



**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

**Name of Inspector (ID #) /
Nom de l'inspecteur (No) :** KATE MACNAMARA (540), CYNTHIA DITOMASSO
(528)

**Inspection No. /
No de l'inspection :** 2013_279540_0003

**Log No. /
Registre no:** S-000380-13

**Type of Inspection /
Genre
d'inspection:** Follow up

**Report Date(s) /
Date(s) du Rapport :** Jan 21, 2014

**Licensee /
Titulaire de permis :** F. J. DAVEY HOME
733 Third Line East, Box 9600, Sault Ste Marie, ON,
P6A-7C1

**LTC Home /
Foyer de SLD :** F. J. DAVEY HOME
733 Third Line East, Sault Ste Marie, ON, P6A-7C1

**Name of Administrator /
Nom de l'administratrice
ou de l'administrateur :** PETER J. MACLEAN

To F. J. DAVEY HOME, you are hereby required to comply with the following order(s)
by the date(s) set out below:



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section 154 of the *Long-Term Care
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Order # /
Ordre no : 001 **Order Type /**
Genre d'ordre : Compliance Orders, s. 153. (1) (a)

Linked to Existing Order /
Lien vers ordre 2013_139163_0020, CO #003;
existant:

Pursuant to / Aux termes de :

O.Reg 79/10, s. 131. (2) The licensee shall ensure that drugs are administered to residents in accordance with the directions for use specified by the prescriber. O. Reg. 79/10, s. 131 (2).

Order / Ordre :

The licensee shall ensure that for residents #101, #201 and #601 and any other resident that this may apply, that their drugs are administered in accordance with the directions for use specified by the prescriber.

Grounds / Motifs :



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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
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1. Two previous Compliance orders (CO) were issued for O.Reg. 79/10,s.131 (2) in November 2012 during inspection #2012-104196-0033 and in August 2013, during a follow-up inspection # 2013-139163-0020.

The inspector reviewed the Treatment Administration Record (TAR) book and interviewed registered nursing staff about the documentation requirements when administering treatments. Staff reported that registered staff are to initial on the TAR indicating that the treatment was administered to the resident.

1) Resident #601 had a physician's order for Critic Aid Clear (71g) "apply to hips (brief line & buttocks) three times daily." It was noted that between December 5, 2013 to December 30, 2013, twelve treatments were not recorded as administered as specified by the prescriber.

2) Resident #201 had a physicians order for Emo-Cort Cream "Apply to erythematous patches on arms, abdomen and legs twice daily." It was noted that between December 6, 2013 to December 31, 2013, six treatments were not recorded as being administered as specified by the prescriber.

3) Resident #201 had an order for Ectosone Scalp Lotion "apply to affected area (s) once daily," that was noted not recorded as being administered on December 17, 2013, as specified by the prescriber.

4) Resident #101 had an order for Uremol Lotion to "apply to to lower legs twice daily @ 1000 & 2000hrs." It was noted that between December 8, 2013 to December 21, 2013, four treatments were not recorded as being administered as specified by the prescriber. (540)

This order must be complied with by /

Vous devez vous conformer à cet ordre d'ici le : Mar 31, 2014



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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



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Order(s) of the Inspector

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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.



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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^e 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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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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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.

Issued on this 21st day of January, 2014

Signature of Inspector /

Signature de l'inspecteur :

Name of Inspector /

Nom de l'inspecteur : Kate Macnamara

Service Area Office /

Bureau régional de services : Sudbury Service Area Office



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 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 403
SUDBURY, ON, P3E-6A5
Telephone: (705) 564-3130
Facsimile: (705) 564-3133

Bureau régional de services de Sudbury
159, rue Cedar, Bureau 403
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**

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Report Date(s) / Date(s) du Rapport	Inspection No / No de l'inspection	Log # / Registre no	Type of Inspection / Genre d'inspection
Jan 21, 2014	2013_279540_0003	S-000380-13	Follow up

Licensee/Titulaire de permis

F. J. DAVEY HOME
733 Third Line East, Box 9600, Sault Ste Marie, ON, P6A-7C1

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

F. J. DAVEY HOME
733 Third Line East, Sault Ste Marie, ON, P6A-7C1

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

KATE MACNAMARA (540), CYNTHIA DITOMASSO (528)

Inspection Summary/Résumé de l'inspection

The purpose of this inspection was to conduct a Follow up inspection.

