



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 prévue
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 |
|--|---------------------------------------|---------------------------|--|
| Jan 2, 2019 | 2018_486653_0031 | 030084-18 | Complaint |

Licensee/Titulaire de permis

AXR Operating (National) LP, by its general partners
c/o Revera Long Term Care Inc. 5015 Spectrum Way, Suite 600 MISSISSAUGA ON
L4W 0E4

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

Bay Ridges
900 Sandy Beach Road PICKERING ON L1W 1Z4

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

ROMELA VILLASPIR (653)

Inspection Summary/Résumé de l'inspection



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

This inspection was conducted on the following date(s): November 22, and 23, 2018.

Complaint log #030084-18 related to withholding approval for admission, had been inspected.

During the course of the inspection, the inspector conducted a tour of the home, reviewed the Central East Local Health Integration Network (CE LHIN)'s referral for long term placement and the refusal letter for admission.

During the course of the inspection, the inspector(s) spoke with the Central East Local Health Integration Network (CE LHIN) Placement Coordinator and the Resident Services Coordinator (RSC).

**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)

0 VPC(s)

0 CO(s)

0 DR(s)

0 WAO(s)



NON-COMPLIANCE / NON - RESPECT DES EXIGENCES

| | |
|---|--|
| Legend | Légende |
| WN – Written Notification VPC – Voluntary Plan of Correction DR – Director Referral CO – Compliance Order WAO – Work and Activity Order | WN – Avis écrit VPC – Plan de redressement volontaire DR – Aiguillage au directeur CO – Ordre de conformité WAO – Ordres : travaux et activités |
| 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). | 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. |
| The following constitutes written notification of non-compliance under paragraph 1 of section 152 of the LTCHA. | Ce qui suit constitue un avis écrit de non-respect aux termes du paragraphe 1 de l'article 152 de la LFSLD. |

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).

s. 44. (9) If the licensee withholds approval for admission, the licensee shall give to persons described in subsection (10) a written notice setting out,

(a) the ground or grounds on which the licensee is withholding approval; 2007, c. 8, s. 44. (9).

(b) a detailed explanation of the supporting facts, as they relate both to the home and to the applicant's condition and requirements for care; 2007, c. 8, s. 44. (9).

(c) an explanation of how the supporting facts justify the decision to withhold approval; and 2007, c. 8, s. 44. (9).

(d) contact information for the Director. 2007, c. 8, s. 44. (9).

Findings/Faits saillants :

1. The licensee had failed to comply with s. 44 (7) of the Long-Term Care Homes Act (LTCHA) whereby the licensee refused the application of applicant #001 for reasons other than provided for in the LTCHA.

The Ministry of Health and Long-Term Care (MOHLTC) received a complaint on an identified date, related to the home withholding approval for admission of applicant #001.

At the time of the inspection, applicant #001 remained in the hospital.

A review of the Central East Local Health Integration Network (CE LHIN)'s referral for long term placement indicated applicant #001 was referred to Bay Ridges Long Term



Care Centre (LTCC) on an identified date for admission.

A review of applicant #001's LHIN health assessment from an identified date, revealed the applicant had an identified medical condition, and required an identified care provision.

A review of the home's letter addressed to applicant #001 from the Resident Services Coordinator (RSC) of Bay Ridges LTCC indicated their application for placement at Bay Ridges LTCC had been declined at the time. The letter further indicated the home re-reviewed applicant #001's health assessment and documents related to their change in health status, and had determined the home did not have the physical facilities required to meet the applicant's care needs related to their identified medical condition.

A telephone interview with the CE LHIN Placement Coordinator, indicated applicant #001 remained on the wait list for Bay Ridges LTCC, and that the home was originally included in their five homes of choice. The CE LHIN Placement Coordinator indicated the applicant was initially accepted to the home, however, on an identified date the CE LHIN received an update from the hospital indicating the applicant had an identified medical condition. The CE LHIN Placement Coordinator further indicated applicant #001 had been declined by the home due to their identified medical condition.

On-site observations conducted by Inspector #653 noted the home had rooms to accommodate applicant #001's medical requirements.

During an interview with the RSC on an identified date, the RSC indicated the home has an identified number of rooms suitable for the applicant. When asked by the inspector why the applicant had been refused admission to the home, the RSC stated applicant #001 had been refused because they had applied for a different identified room than what was required by their medical condition. The RSC further indicated the applicant required an identified room to meet their care requirements related to their identified medical condition.

As per observations, record reviews, and staff interviews, there was not enough information to substantiate that the home lacked the physical facilities necessary to meet the applicant's care requirements.

The licensee had failed to comply with s. 44 (7) of the Long-Term Care Homes Act (LTCHA) whereby the licensee refused the application of applicant #001 for reasons



other than provided for in the LTCHA. [s. 44. (7)]

2. The licensee had failed to ensure that when withholding approval for admission, the licensee shall give a written notice setting out the ground or grounds on which the licensee is withholding approval; a detailed explanation of the supporting facts, as they relate both to the home and to the applicant's condition and requirements for care; an explanation of how the supporting facts justify the decision to withhold approval; and contact information for the Director.

The MOHLTC received a complaint on an identified date, related to the home withholding approval for admission of applicant #001.

At the time of the inspection, applicant #001 remained in the hospital.

A review of the CE LHIN's referral for long term placement indicated applicant #001 was referred to Bay Ridges LTCC on an identified date for admission.

A review of applicant #001's LHIN health assessment from an identified date, revealed the applicant had an identified medical condition, and required an identified care provision.

A review of the home's letter addressed to applicant #001 from the RSC of Bay Ridges LTCC indicated their application for placement at Bay Ridges LTCC had been declined at the time. The letter further indicated the home re-reviewed applicant #001's health assessment and documents related to their change in health status, and had determined the home did not have the physical facilities required to meet the applicant's care needs related to their identified medical condition.

As per record reviews and staff interviews, the written notice did not set out a detailed explanation of the supporting facts, as they relate both to the home and to the applicant's condition and requirements for care.

The licensee had failed to comply with s. 44 (9) of the LTCHA, whereby if the licensee withholds approval for admission, the licensee shall give to persons described in subsection (10) a written notice setting out, (a) the ground or grounds on which the licensee is withholding approval; (b) a detailed explanation of the supporting facts, as they relate both to the home and to the applicant's condition and requirements for care; (c) an explanation of how the supporting facts justify the decision to withhold approval;



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and (d) contact information for the Director. [s. 44. (9)]

Issued on this 2nd day of January, 2019

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

Original report signed by the inspector.