



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

**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  
Homes Act, 2007, S.O. 2007, c.8*

**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**

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**Name of Inspector (ID #) /**

**Nom de l'inspecteur (No) :** GAIL PEPLINSKIE (154)

**Inspection No. /**

**No de l'inspection :** 2012\_146154\_0003

**Log No. /**

**Registre no:** S-000781-12

**Type of Inspection /**

**Genre d'inspection:** Other

**Report Date(s) /**

**Date(s) du Rapport :** Apr 15, 2013

**Licensee /**

**Titulaire de permis :** EXTENDICARE (CANADA) INC.  
3000 STEELES AVENUE EAST, SUITE 700,  
MARKHAM, ON, L3R-9W2

**LTC Home /**

**Foyer de SLD :** EXTENDICARE TRI-TOWN  
143 BRUCE STREET, P.O. BOX 999, HAILEYBURY,  
ON, P0J-1K0

**Name of Administrator /**

**Nom de l'administratrice  
ou de l'administrateur :** JENNIFER KASNER

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To EXTENDICARE (CANADA) INC., you are hereby required to comply with the following order(s) by the date(s) set out below:



**Ministry of Health and  
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de soins de longue durée, L.O. 2007, chap. 8*

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**Order # /**  
**Ordre no :** 001

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

**Pursuant to / Aux termes de :**

LTCHA, 2007 S.O. 2007, c.8, 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 / Ordre :**

The licensee shall prepare, submit and implement a plan for achieving compliance with LTCHA s.8(3). The compliance plan shall include how the licensee will ensure that the home is staffed by at least one registered nurse, who is both an employee of the licensee and a member of the regular nursing staff of the home, on duty and present in the home at all times.

This plan must be submitted in writing to Inspector Gail Peplinskie at 159 Cedar Street, Suite 402, Sudbury ON P3E 6A5 or by fax at 1-705-564-3133 on or before April 10, 2013. Full compliance with this order shall be by May 1, 2013.

**Grounds / Motifs :**



**Ministry of Health and  
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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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1. Inspector reviewed the Registered nursing staffing schedule for the period of November 2, 2012 to December 13, 2012. During the period of November 2 to 15, 2012 there were 7 shifts, in the 14 day schedule, which did not have a Registered Nurse working on the night shift. During the period of November 16 to 29, 2012 there were 7 shifts, in the 14 day schedule, which did not have a Registered Nurse working on the night shift.

During the period of November 30 to December 13, 2012 there were 6 shifts, in the 14 day schedule, which did not have a Registered Nurse working on the night shift.

The previous Administrator/Director of Care told the inspector that they are trying to recruit registered nurses however they still do not have coverage on all shifts.

A previous Written Notification (WN) and Voluntary Plan Of Correction (VPC) was issued in inspection #2011\_057163\_0022, November 6, 2011 related to s.8 (3) of the Act.

(154)

**This order must be complied with by /**

**Vous devez vous conformer à cet ordre d'ici le : May 01, 2013**



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**Ordre(s) de l'inspecteur**  
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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



**Ministry of Health and  
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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](http://www.hsarb.on.ca).



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**Ministère de la Santé et  
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**Ordre(s) de l'inspecteur**  
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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, 11<sup>e</sup> 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.



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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  
Fax: 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](http://www.hsarb.on.ca).

**Issued on this 15th day of April, 2013**

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

**Name of Inspector /  
Nom de l'inspecteur :** GAIL PEPLINSKIE

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



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

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**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**

**Health System Accountability and Performance Division  
Performance Improvement and Compliance Branch**

**Sudbury Service Area Office  
159 Cedar Street, Suite 603  
SUDBURY, ON, P3E-6A5  
Telephone: (705) 564-3130  
Facsimile: (705) 564-3133**

**Bureau régional de services de Sudbury  
159, rue Cedar, Bureau 603  
SUDBURY, ON, P3E-6A5  
Téléphone: (705) 564-3130  
Télécopieur: (705) 564-3133**

**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**

<b>Report Date(s) / Date(s) du Rapport</b>	<b>Inspection No / No de l'inspection</b>	<b>Log # / Registre no</b>	<b>Type of Inspection / Genre d'inspection</b>
Apr 15, 2013	2012_146154_0003	S-000781-12	Other

**Licensee/Titulaire de permis**

**EXTENDICARE (CANADA) INC.  
3000 STEELES AVENUE EAST, SUITE 700, MARKHAM, ON, L3R-9W2**

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

**EXTENDICARE TRI-TOWN  
143 BRUCE STREET, P.O. BOX 999, HAILEYBURY, ON, P0J-1K0**

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

**GAIL PEPLINSKIE (154)**

**Inspection Summary/Résumé de l'inspection**





**The purpose of this inspection was to conduct an Other inspection.**

**This inspection was conducted on the following date(s): December 13-14, 2012**

**This inspection addressed Log S-000781-12.**

**During the course of the inspection, the inspector(s) spoke with the Administrator/Director of Care, previous Administrator/Director of Care, registered and non-registered nursing staff, Resident Council President, Food Service Manager and residents.**

**During the course of the inspection, the inspector(s) conducted a walk through of resident home areas and various common areas, observed care provided to residents in the home, reviewed resident health care records, reviewed various policies and procedures and observed meal service to residents.**

**The following Inspection Protocols were used during this inspection:  
Residents' Council**

**Findings of Non-Compliance were found during this inspection.**

**NON-COMPLIANCE / NON - RESPECT DES EXIGENCES**

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

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 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. 8. Nursing and personal support services**

**Specifically failed to comply with the following:**

**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).**

**Findings/Faits saillants :**

1. Inspector reviewed the Registered nursing staffing schedule for the period of November 2, 2012 to December 13, 2012. During the period of November 2 to 15, 2012 there were 7 shifts, in the 14 day schedule, which did not have a Registered Nurse working on the night shift. During the period of November 16 to 29, 2012 there were 7 shifts, in the 14 day schedule, which did not have a Registered Nurse working on the night shift.

During the period of November 30 to December 13, 2012 there were 6 shifts, in the 14 day schedule, which did not have a Registered Nurse working on the night shift.

The previous Administrator/Director of Care told the inspector that they are trying to recruit registered nurses however they still do not have coverage on all shifts. [s. 8. (3)]



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***Additional Required Actions:***

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

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**WN #2: The Licensee has failed to comply with LTCHA, 2007 S.O. 2007, c.8, s. 57. Powers of Residents' Council**

**Specifically failed to comply with the following:**

**s. 57. (2) If the Residents' Council has advised the licensee of concerns or recommendations under either paragraph 6 or 8 of subsection (1), the licensee shall, within 10 days of receiving the advice, respond to the Residents' Council in writing. 2007, c. 8, s. 57.(2).**

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**Findings/Faits saillants :**

1. Inspector reviewed the minutes of Residents' Council meetings for July, September, October, November and December 2012. The October 2012 Residents' Council Minutes identify an issue under "Dietary Issues" related to the rotation of tables being served for meals and that one table is always last to be served and the food is cold. The manager identified that they would speak with nursing. There is no response in writing within 10 days, to this issue, subsequent to it being identified. The December 2012 Residents' Council Minutes identify an issue under "New Business" whereby residents indicated that they don't want the tables rearranged to 4 at each table, some residents identified that they like it the way it is. The manager stated that they would work on a plan and let the residents know about it. There is no response in writing within 10 days related to this concern. [s. 57. (2)]



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Loi de 2007 sur les foyers de  
soins de longue durée**

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**Issued on this 15th day of April, 2013**

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

A handwritten signature in cursive script, appearing to read "D. Plushie".