

Ministry of Long-Term Care

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

Hamilton District

119 King Street West, 11th Floor
Hamilton, ON, L8P 4Y7
Telephone: (800) 461-7137

Original Public Report

Report Issue Date: August 14, 2024

Inspection Number: 2024-1232-0002

Inspection Type:

Complaint

Licensee: 955464 Ontario Limited

Long Term Care Home and City: Valley Park Lodge, Niagara Falls

INSPECTION SUMMARY

The inspection occurred offsite on the following date(s): May 22-24, 28, 2024, June 3, 4, 6, 17-19, 26, 2024 and July 12, 24, 2024.

The following intake(s) were inspected:

- Intake #00116503 - Complaint related to records required for employment.

The following **Inspection Protocols** were used during this inspection:

Safe and Secure Home

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INSPECTION RESULTS

WRITTEN NOTIFICATION: Infection prevention and control program

NC #001 Written Notification pursuant to FLTCA, 2021, s. 154 (1) 1.

Non-compliance with: O. Reg. 246/22, s. 102 (12) 4.

Infection prevention and control program

s. 102 (12) The licensee shall ensure that the following immunization and screening measures are in place:

4. Staff is screened for tuberculosis and other infectious diseases in accordance with any standard or protocol issued by the Director under subsection (2).

The Fixing Long Term Care Act, 2021, (FLTCA) s. 2 states: "staff", in relation to a long-term care home, means persons who work at the home,

(a) as employees of the licensee,

(b) pursuant to a contract or agreement with the licensee, or

(c) pursuant to a contract or agreement between the licensee and an employment agency or other third party; ("personnel")

According to the Infection Prevention and Control (IPAC) Standard, s. 11.2, the licensee was required to ensure that staff were screened for tuberculosis and other infectious diseases at time of hire in accordance with evidence-based practices and where there are none, in accordance with prevailing practices.

The licensee has failed to ensure that staff hired pursuant to a contract with an identified staffing agency were screened for tuberculosis.

Inspectors reviewed nine staff records from the identified staffing agency who had worked in the home. Six of the staff records were missing TB screening documentation which the home was unable to provide. And another agency staff's TB screening was done outside of the times required per the homes policy.

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Sources: Identified staffing agency staff records, the homes policy for TB Screening, interviews with medical clinics, and the home's Administrator.

WRITTEN NOTIFICATION: Hiring staff, accepting volunteers

NC #002 Written Notification pursuant to FLTCA, 2021, s. 154 (1) 1.

Non-compliance with: O. Reg. 246/22, s. 252 (3)

Hiring staff, accepting volunteers

s. 252 (3) The police record check must be a vulnerable sector check referred to in paragraph 3 of subsection 8 (1) of the *Police Record Checks Reform Act, 2015*, and be conducted to determine the person's suitability to be a staff member or volunteer in a long-term care home and to protect residents from abuse and neglect.

The Fixing Long Term Care Act, 2021, s. 2 states: "staff", in relation to a long-term care home, means persons who work at the home,

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(b) pursuant to a contract or agreement with the licensee, or

(c) pursuant to a contract or agreement between the licensee and an employment agency or other third party; ("personnel")

The licensee has failed to ensure that a police record check, which was a vulnerable sector check, was conducted before hiring agency staff members.

Five of the staff records were missing a VSC entirely. One agency staff had a police check which was not a VSC, and another agency staff had a VSC which was completed six and a half months after their start date.

Sources: Identified staffing agency staff records, agency staff schedule, and an interview with the homes Administrator.

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WRITTEN NOTIFICATION: Exemptions, training

NC #003 Written Notification pursuant to FLTCA, 2021, s. 154 (1) 1.

Non-compliance with: O. Reg. 246/22, s. 262 (2)

Exemptions, training

s. 262 (2) The licensee shall ensure that the persons described in clauses (1) (a) to (c) are provided with information about the items listed in paragraphs 1, 3, 4, 5, 7, 8 and 9 of subsection 82 (2) of the Act before providing their services.

The FLTCA, 2021, s. 2 states: "staff", in relation to a long-term care home, means persons who work at the home,

(a) as employees of the licensee,

(b) pursuant to a contract or agreement with the licensee, or

(c) pursuant to a contract or agreement between the licensee and an employment agency or other third party; ("personnel")

Nine agency staff from an identified staffing agency were employed in the home for approximately one year from 2022 to 2023. The Administrator stated that they were not aware of, and had no documentation that agency staff received information about the home's zero tolerance of abuse and neglect of residents policy, infection prevention and control, mandatory reporting, whistle blowing, or fire and emergency procedures.

Sources: Identified staffing agency staff records, interview with the Administrator.