



**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**

Ottawa Service Area Office  
347 Preston St Suite 420  
OTTAWA ON K1S 3J4  
Telephone: (613) 569-5602  
Facsimile: (613) 569-9670

Bureau régional de services d'Ottawa  
347 rue Preston bureau 420  
OTTAWA ON K1S 3J4  
Téléphone: (613) 569-5602  
Télécopieur: (613) 569-9670

## **Public Copy/Copie du public**

<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>
May 8, 2019	2019_505103_0011	006152-19	Complaint

### **Licensee/Titulaire de permis**

The Corporation of the City of Kingston  
216 Ontario Street KINGSTON ON K7L 2Z3

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

Rideaucrest Home  
175 Rideau Street KINGSTON ON K7K 3H6

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

DARLENE MURPHY (103)

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



**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***

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

**This inspection was conducted on the following date(s): April 3-4, 8-11, 15-16, 18, 23-24, 2019.**

**Log #006152-19-complaint related to refusal of admission.**

**During the course of the inspection, the inspector(s) spoke with the Director of Care (DOC) and the Administrator.**

**During the course of the inspection, the inspector reviewed the applicant's health information and assessments provided to the home by the Local Health Integration Network (LHIN) and the additional information requested by the home from the LHIN including a letter from the applicant's physician.**

**Ad-hoc notes were used during this inspection.**

**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**

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 has failed to approve applicant #001's admission to the home in accordance with the allowable reasons outlined in s. 44 (7) of the LTCHA to withhold approval.

LTCHA, 2007, s. 44(7) states, 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;

(b) The staff of the home lack the nursing expertise necessary to meet the applicant's care requirements; or

(c) Circumstances exist which are provided for in the regulations as being a ground for



withholding approval.

On an identified date, this inspector interviewed DOC #100 in regards to the home's reason for withholding applicant #001's admission to the home. DOC #100 provided this inspector with reasons that were not allowable under the legislation. DOC #100 stated they also had concerns related to applicant #001's responsive behaviours that were documented from an identified assessment completed eight months earlier. DOC #100 stated they were unsure if the applicant had any current responsive behaviours.

This inspector reviewed the most updated information provided by the Local Health Integration Network ( LHIN) with DOC #100. This assessment stated applicant #001 was no longer experiencing the behaviours outlined in the previous assessment and identified the medication that was being used to address the behaviours.

DOC #100 was agreeable to reconsidering the applicant's admission and indicated they would contact the LHIN for any additional, updated information.

On two identified dates, the home was provided with additional information from the applicant's physician and the LHIN indicating the previous responsive behaviours outlined in the initial assessment were no longer present. The physician indicated in a letter that they had known the applicant for a period of three years and indicated there were no safety risks associated with this applicant's admission into a long-term care home.

On an identified date, this inspector spoke with DOC #100 and the Administrator in regards to the home's decision for this applicant now that updated, additional information had been provided to the home. The home declined the applicant and indicated the home lacked the nursing expertise to manage the multiple behaviours documented in the past twelve months.

The licensee failed to approve the applicant's admission to the home in accordance with the allowable reasons outlined in s. 44 (7) of the LTCHA to withhold approval. [s. 44. (7)]

2. The licensee has failed to ensure that when withholding approval for admission, the licensee provided a detailed explanation of the supporting facts as they relate both to the home and the applicant's condition and requirements for care, and an explanation of how the supporting facts justify the decision to withhold approval.



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*

On an identified date, DOC #100 provided this inspector with a letter that indicated the application was being withheld due to the documented multiple behaviours within the past twelve months and that the home was unable to accept the application due to the lack of nursing expertise.

The letter failed to provide a detailed explanation of the supporting facts as they relate to the applicant's condition and requirements for care and an explanation of how the supporting facts justify the decision to withhold approval. [s. 44. (9)]

***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 the licensee approves the applicant's admission to the home unless the application is being withheld based on the legislated reasons for withholding approval as outlined in LTCHA, 2007, s. 44 (7) and to ensure when withholding approval for admission, the licensee provides a detailed explanation of the supporting facts as they relate both to the home and the applicant's condition and requirements for care including an explanation of how the supporting facts justify the decision to withhold approval, to be implemented voluntarily.***

---

Issued on this 9th day of May, 2019

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

**Original report signed by the inspector.**