



Ministry of Health and Long-Term Care

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

Ministère de la Santé et des Soins de longue durée

Rapport d'inspection prévue le Loi de 2007 les foyers de soins de longue

Health System Accountability and Performance Division
Performance Improvement and Compliance Branch
Division de la responsabilisation et de la performance du système de santé
Direction de l'amélioration de la performance et de la conformité

Ottawa Service Area Office
347 Preston St, 4th Floor
OTTAWA, ON, K1S-3J4
Telephone: (613) 569-5602
Facsimile: (613) 569-9670

Bureau régional de services d'Ottawa
347, rue Preston, 4ième étage
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Télécopieur: (613) 569-9670

Public Copy/Copie du public

Table with 3 columns: Date(s) of inspection, Inspection No, Type of Inspection. Row 1: Jul 24, 25, 31, Aug 20, 2012; 2012_028102_0032; Complaint

Licensee/Titulaire de permis

CHARTWELL MASTER CARE LP
100 Milverton Drive, Suite 700, MISSISSAUGA, ON, L5R-4H1

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

BALLYCLIFFE LODGE NURSING HOME
70 STATION STREET, AJAX, ON, L1S-1R9

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

WENDY BERRY (102)

Inspection Summary/Résumé de l'inspection

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

During the course of the inspection, the inspector(s) spoke with the Director of Resident Care; a Chartwell Environmental Consultant; a Chartwell Project Manager; a Chartwell Regional Manager and a Regional Manager on orientation; a maintenance department staff member; several registered and non registered nursing staff; several residents and family members; and a Senior Environmental Health Specialist from Durham Region Health Department.

During the course of the inspection, the inspector(s) toured the 1st and 2nd floors of the home; viewed temporary accommodation provided in the retirement home for a displaced long term care home resident; checked a number of HVAC incremental system units; reviewed maintenance program manuals and documentation; reviewed a Durham Region Public Health Inspection report from July 2012. The on site portion of the complaint inspection was conducted on July 24 and 25, 2012.

The following Inspection Protocols were used during this inspection:

Accommodation Services - Maintenance

Findings of Non-Compliance were found during this inspection.

NON-COMPLIANCE / NON-RESPECT DES EXIGENCES



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Legend	Legendé
<p>WN – Written Notification VPC – Voluntary Plan of Correction DR – Director Referral CO – Compliance Order WAO – Work and Activity Order</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 O.Reg 79/10, s. 90. Maintenance services
Specifically failed to comply with the following subsections:

- s. 90. (2) The licensee shall ensure that procedures are developed and implemented to ensure that,
- (a) electrical and non-electrical equipment, including mechanical lifts, are kept in good repair, and maintained and cleaned at a level that meets manufacturer specifications, at a minimum;
 - (b) all equipment, devices, assistive aids and positioning aids in the home are kept in good repair, excluding the residents' personal aids or equipment;
 - (c) heating, ventilation and air conditioning systems are cleaned and in good state of repair and inspected at least every six months by a certified individual, and that documentation is kept of the inspection;
 - (d) all plumbing fixtures, toilets, sinks, grab bars and washroom fixtures and accessories are maintained and kept free of corrosion and cracks;
 - (e) gas or electric fireplaces and heat generating equipment other than the heating system referred to in clause (c) are inspected by a qualified individual at least annually, and that documentation is kept of the inspection;
 - (f) hot water boilers and hot water holding tanks are serviced at least annually, and that documentation is kept of the service;
 - (g) the temperature of the water serving all bathtubs, showers, and hand basins used by residents does not exceed 49 degrees Celsius, and is controlled by a device, inaccessible to residents, that regulates the temperature;
 - (h) immediate action is taken to reduce the water temperature in the event that it exceeds 49 degrees Celsius;
 - (i) the temperature of the hot water serving all bathtubs and showers used by residents is maintained at a temperature of at least 40 degrees Celsius;
 - (j) if the home is using a computerized system to monitor the water temperature, the system is checked daily to ensure that it is in good working order; and
 - (k) if the home is not using a computerized system to monitor the water temperature, the water temperature is monitored once per shift in random locations where residents have access to hot water. O. Reg. 79/10, s. 90 (2).

Findings/Faits saillants :



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1. Electrical incremental heating, ventilation and air conditioning (HVAC) system units are provided in every resident's bedroom in the long term care home. Wall mounted thermostats are provided. The incremental units are located on outside walls, mounted under non opening windows.

