



**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**

Toronto Service Area Office
5700 Yonge Street 5th Floor
TORONTO ON M2M 4K5
Telephone: (416) 325-9660
Facsimile: (416) 327-4486

Bureau régional de services de
Toronto
5700 rue Yonge 5e étage
TORONTO ON M2M 4K5
Téléphone: (416) 325-9660
Télécopieur: (416) 327-4486

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Report Date(s) / Date(s) du Rapport	Inspection No / No de l'inspection	Log # / No de registre	Type of Inspection / Genre d'inspection
Apr 15, 2019	2019_766500_0004	006834-17	Complaint

Licensee/Titulaire de permis

Hellenic Care for Seniors (Toronto) Inc.
33 Winona Drive TORONTO ON M6G 3Z7

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

Hellenic Care for Seniors (Toronto)
215 Tyrrel Avenue TORONTO ON M6G 4A9

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

NITAL SHETH (500)

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): February 7, 8, 2019.

The intake log #006834-17 related to beds allowed under license was inspected during this inspection.

During the course of the inspection, the inspector(s) spoke with the Chief Executive Officer (CEO), Chief Financial Officer (CFO), Administrator, Director of Care (DOC), Nursing and Resident Services Coordinator, the Operations Director at Toronto Central Local Health Integration Network (TC-LHIN), and Licensing Program Coordinator at Ministry of Health and Long-term Care (MOHLTC) Senior Financial Analyst at MOHLTC.

During the course of the inspection, the inspector reviewed the home's admission records, and the information related to the home's licence.

**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)

1 CO(s)

0 DR(s)

0 WAO(s)



NON-COMPLIANCE / NON - RESPECT DES EXIGENCES

<p>Legend</p> <p>WN – Written Notification VPC – Voluntary Plan of Correction DR – Director Referral CO – Compliance Order WAO – Work and Activity Order</p>	<p>Légende</p> <p>WN – Avis écrit VPC – Plan de redressement volontaire DR – Aiguillage au directeur CO – Ordre de conformité WAO – Ordres : travaux et activités</p>
<p>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).</p> <p>The following constitutes written notification of non-compliance under paragraph 1 of section 152 of the LTCHA.</p>	<p>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.</p> <p>Ce qui suit constitue un avis écrit de non-respect aux termes du paragraphe 1 de l'article 152 de la LFSLD.</p>

WN #1: The Licensee has failed to comply with LTCHA, 2007 S.O. 2007, c.8, s. 104. Beds allowed under licence

Specifically failed to comply with the following:

s. 104. (1) A licensee shall not operate more beds in a long-term care home than are allowed under the licence for the home or under the terms of a temporary licence issued under section 111 or than are authorized under section 113. 2007, c. 8, s. 104. (1).

Findings/Faits saillants :



1. The licensee has failed to ensure that they do not operate more beds in a long-term care home than are allowed under the license for the home or under the terms of a temporary license issued under section 111 or than are authorized under section 113. 2007, c. 8, s. 104 (1).

A review of the complaint received by the Ministry of Health and Long-term Care (MOHLTC) indicated that the home is privately operating an unlicensed respite bed.

A review of the home's census list, dated February 5, 2019, indicated that there are 82 residents living in the home.

A review of the home's Long-Term Care Home License indicated that under the license number 2798-L01, effective July 1, 2010, the number of beds allowed under this license is 81.

A review of the home's website indicated that the Toronto Long Term Care (LTC) facility consists of 81 beds and one short-term stay bed, and the LTC facilities are governed by the Hellenic Home Policies, the Ministry of Health and Long Term Care (MOHLTC) Program Standards, the Local Health Integration Networks and the Long Term Care Homes Act. The LTC facilities are funded by the LHIN and the Government of Ontario.

An interview with the Nursing and Resident Services Coordinator indicated that the home has 81 beds and one respite bed. Eighty-one beds are LTC beds and operated in collaboration with Toronto Central-Local Health Integration Network (TC-LHIN) and the respite bed is privately operated by the home. The home has a separate admission package, and a waiting list for this respite bed. Respite bed applications are reviewed by the home internally and as such, the admission for respite bed is not authorized by TC-LHIN. The home does not have a fixed respite bed however, any bed available on top of 81 occupied licensed LTC beds can be used as a respite bed. Only a private or semi-private bed can be used as a respite bed. Rates for this bed are similar to the LTC bed rates of private or semi-private beds. The respite bed can be offered for a period of one week up to three months, and after that the resident can extend their stay.

An interview with the Administrator indicated that the home's respite bed is not licensed with MOHLTC. The Administrator provided a copy of the TC-LHIN document, dated January 20, 2012, indicating that the home's application for one respite bed was approved and was effective from January 1, 2012 to December 31, 2012. The Administrator indicated that during this time frame, the home was coordinating with the



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Community Care Access Centre (CCAC) to operate this bed. After December 31, 2012 the home continued to operate the bed privately.

