

Inspection Report under the Long-Term Care Homes Act, 2007 Ministère de la Santé et des Soins de longue durée

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

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 Hamilton Service Area Office 119 King Street West, 11th Floor HAMILTON, ON, L8P-4Y7 Telephone: (905) 546-8294 Facsimile: (905) 546-8255 Bureau régional de services de Hamilton 119, rue King Ouest, 11iém étage HAMILTON, ON, L8P-4Y7 Téléphone: (905) 546-8294 Télécopieur: (905) 546-8255

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Report Date(s) / Date(s) du Rapport	Inspection No / No de l'inspection	_	Type of Inspection / Genre d'inspection
Jan 17, 2013	2013_191107_0001	H-002123- 12, H- 002226-12	Complaint

Licensee/Titulaire de permis

BELLA SENIOR CARE RESIDENCES INC. 1000 FINCH AVENUE WEST, SUITE 901, TORONTO, ON, M3J-2V5

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

BELLA SENIOR CARE RESIDENCES INC.

8720 Willoughby Drive, NIAGARA FALLS, ON, L2G-7X3

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

MICHELLE WARRENER (107)

Inspection Summary/Résumé de l'inspection



Inspection Report under the Long-Term Care Homes Act, 2007 Ministère de la Santé et des Soins de longue durée

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

This inspection was conducted on the following date(s): January 14, 15, 2013

During the course of the inspection, the inspector(s) spoke with Residents, front line nursing and dietary staff, Registered Nursing staff, the Nutrition Manager, The Director of Care, and The Administrator

During the course of the inspection, the inspector(s) Reviewed relevant policies/procedures, partially observed the noon meal service on one floor, reviewed the clinical health records for two residents

The following Inspection Protocols were used during this inspection: Nutrition and Hydration

Personal Support Services

Findings of Non-Compliance were found during this inspection.

Legend	Legendé		
WN – Written Notification VPC – Voluntary Plan of Correction	WN – Avis écrit VPC – Plan de redressement volontaire		
DR – Director Referral	DR – Aiguillage au directeur		
CO – Compliance Order WAO – Work and Activity Order	CO – Ordre de conformité WAO – Ordres : travaux et activités		



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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.)

The following constitutes written notification of non-compliance under paragraph 1 of section 152 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.

Ce qui suit constitue un avis écrit de nonrespect 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. 3. Residents' Bill of Rights

Specifically failed to comply with the following:

- s. 3. (1) Every licensee of a long-term care home shall ensure that the following rights of residents are fully respected and promoted:
- 4. Every resident has the right to be properly sheltered, fed, clothed, groomed and cared for in a manner consistent with his or her needs. 2007, c. 8, s. 3 (1).

Findings/Faits saillants:

1. [LTCHA, 2007, S.O. 2007, c.8, s. 3(1)4]

Resident #01 was not properly fed and cared for in a manner consistent with their needs. Staff interview (front line and Registered staff), and clinical documentation, confirmed that the resident was not consistently offered meals unless the resident attended the dining room. The resident had a medical condition and preferred their meals to be taken in their room and did not routinely attend the dining room. Measures were not taken by the home to ensure that the resident was offered meals at mealtime and that the meals offered to the resident were consistent with the resident's needs. [s. 3. (1) 4.]



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Additional Required Actions:

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

WN #2: The Licensee has failed to comply with O.Reg 79/10, s. 8. Policies, etc., to be followed, and records

Specifically failed to comply with the following:

- s. 8. (1) Where the Act or this Regulation requires the licensee of a long-term care home to have, institute or otherwise put in place any plan, policy, protocol, procedure, strategy or system, the licensee is required to ensure that the plan, policy, protocol, procedure, strategy or system,
- (a) is in compliance with and is implemented in accordance with applicable requirements under the Act; and O. Reg. 79/10, s. 8 (1).
- (b) is complied with. O. Reg. 79/10, s. 8 (1).

Findings/Faits saillants:

1. [O.Reg. 79/10, s. 8(1)(a)]

The licensee did not ensure that the home's policy '4.5.1 Page 13 Nail Care' was in compliance with all applicable requirements under the Act. The Act, (Regulation 35 (1)), requires every licensee of a long-term care home to ensure that each resident of the home receives preventative and basic foot care services, including the cutting of toenails, to ensure comfort and prevent infection. The Home was using a contracted service for the provision of basic foot care and the cutting of toenails for most residents, however, not all residents had consented to use the contracted service. The home's policy did not include any instruction for the home's staff in relation to the provision of basic foot care and the cutting of toenails. [s. 8. (1)]

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 with ensuring that the home's Nail Care policy is in compliance with all applicable requirements under the Act, to be implemented voluntarily.