Manufacturer specifications provided for the McQuay branded incremental comfort conditioner units with refrigerant identifies on the front cover of the specification manual that "Installation and maintenance are to be performed only by qualified personnel who are familiar with local codes and regulations and are experienced with this type of equipment."

A binder labelled "Chartwell: Preventative Maintenance Checklist" was provided for review. It was verbally identified as being for Ballycliffe and for the current year. The binder contained sheets labelled "PTAC UNIT Inspection". One sheet is provided for each incremental HVAC system unit in the long term care home and identifies a checklist of 5 items which are to be checked monthly for the calendar year January to December. All individual PTAC unit sheet checklists were filled in with a check mark from January to July 2012. Item 4 on the checklist identifies "Inspect filter". The procedure detailed on each page for item 4 identifies "Inspect filter and replace if required". The preventative maintenance schedule for the home identifies that the incremental (PTAC) units are to be checked on a monthly basis, during week 3. Maintenance staff of the home were identified as performing the checks.

Air filters were found to be loose, detached, misaligned, damaged and/or heavily soiled on the majority of incremental HVAC system units located in residents' rooms during the inspection conducted on July 24 and 25, 2012.

A Durham Region Public Health Inspector identified in an inspection report dated July 26, 2012, that during an inspection on July 19, 2012, drip trays in HVAC units in identified rooms were observed with "excess sludge/bio-film and standing water". High levels of moisture were also identified to be present on building surfaces in the vicinity of a number of HVAC units in residents' bedrooms. One resident was relocated out of a bedroom due to suspected mould growth.

An identified contractor is the certified service contractor for the home's HVAC system. The service contract was reviewed during the inspection of the home. The contract identifies exclusions including "resident room incremental units and controls".

Procedures have not been developed and implemented to ensure that the heating, ventilation and air conditioning system incremental units are cleaned and in a good state of repair and are inspected at least every six months by a certified individual. [s.90. (2)(c)]

2. Electrical incremental heating, ventilation and air conditioning (HVAC) system units are provided in every residents' bedroom in the long term care home. Some of the units are branded with the name "McQuay".

Manufacturer's specifications for the McQuay incremental units were provided by a service contractor on July 25, 2012. Specifications for the older style incremental units could not be located by management staff at the time of the inspection on July 24 and 25, 2012.

Manufacturer specifications for "Maintenance (Scheduled)" on page 33 of the McQuay "Installation & Maintenance Data" manual are identified for air filters under section A and for yearly chassis maintenance under section B. The front cover of the manual identifies that "Installation and maintenance are to be performed only by qualified personnel who are familiar with local codes and regulations and are experienced with this type of equipment."

The preventative maintenance schedule for the home identifies that the incremental units (referred to as "PTAC" units in Chartwell manuals) are to be checked on a monthly basis by staff, during week 3.

A binder labelled "Chartwell: Preventative Maintenance Checklist" was provided for review. It was verbally identified as being for Ballycliffe and for the current year. The binder contained sheets labelled "PTAC UNIT Inspection". One sheet is provided for each unit in the long term care home and identifies a checklist of 5 items which are to be checked monthly for the calendar year January to December. All individual PTAC unit sheet checklists were filled in with a check mark from January to July 2012. Item 4 on the checklist identifies "Inspect filter". The procedure detailed on each page for item 4 identifies "Inspect filter and replace if required". It was identified by management staff in the home that maintenance staff perform the checks and fill in the sheets.



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An identified contractor is the certified service contractor for the home's HVAC system. The service contract was reviewed. The contract identifies exclusions, which include: "resident room incremental units and controls". Routine maintenance or checks are not performed on the incremental units by the service contractor. Repairs only are performed.

During the inspection on July 24 and 25, 2012, air filters were found to be loose, detached, misaligned, damaged and/or heavily soiled on the majority of incremental (PTAC) units, some of which are "McQuay" branded units, in 17 of the 21 first floor residents' rooms and also in 2nd floor rooms.

A Durham Region Public Health Inspection report, dated July 26, 2012 identified that during an inspection on July 19, 2012 drip trays in HVAC units in identified rooms were observed with excess sludge/bio-film and standing water. High levels of moisture were detected on building surfaces in the vicinity of HVAC units in a number of residents' rooms, with suspect mould growth on a moisture contaminated surface noted in one resident's room. The report also identified that one resident of room identified was to be relocated due to suspected mould growth in an open wall cavity in room identified. "Ceiling (above exposed wall cavity) observed in disrepair and visibly wet." "Room number above identified High levels of moisture detected on drywall next to HVAC unit and underneath the window".

