

Ministry of Long-Term Care
Long-Term Care Operations Division
Long-Term Care Inspections Branch

Toronto District
5700 Yonge Street, 5th Floor
Toronto, ON, M2M 4K5
Telephone:(866) 311-8002

Immediate Compliance Order

Original Public Report

Report Issue Date: July 5, 2023	
Inspection Number: 2023-1057-0004	
Inspection Type: Complaint Critical Incident System	
Licensee: Norwood Nursing Home Limited	
Long Term Care Home and City: Norwood Nursing Home, Toronto	
Lead Inspector Ryan Randhawa (741073)	Inspector Digital Signature
Additional Inspector(s) JulieAnn Hing (649) Nicole Ranger (189)	

INSPECTION REPORT SUMMARY

The inspection occurred on the following date(s): June 22-23, June 26-30, July 4-5, 2023

COMPLIANCE ORDER [ICO #901] COOLING REQUIREMENTS

NC# 001 Compliance Order pursuant to FLTCA, 2021, s. 154 (1) 2.
Non-compliance with: O. Reg. 246/22, s. 23.1 (3) 1.

The Inspector is ordering the licensee to:

FLTCA, 2021, s.155 (1) (a) do anything, or refrain from doing anything, to achieve compliance with a requirement under this Act

Compliance Order: [FLTCA 2021, s. 155 (1)]

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The licensee has failed to comply with O. Reg. 246/22, s. 23.1 (3) 1.

The licensee shall:

1. Activate air conditioning units in all resident rooms on any day that Environment Canada forecasts the temperature outside to be 26 degrees Celsius or higher at any point in the day.
2. Install and operate air conditioning units in all sunrooms and activity rooms where residents congregate, on any day that Environment Canada forecasts the temperature outside to be 26 degrees Celsius or higher at any point in the day.

The licensee has failed to ensure that air conditioning was operating in every resident bedroom when the outside temperature forecast by Environment and Climate Change Canada was 26 degrees Celsius or above.

Grounds

Grounds

The home had ductless air conditioning units installed in each resident bedroom. Upon observation by the inspectors, the home was hot and humid during the inspection. Air conditioning units were not operating in resident rooms on July 4, 2023, when the temperature as forecast by Environment Canada was 30 degrees Celsius with a Humidex reading of 38 degrees. On July 5, 2023, when forecasted temperatures were 30 degrees Celsius and humidex 37 degrees Celsius, air-conditioning units were not operating in all resident bedrooms. Multiple residents reported that they were able to request staff to turn on the units in their rooms. Personal Support Workers (PSW) were to monitor residents for signs of heat stress, including skin temperature to the touch and sweating and report to registered staff to activate air conditioning units in the resident bedrooms.

On June 23, 2023, a resident reported to Inspector #649 that they were hot and requested for the staff to turn on the air conditioning unit in their room. A PSW retrieved a remote control and activated the air conditioning unit in the resident's room. On June 30, 2023, Inspector #189 found a resident home area to be hot. A RPN was not aware of the home's heat related illness prevention and management plan or when it would be implemented in the home. The home's heat related illness prevention and management plan did not identify the use of air conditioning in resident rooms to mitigate risk from heat related illness.

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The Operational Manager (OM) stated that there were no designated cooling areas and identified the resident rooms as cooling areas as the resident rooms have air conditioning. The OM indicated that they were not aware of the requirement to measure and record air temperatures as per section 24 (2) of the Regulation and were not completing the required monitoring. On June 30, 2023, inspector #189 observed residents in the activity room and sunroom, and neither of these areas were serviced by area conditioning. On July 4, 2023, the temperature in the sunroom on a resident home area was measured by Inspector #649 as 29.3 degrees Celsius. On July 4, 2023, the temperature in a resident's room was 27.4 degrees Celsius with the air conditioner not operating and the resident under the blanket. The temperature in the activity room on a resident home area was measured to be 28.4 degrees Celsius. Multiple residents were observed in the activity room at the time of the temperature measurement.

The home's Administrator reported that staff were to monitor the residents for signs of heat stress but did not indicate the reason for not operating the air conditioning units in resident rooms. PSW staff were to advise the registered staff if a resident room was hot, or the resident was sweaty or clammy to the touch.

Residents were placed at risk of heat related illness when air conditioning was not operating in all resident rooms and designated cooling areas in the home.

Sources: Observations on June 30, 2023, July 4 and 5, 2023, interviews with residents, PSW, RPN, Operational Manager and the Administrator, review of the emergency procedure #NUM-III-03 titled Heat Alert, dated February 8, 2023.

[189]

This order must be complied with by: July 6, 2023

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REVIEW/APPEAL INFORMATION

TAKE NOTICE

The licensee has the right to request a review by the Director of this (these) Order(s) and/or this Notice of Administrative Monetary Penalty (AMP) in accordance with section 169 of the *Fixing Long-Term Care Act, 2021* (Act). The licensee can request that the Director stay this (these) Order(s) pending the review. If a licensee requests a review of an AMP, the requirement to pay is stayed until the disposition of the review.

Note: Under the Act, a re-inspection fee is not subject to a review by the Director or an appeal to the Health Services Appeal and Review Board (HSARB).

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 or AMP was served on the licensee.

The written request for review must include:

- (a) the portions of the order or AMP in respect of which the review is requested;
- (b) any submissions that the licensee wishes the Director to consider; and
- (c) an address for service for the licensee.

The written request for review must be served personally, by registered mail, email, or commercial courier upon:

Director

c/o Appeals Coordinator
Long-Term Care Inspections Branch
Ministry of Long-Term Care
438 University Avenue, 8th floor
Toronto, ON, M7A 1N3
e-mail: MLTC.AppealsCoordinator@ontario.ca

If service is made by:

- (a) registered mail, is deemed to be made on the fifth day after the day of mailing
- (b) email, is deemed to be made on the following day, if the document was served after 4 p.m.

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- (c) commercial courier, is deemed to be made on the second business day after the commercial courier received the document

If the licensee is not served with a copy of the Director's decision within 28 days of receipt of the licensee's request for review, this (these) Order(s) is (are) and/or this AMP is deemed to be confirmed by the Director and, for the purposes of an appeal to HSARB, the Director is deemed to have served the licensee with a copy of that decision on the expiry of the 28-day period.

Pursuant to s. 170 of the Act, the licensee has the right to appeal any of the following to HSARB:

- (a) An order made by the Director under sections 155 to 159 of the Act;
- (b) An AMP issued by the Director under section 158 of the Act; or
- (c) The Director's review decision, issued under section 169 of the Act, with respect to an inspector's compliance order (s. 155) or AMP (s. 158).

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 an appeal, the licensee must give a written notice of appeal within 28 days from the day the licensee was served with a copy of the order, AMP, or Director's decision that is being appealed from. The appeal notice must be given to both HSARB and the Director:

**Health Services Appeal and Review
Board**

Attention Registrar
151 Bloor Street West, 9th Floor
Toronto, ON M5S 1S4

Director

c/o Appeals Coordinator
Long-Term Care Inspections Branch
Ministry of Long-Term Care
438 University Avenue, 8th Floor
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Upon receipt, the HSARB will acknowledge your notice of appeal and will provide instructions regarding the appeal and hearing process. A licensee may learn more about the HSARB on the website www.hsarb.on.ca.