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WN #3: The Licensee has failed to comply with LTCHA, 2007 S.O. 2007, c.8, s. 6. Plan of care

Specifically failed to comply with the following:

- s. 6. (10) The licensee shall ensure that the resident is reassessed and the plan of care reviewed and revised at least every six months and at any other time when.
- (a) a goal in the plan is met; 2007, c. 8, s. 6 (10).
- (b) the resident's care needs change or care set out in the plan is no longer necessary; or 2007, c. 8, s. 6 (10).
- (c) care set out in the plan has not been effective. 2007, c. 8, s. 6 (10).

Findings/Faits saillants:

1. [LTCHA, 2007, S.O. 2007, c.8, s. 6(10)(b)]

Resident #01 did not have their plan of care revised when the resident's care needs changed. The resident had a significant change in their depression rating scale and had a significant reduction in their participation in recreational programming. The resident's plan of care in relation to recreation was not updated to reflect the current status of the resident (the plan stated the resident was still actively participating in programming) and was not revised to include the strategies the home was using to improve the resident's level of activity. [s. 6. (10) (b)]

WN #4: The Licensee has failed to comply with O.Reg 79/10, s. 71. Menu planning

Specifically failed to comply with the following:

s. 71. (3) The licensee shall ensure that each resident is offered a minimum of, (a) three meals daily; O. Reg. 79/10, s. 71 (3).

Findings/Faits saillants:

1. [O.Reg. 79/10, s. 71(3)(a)]

Resident #01 was not offered a minimum of three meals daily by the home. Staff interview (front line staff and Management) confirmed that the resident was not consistently offered meals unless the resident attended the dining room. The resident was not attending the dining room. [s. 71. (3) (a)]



Inspection Report under the Long-Term Care Homes Act, 2007 Ministère de la Santé et des Soins de longue durée

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Issued on this 18th day of January, 2013

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



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): MICHELLE WARRENER (107)

Inspection No. /

No de l'inspection:

2013 191107 0001

Log No. /

Registre no:

H-002123-12, H-002226-12

Type of Inspection /

Genre d'inspection:

Complaint

Report Date(s) /

Date(s) du Rapport :

Jan 17, 2013

Licensee /

Titulaire de permis :

BELLA SENIOR CARE RESIDENCES INC.

1000 FINCH AVENUE WEST, SUITE 901, TORONTO,

ON, M3J-2V5

LTC Home /

Foyer de SLD:

BELLA SENIOR CARE RESIDENCES INC.

8720 Willoughby Drive, NIAGARA FALLS, ON, L2G-7X3

Name of Administrator /

Nom de l'administratrice

ou de l'administrateur :

BRENDA HARKER

To BELLA SENIOR CARE RESIDENCES INC., you are hereby required to comply with the following order(s) by the date(s) set out below:



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

Order #/

Order Type /

Ordre no: 001

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

Pursuant to / Aux termes de :

LTCHA, 2007 S.O. 2007, c.8, s. 3. (1) Every licensee of a long-term care home shall ensure that the following rights of residents are fully respected and promoted:

- 1. Every resident has the right to be treated with courtesy and respect and in a way that fully recognizes the resident's individuality and respects the resident's dignity.
- 2. Every resident has the right to be protected from abuse.
- 3. Every resident has the right not to be neglected by the licensee or staff.
- 4. Every resident has the right to be properly sheltered, fed, clothed, groomed and cared for in a manner consistent with his or her needs.
- 5. Every resident has the right to live in a safe and clean environment.
- 6. Every resident has the right to exercise the rights of a citizen.
- 7. Every resident has the right to be told who is responsible for and who is providing the resident's direct care.
- 8. Every resident has the right to be afforded privacy in treatment and in caring for his or her personal needs.
- 9. Every resident has the right to have his or her participation in decision-making respected.
- 10. Every resident has the right to keep and display personal possessions, pictures and furnishings in his or her room subject to safety requirements and the rights of other residents.
- 11. Every resident has the right to,
- i. participate fully in the development, implementation, review and revision of his or her plan of care,
- ii. give or refuse consent to any treatment, care or services for which his or her consent is required by law and to be informed of the consequences of giving or refusing consent,
- iii. participate fully in making any decision concerning any aspect of his or her care, including any decision concerning his or her admission, discharge or transfer to or from a long-term care home or a secure unit and to obtain an independent opinion with regard to any of those matters, and



