

**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**

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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
Oct 17, 2019	2019_650565_0018	019049-19	Complaint

Licensee/Titulaire de permis

Revera Long Term Care Inc.
5015 Spectrum Way, Suite 600 MISSISSAUGA ON L4W 0E4

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

Main Street Terrace
77 Main Street TORONTO ON M4E 2V6

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

MATTHEW CHIU (565)

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): October 10 and 11, 2019 (Offsite).

During the course of the inspection, the Complaint intake log #019049-19 related to withholding admission was inspected.

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

The inspectors conducted record review of the application and home records.

**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)

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. 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 an applicant's admission to the home under LTCHA, 2007, S.O., c. 8, s. 44. (7).

As outlined in LTCHA, 2007, S.O., c. 8, s. 44. (7), the licensee shall approve the applicant's admission to the home unless the home lacks the physical facilities necessary to meet the applicant's care requirements; the staff of the home lack the nursing expertise necessary to meet the applicant's care requirements; or circumstances exist which are provided for in the regulations as being a ground for withholding approval.

The Ministry of Long Term Care (MLTC) received a complaint on an identified date related to the approval for admission to Main Street Terrace for applicant #001 was

withheld by the home.

Review of the written notice for withholding approval stated that the home was unable to accommodate the applicant's specified care requirements. The written notice further stated the applicant's behaviours and indicated the home had a high number of resident with behaviours and residents requiring constant supervision.

Review of the application referral, under the specified assessment, indicated that the applicant had identified responsive behaviours. Some of the applicant's identified responsive behaviours were related to an identified behavioural issue which was stopped as of an identified date. Since then, some identified responsive behaviours were not present. The referral stated the applicant's care requirements can be met in LTC.

Interview with the ADOC, who determined withholding the approval of the application, indicated that they identified the resident with a specified description. The applicant had the identified responsive behaviours posing risk of harm to the applicant or the current residents in the home if they admitted the applicant. The ADOC stated they previously had admitted a resident with similar behaviours that the home was not provided with information when they reviewed the application. Currently, the home had residents with dementia, demonstrating the identified responsive behaviours. The home had a Behavioural Supports Ontario (BSO) nurse who would work with the Baycrest Geriatric and St. Michael's Hospital mental health outreach teams for providing psychiatric and behavioural assessments to their residents to develop the plans of care for managing their behavioural care needs. The ADOC stated they had the physical facility and nursing expertise managing the applicant's behaviours, but they suspected the applicant might decline some specified assessments which were crucial in the development of the plan of care. They withheld the approval because the home did not have enough resources to keep the applicant and their residents in a safe environment due to a high number of residents demonstrating responsive behaviours.

Interview with the DOC indicated that the home has residents who demonstrated the identified responsive behaviours posing risk of harm to themselves or others. The home has nursing expertise managing the identified responsive behaviours and the BSO nurse had worked with the outside resources such as the Baycrest Geriatric and St. Michael's Hospital outreach teams to develop a nursing plan of care managing their behaviours. If a resident declines the specified assessment, the home's BSO nurse will work with the team to try out strategies to care for the resident including one on one care if needed. If a resident has the identified behavioural issue, the home would reach out to external

resources like The Centre for Addiction and Mental Health (CAMH), the BSO nurse, and the team to identify any other outside support for assisting the resident.

During the interviews with the ADOC and DOC, they acknowledged that the home withheld the approval for applicant #001's admission was not based on the requirements specified under LTCHA, 2007, S.O., c. 8, s. 44. (7). [s. 44. (7)]

2. The licensee has failed to ensure that if the licensee withholds approval for admission, a written notice setting out the following was given to the persons described in subsection (10):

- Detailed explanation of the supporting facts, as they relate both to the home and to the applicant's condition and requirements for care, and
- An explanation of how the supporting facts justify the decision to withhold approval.

The MLTC received a complaint on an identified date related to the approval for admission to Main Street Terrace for applicant #001 was withheld by the home.

Review of the written notice for withholding approval stated that the home was unable to accommodate the applicant's specified care requirements. The written notice further stated the applicant's behaviours and indicated the home had a high number of resident with behaviours and residents requiring constant supervision. The written notice did not provide a detailed explanation of the facts that related to the applicant's specified care requirements and how the supporting facts justify the decision to withhold approval.

Interviews with the ADOC and the DOC indicated that the letter issued for withholding approval was the home's old letter format. It did not explain the applicant's specified care needs and how to justify their decision in detail. The staff confirmed the letter did not provide the explanations as required. [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 that an applicant's admission to the home is approved under LTCHA, 2007, S.O., c. 8, s. 44. (7) and a detailed explanation for withholding admission is provided under 44. (9), to be implemented voluntarily.

Issued on this 12th day of November, 2019

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

Original report signed by the inspector.