



**Ministry of Health and
Long-Term Care**

**Ministère de la Santé et des
Soins de longue durée**

**Inspection Report under
the Long-Term Care
Homes Act, 2007**

**Rapport d'inspection sous la
Loi de 2007 sur les foyers de
soins de longue durée**

**Long-Term Care Homes Division
Long-Term Care Inspections Branch**

**Division des foyers de soins de
longue durée
Inspection de soins de longue durée**

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Report Date(s) / Date(s) du rapport	Inspection No / No de l'inspection	Log # / No de registre	Type of Inspection / Genre d'inspection
Jun 4, 2018	2018_737640_0017	010979-18	Complaint

Licensee/Titulaire de permis

488491 Ontario Inc.
c/o Jarlette Health Services 5 Beck Boulevard PENETANGUISHENE ON L9M 1C1

Long-Term Care Home/Foyer de soins de longue durée

Avalon Retirement Centre
355 Broadway Avenue ORANGEVILLE ON L9W 3Y3

Name of Inspector(s)/Nom de l'inspecteur ou des inspecteurs

HEATHER PRESTON (640)

Inspection Summary/Résumé de l'inspection

The purpose of this inspection was to conduct a Complaint inspection.

This inspection was conducted on the following date(s): June 1, 2018

This inspection was conducted as an off-site inspection for Complaint intake #010979-18 related to refusal to accept the applicant for admission.

During the course of the inspection, the inspector(s) spoke with Central West Local Health Integration Network, complainant and the Director of Care.

**The following Inspection Protocols were used during this inspection:
Admission and Discharge**



During the course of this inspection, Non-Compliances were issued.

- 1 WN(s)
- 1 VPC(s)
- 0 CO(s)
- 0 DR(s)
- 0 WAO(s)

NON-COMPLIANCE / NON - RESPECT DES EXIGENCES	
<p>Legend</p> <p>WN – Written Notification VPC – Voluntary Plan of Correction DR – Director Referral CO – Compliance Order WAO – Work and Activity Order</p>	<p>Legendé</p> <p>WN – Avis écrit VPC – Plan de redressement volontaire DR – Aiguillage au directeur CO – Ordre de conformité WAO – Ordres : travaux et activités</p>
<p>Non-compliance with requirements under the Long-Term Care Homes Act, 2007 (LTCHA) was found. (a requirement under the LTCHA includes the requirements contained in the items listed in the definition of "requirement under this Act" in subsection 2(1) of the LTCHA).</p> <p>The following constitutes written notification of non-compliance under paragraph 1 of section 152 of the LTCHA.</p>	<p>Le non-respect des exigences de la Loi de 2007 sur les foyers de soins de longue durée (LFSLD) a été constaté. (une exigence de la loi comprend les exigences qui font partie des éléments énumérés dans la définition de « exigence prévue par la présente loi », au paragraphe 2(1) de la LFSLD.</p> <p>Ce qui suit constitue un avis écrit de non-respect aux termes du paragraphe 1 de l'article 152 de la LFSLD.</p>

WN #1: The Licensee has failed to comply with LTCHA, 2007 S.O. 2007, c.8, s. 44. Authorization for admission to a home

Specifically failed to comply with the following:

s. 44. (7) The appropriate placement co-ordinator shall give the licensee of each selected home copies of the assessments and information that were required to have been taken into account, under subsection 43 (6), and the licensee shall review the assessments and information and shall approve the applicant's admission to the home unless,

(a) the home lacks the physical facilities necessary to meet the applicant's care requirements; 2007, c. 8, s. 44. (7).

(b) the staff of the home lack the nursing expertise necessary to meet the applicant's care requirements; or 2007, c. 8, s. 44. (7).

(c) circumstances exist which are provided for in the regulations as being a ground for withholding approval. 2007, c. 8, s. 44. (7).

Findings/Faits saillants :

1. The licensee failed to take into account the assessments and information under subsection 43 (6), and approve an applicant's admission to the home unless:

a) the home lacked the physical facilities necessary to meet the applicant's care requirements;

b) the staff of the home lack the nursing expertise necessary to meet the applicants care requirements; or

c) circumstances exist which were provided for in the regulations as being a ground for withholding approval.

As a result of the complaint inspection related to refusal to approve applicant #001's admission, the Long-Term Care Home (LTCH) Inspector requested a copy of the home's refusal to admit letter sent to the applicant from the Central West Local Health Integration Network (CW LHIN).

Applicant #001 had been deemed eligible for admission to long-term care by a Placement Coordinator in November 2016, and had applied to Avalon Care Centre for admission at that time.



The home sent an undated letter of refusal to accept for admission to the applicant, stating the home could not provide the high monitoring staffing they believed the applicant required along with the inability to accommodate the applicants specific nursing needs.

During an interview with the Director of Care (DOC) with the Long-Term Care Homes (LTCH) Inspector, the DOC confirmed the contents of the letter to the applicant and that the home could not provide the high level of staffing.

The LTCH Inspector reviewed that the home had access to High Intensity Needs (HIN) funding from the Ministry of Health and Long Term Care (MOHLTC) wherein funds could be made available for staffing needs related to the care of the applicant. The DOC also acknowledged the home did have Behaviour Support Ontario (BSO) staff to assist with behaviours.

The LTCH Inspector reviewed the letter and the legislative requirements for refusal to accept an applicant for admission and the requirements for the contents of the refusal letter with the DOC who acknowledged the home did not have sufficient evidence to validate the legislative rationale for the refusal to approve applicant #001's admission to the home. [s. 44. (7)]



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Additional Required Actions:

VPC - pursuant to the Long-Term Care Homes Act, 2007, S.O. 2007, c.8, s.152(2) the licensee is hereby requested to prepare a written plan of correction for achieving compliance the licensee failed to take into account the assessments and information under subsection 43 (6), and approve an applicant's admission to the home unless:

- a) the home lacks the physical facilities necessary to meet the applicant's care requirements;***
- b) the staff of the home lack the nursing expertise necessary to meet the applicants care requirements; or***
- c) circumstances exist which were provided for in the regulations as being a ground for withholding approval., to be implemented voluntarily.***

Issued on this 27th day of June, 2018

Signature of Inspector(s)/Signature de l'inspecteur ou des inspecteurs

Original report signed by the inspector.