An interview with the home's Chief Financial Officer (CFO) #102 indicated that the home has licenses for 81 beds and the one respite bed is operated privately by the home. The MOHLTC provides funding for 81 LTC beds only. The home merges the accommodation charges received for the occupancy of the respite bed with the money received from the accommodation envelope sent by MOHLTC for the 81 residents. The occupant receives the same services provided to the LTC residents during their stay. The expenses for these services except accommodation, such as nursing care, dietary and activation, are covered from the funding received from the MOHLTC for nursing and personal care, program and support, raw food and other accommodation envelopes, intended for the 81 LTC residents.

This non-compliance is warranted as a result of the licensee operating an unlicensed bed in the home. [s. 104. (1)]

Additional Required Actions:

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

Issued on this 15th day of April, 2019

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

Original report signed by the inspector.



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Order(s) of the Inspector

Ordre(s) de l'inspecteur

Pursuant to section 153 and/or
section 154 of the *Long-Term
Care Homes Act, 2007*, S.O.
2007, c. 8

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.
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Inspection de soins de longue durée**

Public Copy/Copie du public

Name of Inspector (ID #) /

Nom de l'inspecteur (No) : NITAL SHETH (500)

Inspection No. /

No de l'inspection : 2019_766500_0004

Log No. /

No de registre : 006834-17

Type of Inspection /

Genre d'inspection: Complaint

Report Date(s) /

Date(s) du Rapport : Apr 15, 2019

Licensee /

Titulaire de permis : Hellenic Care for Seniors (Toronto) Inc.
33 Winona Drive, TORONTO, ON, M6G-3Z7

LTC Home /

Foyer de SLD : Hellenic Care for Seniors (Toronto)
215 Tyrrel Avenue, TORONTO, ON, M6G-4A9

Name of Administrator /

Nom de l'administratrice

ou de l'administrateur : Nicholas Georgantonis

To Hellenic Care for Seniors (Toronto) Inc., you are hereby required to comply with the following order(s) by the date(s) set out below:

Order(s) of the Inspector

Ordre(s) de l'inspecteur

Pursuant to section 153 and/or
section 154 of the *Long-Term
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O. 2007, chap. 8

Order # /**Ordre no :** 001**Order Type /****Genre d'ordre :** Compliance Orders, s. 153. (1) (a)**Pursuant to / Aux termes de :**

LTCHA, 2007 S.O. 2007, c.8, s. 104. (1) A licensee shall not operate more beds in a long-term care home than are allowed under the licence for the home or under the terms of a temporary licence issued under section 111 or than are authorized under section 113. 2007, c. 8, s. 104. (1).

Order / Ordre :

The licensee must be compliant with s. 104. (1) of the LTCHA, 2007.

Specifically, the licensee must do the following:

- a. Cease operation of the unlicensed respite bed immediately after the occupant is discharged.
- b. Within one business day of receiving this order, forward a copy to the Toronto Central Local Health Integration Network (TC-LHIN).
- c. Work collaboratively with the TC-LHIN to ensure all necessary steps are taken as per the LTCHA, 2007, and its regulations to relocate the resident to a long-term care bed within 60 days of receiving this order.

Grounds / Motifs :

1. The licensee has failed to ensure that they do not operate more beds in a long-term care home than are allowed under the license for the home or under the terms of a temporary license issued under section 111 or than are authorized under section 113. 2007, c. 8, s. 104 (1).

A review of the complaint received by the Ministry of Health and Long-term Care (MOHLTC) indicated that the home is privately operating an unlicensed respite bed.

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An interview with the Administrator indicated that the home's respite bed is not licensed with MOHLTC. The Administrator provided a copy of the TC-LHIN document, dated January 20, 2012, indicating that the home's application for one respite bed was approved and was effective from January 1, 2012 to December 31, 2012. The Administrator indicated that during this time frame, the home was coordinating with the Community Care Access Centre (CCAC) to operate this bed. After December 31, 2012 the home continued to operate the bed privately.

An interview with the home's Chief Financial Officer (CFO) #102 indicated that the home has licenses for 81 beds and the one respite bed is operated privately by the home. The MOHLTC provides funding for 81 LTC beds only. The home merges the accommodation charges received for the occupancy of the respite bed with the money received from the accommodation envelope sent by



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MOHLTC for the 81 residents. The occupant receives the same services provided to the LTC residents during their stay. The expenses for these services except accommodation, such as nursing care, dietary and activation, are covered from the funding received from the MOHLTC for nursing and personal care, program and support, raw food and other accommodation envelopes, intended for the 81 LTC residents.

This non-compliance is warranted as a result of the licensee operating an unlicensed bed in the home.

