



**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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Public Copy/Copie du public

Report Date(s) / Date(s) du Rapport	Inspection No / No de l'inspection	Log # / No de registre	Type of Inspection / Genre d'inspection
Dec 6, 2018	2018_486653_0033	030080-18	Complaint

Licensee/Titulaire de permis

Regional Municipality of Durham
605 Rossland Road East WHITBY ON L1N 6A3

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

Fairview Lodge
632 Dundas Street West P.O. Box 300 WHITBY ON L1N 5S3

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 27, 2018.

Complaint log #030080-18 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, Admission Nurse (AN), Director of Care (DOC), and the Assistant Administrator (AA).

**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 Fairview Lodge on an

identified date, for long stay admission and basic accommodation. Further review of the referral revealed the applicant had an identified medical condition.

A review of the home's letter addressed to applicant #001 from an identified date, from the admission nurse for the Administrator of Fairview Lodge, revealed the home had received updated information from the CE LHIN indicating the applicant had an identified medical condition. The home had to decline applicant #001's application due to not having the necessary resources to meet their needs. The letter further indicated that the home lacks the physical facilities necessary to meet the applicant's care requirements.

A telephone interview with the CE LHIN Placement Coordinator, indicated applicant #001 remained on the wait list for Fairview Lodge, 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.

Separate interviews with the home's Admission Nurse (AN) and Director of Care (DOC) indicated applicant #001 had been refused admission due to the applicant's identified medical condition and the physical environment of the home. When asked by the inspector what care requirements related to the applicant's identified medical condition that the home lacks the physical facilities necessary to meet, the AN and DOC could not provide a clear answer.

As per 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 Fairview Lodge on an identified date, for long stay admission and basic accommodation. Further review of the referral revealed the applicant had an identified medical condition.

A review of the home's letter addressed to applicant #001 from an identified date, from the admission nurse for the Administrator of Fairview Lodge, revealed the home had received updated information from the CE LHIN indicating the applicant had an identified medical condition. The home had to decline applicant #001's application due to not having the necessary resources to meet their needs. The letter further indicated that the home lacks the physical facilities necessary to meet the applicant's care requirements.

During separate interviews with the home's AN and DOC, the above mentioned letter addressed to applicant #001 had been reviewed with Inspector #653. The AN and DOC acknowledged that the letter did not include a detailed explanation of the supporting facts specifically related to the applicant's condition and requirements for care.

As per record reviews and staff interviews, there was lack of information indicated on the written notice, in regards to applicant #001's care requirements as it relates to their identified medical condition.

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



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Issued on this 6th day of December, 2018

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

Original report signed by the inspector.