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

- iv. have his or her personal health information within the meaning of the Personal Health Information Protection Act, 2004 kept confidential in accordance with that Act, and to have access to his or her records of personal health information, including his or her plan of care, in accordance with that Act.
- 12. Every resident has the right to receive care and assistance towards independence based on a restorative care philosophy to maximize independence to the greatest extent possible.
- 13. Every resident has the right not to be restrained, except in the limited circumstances provided for under this Act and subject to the requirements provided for under this Act.
- 14. Every resident has the right to communicate in confidence, receive visitors of his or her choice and consult in private with any person without interference.
- 15. Every resident who is dying or who is very ill has the right to have family and friends present 24 hours per day.
- 16. Every resident has the right to designate a person to receive information concerning any transfer or any hospitalization of the resident and to have that person receive that information immediately.
- 17. Every resident has the right to raise concerns or recommend changes in policies and services on behalf of himself or herself or others to the following persons and organizations without interference and without fear of coercion, discrimination or reprisal, whether directed at the resident or anyone else,
- i. the Residents' Council,
- ii. the Family Council,
- iii. the licensee, and, if the licensee is a corporation, the directors and officers of the corporation, and, in the case of a home approved under Part VIII, a member of the committee of management for the home under section 132 or of the board of management for the home under section 125 or 129,
- iv. staff members.
- v. government officials,
- vi. any other person inside or outside the long-term care home.
- 18. Every resident has the right to form friendships and relationships and to participate in the life of the long-term care home.
- 19. Every resident has the right to have his or her lifestyle and choices respected.
- 20. Every resident has the right to participate in the Residents' Council.
- 21. Every resident has the right to meet privately with his or her spouse or another person in a room that assures privacy.
- 22. Every resident has the right to share a room with another resident according



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

to their mutual wishes, if appropriate accommodation is available.

- 23. Every resident has the right to pursue social, cultural, religious, spiritual and other interests, to develop his or her potential and to be given reasonable assistance by the licensee to pursue these interests and to develop his or her potential.
- 24. Every resident has the right to be informed in writing of any law, rule or policy affecting services provided to the resident and of the procedures for initiating complaints.
- 25. Every resident has the right to manage his or her own financial affairs unless the resident lacks the legal capacity to do so.
- 26. Every resident has the right to be given access to protected outdoor areas in order to enjoy outdoor activity unless the physical setting makes this impossible.
- 27. Every resident has the right to have any friend, family member, or other person of importance to the resident attend any meeting with the licensee or the staff of the home. 2007, c. 8, s. 3 (1).

Order / Ordre:

The licensee must ensure that resident #01 is offered three meals daily in a manner consistent with the resident's needs.

Grounds / Motifs:

1. [LTCHA, 2007, S.O. 2007, c.8, s. 3(1)4]

Resident #01 was not properly fed and cared for in a manner consistent with their needs. Staff interview (front line and Registered staff), and clinical documentation, confirmed that the resident was not consistently offered meals unless the resident attended the dining room. The resident had a medical condition and preferred their meals to be taken in their room and they did not routinely attend the dining room. Measures were not taken by the home to ensure that the resident was offered meals at mealtime and that the meals offered to the resident were consistent with the resident's needs. (107)

This order must be complied with by / Vous devez yous conformer à cet ordre d'ici le : Jan 18, 2013



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

Order # /

Order Type /

Ordre no: 002

Genre d'ordre: Compliance Orders, s. 153. (1) (b)

Pursuant to / Aux termes de :

LTCHA, 2007 S.O. 2007, c.8, s. 3. (1) Every licensee of a long-term care home shall ensure that the following rights of residents are fully respected and promoted:

- 1. Every resident has the right to be treated with courtesy and respect and in a way that fully recognizes the resident's individuality and respects the resident's dignity.
- 2. Every resident has the right to be protected from abuse.
- 3. Every resident has the right not to be neglected by the licensee or staff.
- 4. Every resident has the right to be properly sheltered, fed, clothed, groomed and cared for in a manner consistent with his or her needs.
- 5. Every resident has the right to live in a safe and clean environment.
- 6. Every resident has the right to exercise the rights of a citizen.
- 7. Every resident has the right to be told who is responsible for and who is providing the resident's direct care.
- 8. Every resident has the right to be afforded privacy in treatment and in caring for his or her personal needs.
- 9. Every resident has the right to have his or her participation in decision-making respected.
- 10. Every resident has the right to keep and display personal possessions, pictures and furnishings in his or her room subject to safety requirements and the rights of other residents.
- 11. Every resident has the right to,
- i. participate fully in the development, implementation, review and revision of his or her plan of care,
- ii. give or refuse consent to any treatment, care or services for which his or her consent is required by law and to be informed of the consequences of giving or refusing consent,
- iii. participate fully in making any decision concerning any aspect of his or her care, including any decision concerning his or her admission, discharge or transfer to or from a long-term care home or a secure unit and to obtain an independent opinion with regard to any of those matters, and