This inspection was conducted on the following date(s): January 7, 8,9, 2013

During the course of the inspection, the inspector(s) spoke with Director of Nursing (DON), Administrator, Director of Resident and Staff Services, Registered Practical Nurses (RPN), Personal support workers (PSW), and residents related to logs S-000380-13, S-000381-13, S-000382-13, S-000412-13.

During the course of the inspection, the inspector(s) observed the provision of care, reviewed health care records, relevant policies and procedures, and interviewed staff.

The following Inspection Protocols were used during this inspection:



Medication
Minimizing of Restraining
Reporting and Complaints

Findings of Non-Compliance were found during this inspection.

Table with 2 columns: Legend and Legendé. Legend includes WN (Written Notification), VPC (Voluntary Plan of Correction), DR (Director Referral), CO (Compliance Order), WAO (Work and Activity Order). Legendé includes Avis écrit, Plan de redressement volontaire, Aiguillage au directeur, Ordre de conformité, Ordres : travaux et activités. The table also contains a detailed description of non-compliance with LTCHA requirements and its translation into French.

WN #1: The Licensee has failed to comply with O.Reg 79/10, s. 131. Administration of drugs

Specifically failed to comply with the following:

s. 131. (2) The licensee shall ensure that drugs are administered to residents in accordance with the directions for use specified by the prescriber. O. Reg. 79/10, s. 131 (2).



Findings/Faits saillants :

1. Two previous Compliance orders (CO) were issued for O.Reg. 79/10,s.131 (2) in November 2012 during inspection #2012-104196-0033 and in August 2013, during a follow-up inspection # 2013-139163-0020.

The inspector reviewed the Treatment Administration Record (TAR) book and interviewed registered nursing staff about the documentation requirements when administering treatments. Staff reported that registered staff are to initial on the TAR indicating that the treatment was administered to the resident.

1) Resident #601 had a physician's order for a cream to "apply to hips (brief line & buttocks) three times daily." It was noted that between December 5, 2013 to December 30, 2013, twelve treatments were not recorded as administered as specified by the prescriber.

2) Resident #201 had a physician's order for a cream to "apply to erythematous patches on arms, abdomen and legs twice daily." It was noted that between December 6, 2013 to December 31, 2013, six treatments were not recorded as being administered as specified by the prescriber.

3) Resident #201 had a physician's order for a lotion to "apply to affected area(s) once daily," that was noted not recorded as being administered on December 17, 2013, as specified by the prescriber.

4) Resident #101 had a physician's order for a lotion to "apply to to lower legs twice daily @ 1000 & 2000hrs." It was noted that between December 8, 2013 to December 21, 2013, four treatments were not recorded as being administered as specified by the prescriber. [s. 131. (2)]

Additional Required Actions:

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



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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

THE FOLLOWING NON-COMPLIANCE AND/OR ACTION(S)/ORDER(S) HAVE BEEN COMPLIED WITH/ LES CAS DE NON-RESPECTS ET/OU LES ACTIONS ET/OU LES ORDRES SUIVANT SONT MAINTENANT CONFORME AUX EXIGENCES:

Table with 4 columns: REQUIREMENT/ EXIGENCE, TYPE OF ACTION/ GENRE DE MESURE, INSPECTION # / NO DE L'INSPECTION, INSPECTOR ID #/ NO DE L'INSPECTEUR. Rows include O.Reg 79/10 s. 101. (2), O.Reg 79/10 s. 110. (2), and LTCHA, 2007 S.O. 2007, c.8 s. 33. (4).

Issued on this 23rd day of January, 2014

Signature of Inspector(s)/Signature de l'inspecteur ou des inspecteurs. Includes handwritten signatures and IDs: K Macnamara #540 and #528.