

# Order(s) of the Director

under the *Long-Term Care Homes Act, 2007*, S.O. 2007, c.8

	<input type="checkbox"/> Licensee Copy/Copie du Titulaire <span style="margin-left: 100px;"><input checked="" type="checkbox"/> Public Copy/Copie Public</span>
<b>Name of Director:</b>	Wendy Lewis
<b>Order Type:</b>	<input type="checkbox"/> Amend or Impose Conditions on Licence Order, section 104 <input type="checkbox"/> Renovation of Municipal Home Order, section 135 <input checked="" type="checkbox"/> Compliance Order, section 153 <input type="checkbox"/> Work and Activity Order, section 154 <input type="checkbox"/> Return of Funding Order, section 155 <input type="checkbox"/> Mandatory Management Order, section 156 <input type="checkbox"/> Revocation of License Order, section 157 <input type="checkbox"/> Interim Manager Order, section 157
<b>Intake Log # of original inspection (if applicable):</b>	009080-16, 033749-16, 002876-17, 006304-17
<b>Original Inspection #:</b>	2018_737640_0010
<b>Licensee:</b>	Collingwood Nursing Home Limited 250 Campbell Street, COLLINGWOOD, ON, L9Y-4J9
<b>LTC Home:</b>	Collingwood Nursing Home 250 Campbell Street, COLLINGWOOD, ON, L9Y-4J9
<b>Name of Administrator:</b>	Peter Zober

**Background:**

Ministry of Health and Long-Term Care (MOHLTC) Inspector #640 conducted an inspection of Collingwood Nursing Home on the following dates: April 19, 20, 24, 25, 26, 30, May 1 and 2, 2018 (2018\_737640\_0010). The inspection was a Complaint Inspection at which time four complaint logs (#009080-16, #033749-16, #002876-17, and #006304-17) were inspected.

During the inspection, the Inspector determined that the Licensee, Collingwood Nursing Home Limited (Collingwood Nursing Home or the Licensee) failed to comply with certain requirements (as identified below) of the Long-Term Care Homes Act, 2007 (LTCHA) and Ontario Regulation 79/10 (Regulation) under the LTCHA, and issued Compliance Order #001, which stated the following:

The licensee must be compliant with s. 8 (3) of the LTCHA. Specifically the licensee must:

Ensure that at least one registered nurse who is both an employee of the licensee and a member of the regular nursing staff of the home is on duty and present in the home at all times.

This order must be complied by October 26, 2018.

Following the conclusion of a Director's review under s. 163 of the LTCHA, the above order has been substituted with the Director's Order below.

<b>Order #:</b>	001
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To **Collingwood Nursing Home Limited**, you are hereby required to comply with the following order by the date set out below:

**Pursuant To:**

LTCHA, 2007, s. 8. (3) Every licensee of a long-term care home shall ensure that at least one registered nurse who is both an employee of the licensee and a member of the regular nursing staff of the home is on duty and present in the home at all times, except as provided for in the regulations. 2007, c. 8, s. 8 (3).

**Order:**

The licensee must be compliant with s. 8 (3) of the LTCHA.

Specifically the licensee must:

Ensure that at least one registered nurse who is both an employee of the licensee and a member of the regular nursing staff of the home is on duty and present in the home at all times.

**Grounds:**

The licensee failed to ensure that at least one registered nurse who was both an employee of the licensee and a member of the regular nursing staff of the home was on duty and present in the home at all times.

During a Critical Incident inspection, the Long-Term Care Homes (LTCH) Inspector reviewed the nursing schedule and noted there to be several days when there was no registered nurse scheduled to work.

The following shifts in February, March and April 2018 were identified as having no registered nurse was in the building.

- February 5, 10, 11, 19, 23 and 24, 2018 - Night shift
- February 16, 19, 20, 27 and 28, 2018 - Day shift
- February 17, 18, 2018 - Evening shift
- March 1, 5, 6, 7, 18, 24, and 31, 2018 - Day shift
- March 7, 2018- Evening shift
- April 11, 13, 19 and 29, 2018 - Evening shift

The Inspector interviewed RPN #105 who told them that they had worked without an RN on several occasions and stated that if there was no RN on duty, they were the charge nurse and that usually the DOC or ADOC was on call. They further stated they have never had to ask the DOC or ADOC to come into the home when on call.

During an interview with the DOC they told the Inspector that there was no RN in the building on the dates identified during the inspection.

The DOC told Inspector that the home had not recently posted for registered staff. "We are trying to recruit PSWs ahead of registered staff. We are in desperate need of PSW staff. I have had some resumes for registered nurses come in but have had no opportunity to interview them. I interviewed in December for RNs but was not successful. For February, March and April 2018, we did not have any active job postings for registered staff. I was comfortable with using our RPNs so I didn't take any immediate action".

The LTCH Inspector requested a copy of the last posting for registered staff including RNs on April 20, 2018. As of the date of this report, no posting to recruit Registered Nurses was given to the Inspector.

The application of factors taken into account under section 299(1) of the Regulation requires a Compliance Order to be issued. The severity of the issue is potential for actual harm and relates to having no RN in the home for 25 shifts over a 3 month period; scope is widespread as there is a potential to affect all residents in the home. The Licensee has a level 2 compliance history as they had previous unrelated non-compliance with this section of the LTCHA.

<b>This order must be complied with by:</b>	September 21, 2018
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## REVIEW/APPEAL INFORMATION

### TAKE NOTICE:

The Licensee has the right to appeal this Order(s) to the Health Services Appeal and Review Board (HSARB) in accordance with section 164 of the *Long-Term Care Homes Act, 2007*. If the Licensee decides to request a hearing, the Licensee must, with 28 days of being served with this Order, mail or deliver a written notice of appeal to both:



**Ministry of Health and Long-Term Care**  
Long-Term Care Homes Division  
Long-Term Care Inspections Branch

**Ministère de la Santé et des Soins de longue durée**  
Division des foyers de soins de longue durée  
Inspection de soins de longue durée

**Health Services Appeal and Review Board**  
Attention Registrar  
151 Bloor Street West  
9th Floor  
Toronto, ON  
M5S 2T5

and the

**Director**  
c/o Appeals Clerk  
Long-Term Care Inspections Branch  
1075 Bay St., 11th Floor, Suite 1100  
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](http://www.hsarb.on.ca).

Issued on this 16th day of August, 2018	
Signature of Director:	
Name of Director:	Wendy Lewis