abuse and/or neglect of a child that occurred at the facility. | <b>0</b>     |

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,



Dana M. Hart, Licensing Consultant  
Child Care Licensing Bureau

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(517) 388-4625