Procedures have not been developed and implemented to ensure that the incremental units are kept in good repair, and maintained and cleaned at a level that meets manufacturer specifications. [s. 90.(2)(a)]

Additional Required Actions:

CO # - 001, 002 will be served on the licensee. Refer to the "Order(s) of the Inspector".

Issued on this 20th day of August, 2012

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



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

Order(s) of the Inspector
Pursuant to section 153 and/or
section 154 of the *Long-Term Care
Homes Act, 2007*, S.O. 2007, c.8

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

Ordre(s) de l'inspecteur
Aux termes de l'article 153 et/ou
de l'article 154 de la *Loi de 2007 sur les foyers
de soins de longue durée*, L.O. 2007, chap. 8

Health System Accountability and Performance Division
Performance Improvement and Compliance Branch

Division de la responsabilisation et de la performance du système de santé
Direction de l'amélioration de la performance et de la conformité

Public Copy/Copie du public

Name of Inspector (ID #) / Nom de l'inspecteur (No) :	WENDY BERRY (102)
Inspection No. / No de l'inspection :	2012_028102_0032
Type of Inspection / Genre d'inspection:	Complaint
Date of Inspection / Date de l'inspection :	Jul 24, 25, 31, Aug 20, 2012
Licensee / Titulaire de permis :	CHARTWELL MASTER CARE LP 100 Milverton Drive, Suite 700, MISSISSAUGA, ON, L5R-4H1
LTC Home / Foyer de SLD :	BALLYCLIFFE LODGE NURSING HOME 70 STATION STREET, AJAX, ON, L1S-1R9
Name of Administrator / Nom de l'administratrice ou de l'administrateur :	DUNA QAQISH

To CHARTWELL MASTER CARE LP, you are hereby required to comply with the following order(s) by the date(s) set out below:



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

Order(s) of the Inspector
Pursuant to section 153 and/or
section 154 of the *Long-Term Care
Homes Act, 2007*, S.O. 2007, c.8

**Ministère de la Santé et
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Ordre(s) de l'inspecteur
Aux termes de l'article 153 et/ou
de l'article 154 de la *Loi de 2007 sur les foyers
de soins de longue durée*, L.O. 2007, chap. 8

1. Electrical incremental heating, ventilation and air conditioning (HVAC) system units are provided in every resident's bedroom in the long term care home. Some of the units are branded with the name "McQuay".

Manufacturer's specifications for the McQuay incremental units were provided by a service contractor on July 25, 2012. Specifications for the older style incremental units could not be located by management staff at the time of the inspection on July 24 and 25, 2012.

Manufacturer specifications for "Maintenance (Scheduled)" on page 33 of the McQuay "Installation & Maintenance Data" manual are identified for air filters under section A and for yearly chassis maintenance under section B. The front cover of the manual identifies that "Installation and maintenance are to be performed only by qualified personnel who are familiar with local codes and regulations and are experienced with this type of equipment."

The preventative maintenance schedule for the home identifies that the incremental units (referred to as "PTAC" units in Chartwell manuals) are to be checked on a monthly basis by staff, during week 3.

A binder labelled "Chartwell: Preventative Maintenance Checklist" was provided for review. It was verbally identified as being for Ballycliffe and for the current year. The binder contained sheets labelled "PTAC UNIT Inspection". One sheet is provided for each unit in the long term care home and identifies a checklist of 5 items which are to be checked monthly for the calendar year January to December. All individual PTAC unit sheet checklists were filled in with a check mark from January to July 2012. Item 4 on the checklist identifies "Inspect filter". The procedure detailed on each page for item 4 identifies "Inspect filter and replace if required". It was identified by management staff in the home that maintenance staff perform the checks and fill in the sheets.