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

- iv. have his or her personal health information within the meaning of the Personal Health Information Protection Act, 2004 kept confidential in accordance with that Act, and to have access to his or her records of personal health information, including his or her plan of care, in accordance with that Act.
- 12. Every resident has the right to receive care and assistance towards independence based on a restorative care philosophy to maximize independence to the greatest extent possible.
- 13. Every resident has the right not to be restrained, except in the limited circumstances provided for under this Act and subject to the requirements provided for under this Act.
- 14. Every resident has the right to communicate in confidence, receive visitors of his or her choice and consult in private with any person without interference.
- 15. Every resident who is dying or who is very ill has the right to have family and friends present 24 hours per day.
- 16. Every resident has the right to designate a person to receive information concerning any transfer or any hospitalization of the resident and to have that person receive that information immediately.
- 17. Every resident has the right to raise concerns or recommend changes in policies and services on behalf of himself or herself or others to the following persons and organizations without interference and without fear of coercion, discrimination or reprisal, whether directed at the resident or anyone else,
- i. the Residents' Council,
- ii. the Family Council,
- iii. the licensee, and, if the licensee is a corporation, the directors and officers of the corporation, and, in the case of a home approved under Part VIII, a member of the committee of management for the home under section 132 or of the board of management for the home under section 125 or 129,
- iv. staff members,
- v. government officials,
- vi. any other person inside or outside the long-term care home.
- 18. Every resident has the right to form friendships and relationships and to participate in the life of the long-term care home.
- 19. Every resident has the right to have his or her lifestyle and choices respected.
- 20. Every resident has the right to participate in the Residents' Council.
- 21. Every resident has the right to meet privately with his or her spouse or another person in a room that assures privacy.
- 22. Every resident has the right to share a room with another resident according



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

to their mutual wishes, if appropriate accommodation is available.

- 23. Every resident has the right to pursue social, cultural, religious, spiritual and other interests, to develop his or her potential and to be given reasonable assistance by the licensee to pursue these interests and to develop his or her potential.
- 24. Every resident has the right to be informed in writing of any law, rule or policy affecting services provided to the resident and of the procedures for initiating complaints.
- 25. Every resident has the right to manage his or her own financial affairs unless the resident lacks the legal capacity to do so.
- 26. Every resident has the right to be given access to protected outdoor areas in order to enjoy outdoor activity unless the physical setting makes this impossible.
- 27. Every resident has the right to have any friend, family member, or other person of importance to the resident attend any meeting with the licensee or the staff of the home. 2007, c. 8, s. 3 (1).

Order / Ordre:

The licensee must prepare, submit and implement a plan that includes:

- a) education for Registered and front line staff in relation to the home's meal service policy, including the provision of tray service
- b) education for Registered and front line staff in relation to resident's rights
- c) monitoring activities to ensure residents not attending the dining area are offered meals

The plan is to be submitted electronically by January 31, 2013 to Long Term Care Homes Inspector Michelle Warrener at the e-mail address:

Michelle.Warrener@ontario.ca

Grounds / Motifs:



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

1. [LTCHA, 2007, S.O. 2007, c.8, s. 3(1)4]

Resident #01 was not properly fed and cared for in a manner consistent with their needs. Staff interview (front line and Registered staff), and clinical documentation, confirmed that the resident was not consistently offered meals unless the resident attended the dining room. The resident had a medical condition and preferred their meals to be taken in their room and they did not routinely attend the dining room. Measures were not taken by the home to ensure that the resident was offered meals at mealtime and that the meals offered to the resident were consistent with the resident's needs. (107)

This order must be complied with by / Vous devez vous conformer à cet ordre d'ici le : Feb 28, 2013



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

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



Order(s) of the Inspector Pursuant to section 153 and/or section 154 of the Lorg-Torin Cara

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

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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.



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

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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

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
Ontario, ON
M5S-2B1

Fax: 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.



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

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
Ontario, ON
M5S-2B1
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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 17th day of January, 2013

Signature of Inspector /

Signature de l'inspecteur :

Name of Inspector /

Nom de l'inspecteur :

MICHELLE WARRENER

Service Area Office /

Bureau régional de services : Hamilton Service Area Office