

**Inspection Report under  
the Long-Term Care  
Homes Act, 2007****Rapport d'inspection en vertu de  
la Loi de 2007 sur les foyers de  
soins de longue durée****Long-Term Care Operations Division  
Long-Term Care Inspections Branch****Division des opérations relatives aux  
soins de longue durée  
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<b>Report Date(s) / Date(s) du Rapport</b>	<b>Inspection No / No de l'inspection</b>	<b>Log # / No de registre</b>	<b>Type of Inspection / Genre d'inspection</b>
Jan 19, 2021	2020_808535_0017	025133-20	Complaint

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**Licensee/Titulaire de permis**The Kensington Health Centre  
25 Brunswick Avenue Toronto ON M5S 2L9**Long-Term Care Home/Foyer de soins de longue durée**The Kensington Gardens  
25 Brunswick Avenue Toronto ON M5S 2L9**Name of Inspector(s)/Nom de l'inspecteur ou des inspecteurs**

VERON ASH (535)

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

**The purpose of this inspection was to conduct a Complaint inspection.**

**This inspection was conducted on the following date(s): December 28, 29, 30, 2020.**

**The following intake were completed during this inspection:**

**Log #025133-20 was related to care concerns and hospital transfer.**

**During the course of the inspection, the inspector(s) spoke with the Director of Care (DOC), Physician, Registered Dietitian (RD), registered staff (RN/RPN) and substitute decision-maker (SDM).**

**The following Inspection Protocols were used during this inspection:  
Personal Support Services**

**During the course of this inspection, Non-Compliances were issued.**

**1 WN(s)**

**1 VPC(s)**

**0 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. 6. Plan of care**

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

**s. 6. (5) The licensee shall ensure that the resident, the resident's substitute decision-maker, if any, and any other persons designated by the resident or substitute decision-maker are given an opportunity to participate fully in the development and implementation of the resident's plan of care. 2007, c. 8, s. 6 (5).**

**Findings/Faits saillants :**

1. The licensee has failed to ensure that a resident's SDM was provided the opportunity to participate fully in the development and implementation of the plan of care.

The Ministry of Long-Term Care received a complaint related to the resident's care concerns and hospital transfer.

In an interview, the resident's SDM stated they were concerned that the resident was not transferred to hospital related to a change in their nutritional status.

A review of the resident's progress notes indicated that staff documented the resident had a change in nutritional status, and that the resident required a specific intervention.

Documentation and interviews confirmed that the home did not provide an opportunity for the family to fully participate in the development and implementation of the resident's plan of care related to the change in nutritional status and possible transfer to hospital.

The DOC acknowledged that the home should have contacted the family and held a team conference with the RD to discuss the resident's nutritional status during that period.

Sources: The resident's progress notes, food and fluid records, interview with RPN, DOC and others. [s. 6. (5)]

***Additional Required Actions:***

***VPC - pursuant to the Long-Term Care Homes Act, 2007, S.O. 2007, c.8, s.152(2) the licensee is hereby requested to prepare a written plan of correction for achieving compliance to ensure that the resident's SDM was provided the opportunity to participate fully in the development and implementation of the plan of care, to be implemented voluntarily.***

**Issued on this 21st day of January, 2021**

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

**Original report signed by the inspector.**