The severity of a non-compliance is at level 1 (minimum risk), scope is at level 3 (wide-spread), as the home has been operating an unlicensed bed since 2013, and compliance history is at level 2, previous non-compliance in unrelated areas. (500)

This order must be complied with by /

Vous devez vous conformer à cet ordre d'ici le :

Jul 16, 2019



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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, commercial courier or by fax upon:

Director
c/o Appeals Coordinator
Long-Term Care Inspections Branch
Ministry of Health and Long-Term Care
1075 Bay Street, 11th Floor
Toronto, ON M5S 2B1
Fax: 416-327-7603

When service is made by registered mail, it is deemed to be made on the fifth day after the day of mailing, when service is made by a commercial courier it is deemed to be made on the second business day after the day the courier receives the document, 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:



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O. 2007, chap. 8

Health Services Appeal and Review Board and the Director

Attention Registrar
Health Services Appeal and Review Board
151 Bloor Street West, 9th Floor
Toronto, ON M5S 1S4

Director
c/o Appeals Coordinator
Long-Term Care Inspections 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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O. 2007, chap. 8

**RENSEIGNEMENTS RELATIFS AUX RÉEXAMENS DE DÉCISION ET AUX
APPELS**

PRENEZ AVIS :

Le/la titulaire de permis a le droit de faire une demande de réexamen par le directeur de cet ordre ou de ces ordres, et de demander que le directeur suspende cet ordre ou ces ordres conformément à l'article 163 de la Loi de 2007 sur les foyers de soins de longue durée.

La demande au directeur doit être présentée par écrit et signifiée au directeur dans les 28 jours qui suivent la signification de l'ordre au/à la titulaire de permis.

La demande écrite doit comporter ce qui suit :

- a) les parties de l'ordre qui font l'objet de la demande de réexamen;
- b) les observations que le/la titulaire de permis souhaite que le directeur examine;
- c) l'adresse du/de la titulaire de permis aux fins de signification.

La demande de réexamen présentée par écrit doit être signifiée en personne, par courrier recommandé, par messagerie commerciale ou par télécopieur, au :

Directeur
a/s du coordonnateur/de la coordonnatrice en matière d'appels
Direction de l'inspection des foyers de soins de longue durée
Ministère de la Santé et des Soins de longue durée
1075, rue Bay, 11^e étage
Toronto ON M5S 2B1
Télécopieur : 416-327-7603



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Quand la signification est faite par courrier recommandé, elle est réputée être faite le cinquième jour qui suit le jour de l'envoi, quand la signification est faite par messagerie commerciale, elle est réputée être faite le deuxième jour ouvrable après le jour où la messagerie reçoit le document, et lorsque la signification est faite par télécopieur, elle est réputée être faite le premier jour ouvrable qui suit le jour de l'envoi de la télécopie. Si un avis écrit de la décision du directeur n'est pas signifié au/à la titulaire de permis dans les 28 jours de la réception de la demande de réexamen présentée par le/la titulaire de permis, cet ordre ou ces ordres sont réputés être confirmés par le directeur, et le/la titulaire de permis est réputé(e) avoir reçu une copie de la décision en question à l'expiration de ce délai.

Le/la titulaire de permis a le droit d'interjeter appel devant la Commission d'appel et de révision des services de santé (CARSS) de la décision du directeur relative à une demande de réexamen d'un ordre ou des ordres d'un inspecteur ou d'une inspectrice conformément à l'article 164 de la Loi de 2007 sur les foyers de soins de longue durée. La CARSS est un tribunal autonome qui n'a pas de lien avec le ministère. Elle est créée par la loi pour examiner les questions relatives aux services de santé. Si le/la titulaire décide de faire une demande d'audience, il ou elle doit, dans les 28 jours de la signification de l'avis de la décision du directeur, donner par écrit un avis d'appel à la fois à :

la Commission d'appel et de révision des services de santé et au directeur

À l'attention du/de la registrateur(e)
Commission d'appel et de révision
des services de santé
151, rue Bloor Ouest, 9e étage
Toronto ON M5S 1S4

Directeur
a/s du coordonnateur/de la coordonnatrice en matière
d'appels
Direction de l'inspection des foyers de soins de longue durée
Ministère de la Santé et des Soins de longue durée
1075, rue Bay, 11e étage
Toronto ON M5S 2B1
Télécopieur : 416-327-7603

À la réception de votre avis d'appel, la CARSS en accusera réception et fournira des instructions relatives au processus d'appel. Le/la titulaire de permis peut en savoir davantage sur la CARSS sur le site Web www.hsarb.on.ca.

Issued on this 15th day of April, 2019

Signature of Inspector /

Signature de l'inspecteur :

Name of Inspector /

Nom de l'inspecteur : Nital Sheth

Service Area Office /

Bureau régional de services : Toronto Service Area Office