STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) MULTIPLE CONSTRUCTION	(X3) DATE SURVEY COMPLETED
	0017025	A. BUILDING: _____ B. WING _____	C 08/04/2025

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
SERENITY GARDEN ADULT FAMILY HOME	4825 N 87TH ST MILWAUKEE, WI 53225

(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)	ID PREFIX TAG	PROVIDER'S PLAN OF CORRECTION (EACH CORRECTIVE ACTION SHOULD BE CROSS-REFERENCED TO THE APPROPRIATE DEFICIENCY)	(X5) COMPLETE DATE
M 000	INITIAL COMMENTS On 07/14/2025, with information gathered through 08/04/2025, Surveyors completed 2 complaint investigations at Serenity Garden Adult Family Home. As a result, 1 deficiency was identified. Two complaints were substantiated. Census: 3	M 000		
Z 023	50.065(4m) (b) intro CAREGIVER HIRING AND CONTRACTING PROCESS Notwithstanding s.111.335, and except as provided in sub. (5), an entity may not hire or contract with a caregiver or permit to reside at the entity a nonclient resident if the entity knows or should have known any of the following: 1. That the person was convicted of a serious crime. 3. That a unit of government or a state agency, as defined in s. 16.61 (2) (d), has made a finding that the person has abused or neglected any client or misappropriated the property of any client. 4. That a determination has been made under s. 48.981 (3) (c) 4. that the person has abused or neglected a child. 5. That, in the case of a position for which the person must be credentialed by the Department of Safety and Professional Services, the person's credential is not current, or is limited so as to restrict the person from providing adequate care to the client.	Z 023		

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE | TITLE | (X6) DATE

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Z 023	Continued From page 1	Z 023		

This Rule is not met as evidenced by:
Based on record review and interview, the provider hired 1 of 1 caregiver (Caregiver B) when they knew or should have known s/he was convicted of a serious crime. Licensee A had knowledge of Caregiver B's background check and the charge of 940.19(2) Substantial Battery - Intend Bodily Harm. Caregiver B was convicted of 940.19(2) Substantial Battery - Intend Bodily Harm and 940.198(2)(b) - Modifier: 939.05 Physical Abuse of an Elder Person - Intentionally Cause Bodily Harm.

Wis. Stat. § 50.065(1)(e) states, "'Serious crime' means a violation of . . . s. 940.19(2) . . . 940.198(2) . . . or a violation of the law of any other state or United States jurisdiction that would be a violation of . . . s. 940.19(2) . . . 940.198(2) . . . if committed in this state."

Findings include:

On 07/01/2025, the Department received a complaint alleging service providers were allowed to work in the adult family home (AFH) without completed background checks, and a caregiver was working at the AFH who had a conviction on their record for an offense rendering them ineligible for employment as a caregiver.

On 07/15/2025, at 12:50 PM, Surveyors reviewed staff files, and the following was identified:

Caregiver B:

- Date of hire (DOH): 04/23/2023
- Completed a background information disclosure

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Z 023	Continued From page 2 (BID) form on 10/02/2023 - Answered "No" to all of the questions under Section A - Acts, Crimes, and Offenses that may Act as a Bar or Restriction - Caregiver B reported in Section B - Other Information Required, s/he did have a caregiver background check done within the last 4 years and s/he had not ever requested a rehabilitation review. - A second BID was located in Caregiver B's record, which was also dated 10/02/2023. - The BID, dated 10/02/2023, did not include a social security number, and reported all the same responses, except in Section B, s/he reported s/he had not had a caregiver background check done within the last 4 years. - Caregiver B's Department of Justice (DOJ) and integrated background information system (IBIS) letter were dated 10/09/2023, 169 days after Caregiver B's DOH. - The DOJ report identified Caregiver B was arrested on 07/11/2017 and again on 12/21/2018, for Wisconsin State Statute 940.19(2) - Substantial Battery - Intend Bodily Harm. - A disposition was not listed for the arrest on 07/11/2017. - The disposition for the arrest on 12/21/2018 stated, "disposition not reported." - The IBIS letter found no rehabilitation review findings for Caregiver B. - Caregiver B's file did not contain evidence arrest and conviction disposition information from local clerks of courts was obtained On 07/15/2025, at 4:50 PM, Surveyor reviewed Caregiver B's Wisconsin Circuit Court Access (CCAP) record, and the following was identified: Milwaukee County Case Number 2017CF003483 State of Wisconsin vs. [Caregiver B]	Z 023		