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Procedures have not been developed and implemented to ensure that the incremental units are kept in good repair, and maintained and cleaned at a level that meets manufacturer specifications posing a potential risk to the health, comfort and safety of residents. [s. 90.(2)(a)] (102)

This order must be complied with by /

Vous devez vous conformer à cet ordre d'ici le : Sep 21, 2012



**Ministry of Health and
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**Ministère de la Santé et
des Soins de longue durée**

Order(s) of the Inspector
Pursuant to section 153 and/or
section 154 of the *Long-Term Care
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Ordre(s) de l'inspecteur
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Order # /
Ordre no : 002

Order Type /
Genre d'ordre : Compliance Orders, s. 153. (1) (a)

Pursuant to / Aux termes de :

O.Reg 79/10, s. 90. (2) The licensee shall ensure that procedures are developed and implemented to ensure that,

(a) electrical and non-electrical equipment, including mechanical lifts, are kept in good repair, and maintained and cleaned at a level that meets manufacturer specifications, at a minimum;

(b) all equipment, devices, assistive aids and positioning aids in the home are kept in good repair, excluding the residents' personal aids or equipment;

(c) heating, ventilation and air conditioning systems are cleaned and in good state of repair and inspected at least every six months by a certified individual, and that documentation is kept of the inspection;

(d) all plumbing fixtures, toilets, sinks, grab bars and washroom fixtures and accessories are maintained and kept free of corrosion and cracks;

(e) gas or electric fireplaces and heat generating equipment other than the heating system referred to in clause (c) are inspected by a qualified individual at least annually, and that documentation is kept of the inspection;

(f) hot water boilers and hot water holding tanks are serviced at least annually, and that documentation is kept of the service;

(g) the temperature of the water serving all bathtubs, showers, and hand basins used by residents does not exceed 49 degrees Celsius, and is controlled by a device, inaccessible to residents, that regulates the temperature;

(h) immediate action is taken to reduce the water temperature in the event that it exceeds 49 degrees Celsius;

(i) the temperature of the hot water serving all bathtubs and showers used by residents is maintained at a temperature of at least 40 degrees Celsius;

(j) if the home is using a computerized system to monitor the water temperature, the system is checked daily to ensure that it is in good working order; and

(k) if the home is not using a computerized system to monitor the water temperature, the water temperature is monitored once per shift in random locations where residents have access to hot water. O. Reg. 79/10, s. 90 (2).

Order / Ordre :

The licensee will ensure that procedures are developed and implemented to ensure that all heating, ventilation and air conditioning (HVAC) systems, which also includes the incremental HVAC system units in resident bedrooms, are cleaned and in a good state of repair and are inspected at least every six months by a certified individual, and that documentation of the inspection is kept.

Grounds / Motifs :



**Ministry of Health and
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Order(s) of the Inspector
Pursuant to section 153 and/or
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**Ministère de la Santé et
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Ordre(s) de l'inspecteur
Aux termes de l'article 153 et/ou
de l'article 154 de la *Loi de 2007 sur les foyers
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An identified contractor is the certified service contractor for the home's HVAC system. The service contract was reviewed during the inspection of the home. The contract identifies exclusions including "resident room incremental units and controls".

Procedures have not been developed and implemented to ensure that the heating, ventilation and air conditioning system incremental units are cleaned and in a good state of repair and are inspected at least every six months by a certified individual posing a potential risk to the comfort, safety and health of residents. [s.90. (2)(c)] (102)

This order must be complied with by /

Vous devez vous conformer à cet ordre d'ici le : Sep 21, 2012



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

Order(s) of the Inspector
Pursuant to section 153 and/or
section 154 of the *Long-Term Care
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REVIEW/APPEAL INFORMATION

TAKE NOTICE:

The Licensee has the right to request a review by the Director of this (these) Order(s) and to request that the Director stay this (these) Order(s) in accordance with section 163 of the Long-Term Care Homes Act, 2007.

The request for review by the Director must be made in writing and be served on the Director within 28 days from the day the order was served on the Licensee.

The written request for review must include,

- (a) the portions of the order in respect of which the review is requested;
- (b) any submissions that the Licensee wishes the Director to consider; and
- (c) an address for services for the Licensee.

The written request for review must be served personally, by registered mail or by fax upon:

**Director
c/o Appeals Coordinator
Performance Improvement and Compliance Branch
Ministry of Health and Long-Term Care
1075 Bay Street, 11th Floor
Toronto ON M5S 2B1
Fax: (416) 327-7603**

When service is made by registered mail, it is deemed to be made on the fifth day after the day of mailing and when service is made by fax, it is deemed to be made on the first business day after the day the fax is sent. If the Licensee is not served with written notice of the Director's decision within 28 days of receipt of the Licensee's request for review, this (these) Order(s) is (are) deemed to be confirmed by the Director and the Licensee is deemed to have been served with a copy of that decision on the expiry of the 28 day period.

