

STATE OF MICHIGAN
DEPARTMENT OF LIFELONG EDUCATION, ADVANCEMENT, AND POTENTIAL
CHILD CARE LICENSING BUREAU

In the matter of

License #: DF810395556
SIR #: SI-00132923

Michelle Lovasz

_____ /

ORDER OF SUMMARY SUSPENSION
AND NOTICE OF INTENT TO REVOKE LICENSE

The Michigan Department of Lifelong Education, Advancement, and Potential, by Division Director Erika Bigelow and Acting Bureau Director Courtney Adams, Child Care Licensing Bureau, hereafter referred to as “the Bureau,” orders the summary suspension and provides notice of the intent to revoke the license of Licensee, Michelle Lovasz, to operate a family child care home pursuant to the authority of the Child Care Organizations Act, 1973 PA 116, as amended, MCL 722.111 et seq., for the following reasons:

1. On or about March 15, 2019, Licensee was issued a license to operate a family child care home with a licensed capacity of six at 1788 Miller, Ann Arbor, Michigan 48103.
2. Prior to the issuance of the license, and during subsequent modifications of the statutes and rules, Licensee received copies of the Child Care Organizations Act, the licensing rule book for family and group child care homes, and the Child Protection Law. These rules and statutes are posted and available for download at www.michigan.gov/mileap.

3. Licensee did not provide appropriate care and supervision at all times and is not conducive to the welfare of children. Specifically:

- a. On January 28, 2025, at 8:15 a.m., Child A (age 7 months) arrived at Licensee's child care home. According to Licensee, Child A was acting "normal" when he arrived.
- b. On January 28, 2025, at 3:01 p.m., Licensee called 911 and reported that Child A had choked on milk and was not breathing.
- c. On January 28, 2025, at 3:04 p.m., Ann Arbor Police Department Officer Cunningham arrived at Licensee's home and observed Child A lying on his back on the kitchen floor, unconscious and not breathing. Licensee was kneeling next to Child A, touching his shoulders and chest, and saying, "Hey, wake up." According to Officer Cunningham, Licensee appeared "flustered and unprepared." Child A appeared very pale, bluish, and there was formula coming out of Child A's mouth. Officer Cunningham administered several back blows, took Child A outside, and Child A began vomiting. Emergency medical services arrived and transported Child A via ambulance at approximately 3:21 p.m.
- d. On January 28, 2025, at 3:33 p.m., Child A arrived at Mott's Children's Hospital. Child A was evaluated by [REDACTED], a pediatrician with the Child Protection Team, and an MRI was performed. Child A was diagnosed with a widespread subdural hematoma, which is bleeding between the brain and skull. The hematoma covered the entire left side of the brain, and there was retinal hemorrhaging of the right eye widespread

to the left eye. During an interview with Michigan Department of Health and Human Services (MDHHS) Worker Lesley Helsom, [REDACTED] stated that Child A's injuries would have happened during the afternoon of January 28, 2025, and that Child A's injury was [REDACTED]

- e. On February 3, 2025, Licensing Consultant Stacy Wables, accompanied by Ms. Helsom, conducted an on-site inspection at the child care home and interviewed Licensee. During the interview, Licensee made the following statements:
- i. Licensee stated that there were three other children present at the child care on January 28, 2025, all under the age of 3 years. She stated she lived alone and no other adults were present with her while children were in care that day.
 - ii. Licensee stated that while she was dressing Child A, she heard him make a noise like he was spitting up or choking. She noticed that he was limp and not responding to her. She stated she "tapped" him four or five times between his shoulder blades. At that point, Licensee called 911 and reported that Child A was not breathing. The 911 dispatcher instructed Licensee to put her ear next to Child A's mouth, and Licensee stated she could hear Child A breathing.
 - iii. Licensee stated that she could not think of anything that could have happened to Child A that would have caused him to experience the symptoms she observed. She indicated that Child A was not left

unattended with other children and did not observe any of the children being aggressive with Child A on January 28, 2025.

- f. On February 6, 2025, Ms. Wables participated in a case conference meeting via Microsoft Teams with [REDACTED], as well as other law enforcement, hospital, MDHHS, and child care licensing personnel. During the conference, [REDACTED] gave the following information:
- i. Child A suffered a subdural hematoma, which is a collection of blood between the brain and skull that occurs as a result of [REDACTED]
[REDACTED]
 - ii. Child A did not have a skull fracture, bruising or any other external injuries that would be indicative of a fall or blunt force trauma to the head. Child A also had retinal bleeding in the left eye.
 - iii. Child A did not show signs of aspiration that would indicate Child A had choked. Child A was given a swallow test, and it was determined that he had no problem with swallowing.
 - iv. Child A's injuries could not have resulted from typical daily handling, such as burping or back blows administered by Licensee and Officer Cunningham.
 - v. Child A would not have sustained the injuries from a short fall or a fall from a seated position even on a tile or hardwood floor.
 - vi. Child A's injuries were the result of [REDACTED]
[REDACTED]. She could not rule out impact on a soft surface as such an impact would not be evident.