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Z 023	Continued From page 3 Filing Date: 07/31/2017 Count No. 2 Statute: 940.19(2) Description: Substantial Battery - Intend Bodily Harm Severity: Felony I Disposition: Guilty Due to Guilty Plea on 12/14/2017 Milwaukee County Case Number 2024CF000678 State of Wisconsin vs. [Caregiver B] Filing Date: 02/12/2024 Count No. 1 Statute: 940.198(2)(b) - Modifier: 939.05 Description: Physical Abuse of an Elder Person - Intentionally Cause Bodily Harm; PTAC, as a Party to a Crime Severity: Felony H Disposition: Guilty Due to Guilty Plea on 08/14/2024 Milwaukee County Court Case Number 2024CV001512 [Person C] vs. [Caregiver B] Filing date: 02/21/2024 Class Code Description: Individual at Risk Restraining Order Petitioner: [Person C] Respondent: [Caregiver B] - The court record stated, " . . . Court took judicial notice of cases 17CF3483 and 24CF678. . . . Court ordered the GAL (Guardian ad Litem) to send a copy of the injunction to the ADA (Assistant District Attorney) on case 24CF678 . . . " On 08/04/2025, at 1:00 PM, Surveyors interviewed Licensee A and the following was reported: Licensee A was responsible for and completed	Z 023		

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Z 023	Continued From page 4	Z 023		

background checks for Serenity Garden Adult Family Home's service providers. Her/His process was to have any potential new hires complete an application, a form giving consent to run a background check, and a BID. Once Licensee A made a decision on hiring a service provider, s/he would then run a DOJ and IBIS report. Surveyor inquired what Licensee A did if s/he came across a background check which showed a criminal record. Licensee A reported s/he had someone from Health and Human Services conduct a survey at her/his facility and they had informed Licensee A s/he had an employee working who required a criminal complaint and a statement be included in her/his file. This was to verify Licensee A had spoken with the employee about what was on their background. S/He was told by another surveyor s/he needed to obtain a judgement of conviction and a written statement from the employee if there was a question about a conviction on their record. Surveyor inquired if Licensee A had any current staff s/he had to obtain that information for and s/he confirmed s/he did (Caregiver B). S/He confirmed Caregiver B had been working at her/his facilities for approximately 3 years. Surveyor inquired if Licensee A could recall what Caregiver B's record showed. Licensee A stated, "I think it was a party to a crime or some type of . . . some type of disorderly or something like that if I can remember." Licensee A was unfamiliar with Department of Health Services (DHS) Chapter 12 - Caregiver Background Checks, and the offenses affecting eligibility. S/He was unaware of when background checks were required to be completed. Surveyor directed Licensee A to the Wisconsin Background Check and Misconduct Investigation Program: Offenses Affecting Eligibility form (P-00274) and informed her/him Caregiver B was not eligible to work as a

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Z 023	Continued From page 5 caregiver without rehabilitation review approval. S/He was unaware of any errors made when running background checks for any of her/his staff. Surveyor inquired if Licensee A had a written self-disclosure policy, and s/he confirmed s/he did not and was unaware of what that was. Licensee A reported Caregiver B did disclose her/his criminal convictions and s/he was asked to provide the judgement of conviction and a written statement. Licensee A stated, "Now that doesn't excuse the fact that [s/he] needs to go to rehabilitation, but I did ask." Surveyor inquired if Licensee A obtained the written statement and judgement of conviction, and s/he reported it was in Caregiver B's folder. Licensee A confirmed s/he sent Caregiver B's file with her/his complete background check information to the Surveyors. Surveyor confirmed receipt of Caregiver B's BID, DOJ, and IBIS, but any follow-up information to the criminal convictions was not included in what was sent. Licensee A reported Caregiver B had 2 file folders and s/he would send that information to the Surveyors. As of 08/06/2025, Surveyors have not received any further documentation or information on Caregiver B's background check.	Z 023		