The Licensee has the right to appeal the Director's decision on a request for review of an Inspector's Order(s) to the Health Services Appeal and Review Board (HSARB) in accordance with section 164 of the Long-Term Care Homes Act, 2007. The HSARB is an independent tribunal not connected with the Ministry. They are established by legislation to review matters concerning health care services. If the Licensee decides to request a hearing, the Licensee must, within 28 days of being served with the notice of the Director's decision, give a written notice of appeal to both:

Health Services Appeal and Review Board and the

Director

Attention Registrar
151 Bloor Street West
9th Floor
Toronto, ON M5S 2T5

**Director
c/o Appeals Coordinator
Performance Improvement and Compliance Branch
Ministry of Health and Long-Term Care
1075 Bay Street, 11th Floor
Toronto ON M5S 2B1
Fax: (416) 327-7603**

Upon receipt, the HSARB will acknowledge your notice of appeal and will provide instructions regarding the appeal process. The Licensee may learn more about the HSARB on the website www.hsarb.on.ca.



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RENSEIGNEMENTS SUR LE RÉEXAMEN/L'APPEL

PRENDRE AVIS

En vertu de l'article 163 de la Loi de 2007 sur les foyers de soins de longue durée, le titulaire de permis peut demander au directeur de réexaminer l'ordre ou les ordres qu'il a donné et d'en suspendre l'exécution.

La demande de réexamen doit être présentée par écrit et est signifiée au directeur dans les 28 jours qui suivent la signification de l'ordre au titulaire de permis.

La demande de réexamen doit contenir ce qui suit :

- a) les parties de l'ordre qui font l'objet de la demande de réexamen;
- b) les observations que le titulaire de permis souhaite que le directeur examine;
- c) l'adresse du titulaire de permis aux fins de signification.

La demande écrite est signifiée en personne ou envoyée par courrier recommandé ou par télécopieur au :

**Directeur
a/s Coordinateur des appels
Direction de l'amélioration de la performance et de la conformité
Ministère de la Santé et des Soins de longue durée
1075 rue Bay, 11e étage
Toronto ON M5S 2B1
Télécopieur: (416) 327-7603**

Les demandes envoyées par courrier recommandé sont réputées avoir été signifiées le cinquième jour suivant l'envoi et, en cas de transmission par télécopieur, la signification est réputée faite le jour ouvrable suivant l'envoi. Si le titulaire de permis ne reçoit pas d'avis écrit de la décision du directeur dans les 28 jours suivant la signification de la demande de réexamen, l'ordre ou les ordres sont réputés confirmés par le directeur. Dans ce cas, le titulaire de permis est réputé avoir reçu une copie de la décision avant l'expiration du délai de 28 jours.

En vertu de l'article 164 de la Loi de 2007 sur les foyers de soins de longue durée, le titulaire de permis a le droit d'interjeter appel, auprès de la Commission d'appel et de révision des services de santé, de la décision rendue par le directeur au sujet d'une demande de réexamen d'un ordre ou d'ordres donnés par un inspecteur. La Commission est un tribunal indépendant du ministère. Il a été établi en vertu de la loi et il a pour mandat de trancher des litiges concernant les services de santé. Le titulaire de permis qui décide de demander une audience doit, dans les 28 jours qui suivent celui où lui a été signifié l'avis de décision du directeur, faire parvenir un avis d'appel écrit aux deux endroits suivants :

À l'attention du registraire
Commission d'appel et de révision des services de santé
151, rue Bloor Ouest, 9e étage
Toronto (Ontario) M5S 2T5

**Directeur
a/s Coordinateur des appels
Direction de l'amélioration de la performance et de la conformité
Ministère de la Santé et des Soins de longue durée
1075 rue Bay, 11e étage
Toronto ON M5S 2B1
Télécopieur: (416) 327-7603**

La Commission accusera réception des avis d'appel et transmettra des instructions sur la façon de procéder pour interjeter appel. Les titulaires de permis peuvent se renseigner sur la Commission d'appel et de révision des services de santé en consultant son site Web, au www.hsarb.on.ca.

Issued on this 20th day of August, 2012

**Signature of Inspector /
Signature de l'inspecteur :**

**Name of Inspector /
Nom de l'inspecteur :** WENDY BERRY

**Service Area Office /
Bureau régional de services :** Ottawa Service Area Office