- vii. Child A's recent ear infection and/or medications he was prescribed to treat his ear infection could not have caused his injuries.
 - viii. The type of injury Child A experienced typically occurs close in time to the onset of the symptoms, which includes vomiting.
 - ix. [REDACTED] stated that she suspects the injury happened while Child A was at the child care home because he was there for "a long time" and was eating well. Child A's loss of consciousness, which was a change in his mental status, is consistent with a subdural hematoma.
 - x. Child A's injuries are not currently life-threatening, but Child A could have lifelong issues with his sight because of the retinal bleeding in his left eye.
 - xi. [REDACTED] stated that all of Child A's injuries were [REDACTED]
[REDACTED]
[REDACTED]
- g. On February 7, 2025, Ann Arbor Police Department Detectives Nader Jamil and Joelle Luick interviewed Licensee at the Ann Arbor Police Department. Licensee was accompanied by her attorney. Ms. Wables observed the interview in a separate room via a monitor. During the interview, Licensee denied [REDACTED] Child A. Licensee provided no other explanation for Child A's injuries.

COUNT I

The conduct of Licensee, as set forth in paragraphs 3(a) through 3(g) above, evidences a willful and substantial violation of:

R 400.1902

(3) All persons, including minors, residing in the child care home shall meet all of the following requirements:

(c) Act in a manner that is conducive to the welfare of children.

NOTE:

MCL 722.115m

(14) As used in this section:

(b) "Conducive to the welfare of the children" means:

(i) The service and facility comply with this act and the administrative rules promulgated under this act.

(ii) The disposition, temperament, condition, and action of the applicant, licensee, licensee designee, program director, child care staff member, and member of the household promote the safety and well-being of the children served.

COUNT II

The conduct of Licensee, as set forth in paragraphs 3(a) through 3(g) above, evidences a willful and substantial violation of:

R 400.1911

(1) A licensee shall ensure appropriate care and supervision of children at all times.

COUNT III

The conduct of Licensee, as set forth in paragraphs 3(a) through 3(g) above, provides grounds for revocation pursuant to:

MCL 722.115m

(2) ... If the department determines that a service, facility, applicant, licensee, child care staff member, or member of the household is not conducive to the welfare of the children, the department shall deny that application or revoke that licensee's license according to section 11.

NOTE:

MCL 722.115m

(14) As used in this section:

(b) "Conducive to the welfare of the children" means:

(i) The service and facility comply with this act and the administrative rules promulgated under this act.

(ii) The disposition, temperament, condition, and action of the applicant, licensee, licensee designee, program director, child care staff member, and member of the household promote the safety and well-being of the children served.

DUE TO THE serious nature of the above violations and the potential risk it represents to vulnerable children in Licensee's care, emergency action is required. Therefore, the provision of MCL 24.292 of the Administrative Procedures Act of 1969, as amended, is invoked. Licensee is hereby notified that the license to operate a family child care home is summarily suspended.

EFFECTIVE 6:00 p.m., on February 11, 2025, Licensee is ordered not to operate a family child care home at 1788 Miller, Ann Arbor, Michigan 48103, or at any other location or address. Licensee is not to receive children for care after that time or date. Licensee is responsible for informing parents or guardians of children in care that license has been suspended and that Licensee can no longer provide care.

HOWEVER, BECAUSE THE Department has summarily suspended Licensee's license, an administrative hearing will be promptly scheduled before an administrative law judge. Licensee MUST NOTIFY the Department and the Michigan Office of Administrative Hearings and Rules in writing within seven calendar days after receipt of this Notice if Licensee wishes to appeal the summary suspension and attend the administrative hearing. The written request must be submitted via email, fax, or mail to:

Michigan Office of Administrative Hearings and Rules
611 West Ottawa Street, 2nd Floor
P.O. Box 30639
Lansing, Michigan 48909-8139
Phone: 517-335-7519
FAX: 517-763-0155
MOAHR-BSD@michigan.gov

MCL 24.272 of the Administrative Procedures Act of 1969 permits the Department to proceed with the administrative hearing even if Licensee does not appear. Licensee may be represented by an attorney at the administrative hearing.

DATED: 02/11/2025



Erika Bigelow, Division Director
Child Care Licensing Bureau

DATED: 02/11/2025



Courtney Adams, Acting Bureau Director
Child Care Licensing Bureau

This is the last and final page of the ORDER OF SUMMARY SUSPENSION AND NOTICE OF INTENT in the matter of Michelle Lovasz, DF810395556, consisting of nine pages, this page included.

JEK