

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

Central East Service Area Office
33 King Street West, 4th Floor
OSHAWA ON L1H 1A1
Telephone: (905) 440-4190
Facsimile: (905) 440-4111

Bureau régional de services de
Centre-Est
33, rue King Ouest, étage 4
OSHAWA ON L1H 1A1
Téléphone: (905) 440-4190
Télécopieur: (905) 440-4111

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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
Nov 1, 2019	2019_670571_0019	019055-19	Complaint

Licensee/Titulaire de permis

Regency LTC Operating Limited Partnership on behalf of Regency Operator GP Inc. as
General Partner
100 Milverton Drive Suite 700 MISSISSAUGA ON L5R 4H1

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

Chartwell Wynfield Long Term Care Residence
451 Woodmount Drive OSHAWA ON L1G 8E3

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

PATRICIA MATA (571)

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 22, 2019.

Log # 019055-19 was related to refusal of admission.

During the course of the inspection, the inspector(s) spoke with a caseworker at
the Central East Local Health Integration Network and the Director of Care.

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)**
- 0 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. Under the LTCHA, 2007, s. 44(7) The appropriate placement coordinator 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; (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.

Related to log #019055-19:

A complaint from the Central East Local Health Integration Network was received by the Director on an identified date indicating an applicant had been refused admission to Chartwell Wynfield LTCH.

A review of the applicant's refusal letter for admission from the licensee indicated the applicant was refused admission because the home did not have the resources the applicant needed. Specifically, the licensee's staff lacked the nursing expertise to meet the applicant's care requirements and the licensee could not provide the care that the applicant needed and could effectively manage.

The explanation provided by the licensee to support that the staff of the LTCH lacked the nursing expertise related to specified responsive behaviours and diagnosis. Based on that information, the licensee indicated that the communal living environment of the home, would trigger the applicant to have responsive behaviours. The refusal letter was signed by the Director of Care (DOC) of the Long-Term Care Home.

In a telephone interview with Inspector #571 on an identified date, the DOC of the LTCH indicated that the home lacked the nursing expertise to provide care for the applicant because the staff would be unable to manage the applicant's specified responsive behaviours. The DOC further explained that the staff lacked the nursing expertise to manage a specified diagnosis because the licensee has Registered Practical Nurses working on the units.

In the same interview, Inspector #571 inquired about resources available to the licensee to assist with managing the applicant's responsive behaviours and specified diagnosis. The DOC indicated that they have the following resources: two Registered Nurses working in the home 24 hours per day; access to Nurse Practitioners and Physicians; a behaviour support Ontario (BSO) team comprised of one RPN and two Personal Support Workers (PSW) whose only duties are related to management of responsive behaviours; access to supports that can provide education to staff; and the Assistant Director of Care whose role includes staff education. In addition, the DOC is familiar with the High Intensity Needs fund for funding for one to one staffing for residents with specified care needs.

The documented evidence provided by the licensee did not support how staff of the home lack the nursing expertise necessary to meet the applicant's care requirements. [s.

44. (7) (b)]

2. The licensee has failed to ensure that when withholding approval for admission, the licensee shall give to persons described in subsection (10) a written notice setting out, the ground or grounds on which the licensee is withholding approval; a detailed explanation of the supporting facts, as they relate both to the home and to the applicant's condition and requirements for care; an explanation of how the supporting facts justify the decision to withhold approval; and contact information for the Director. 2007, c. 8, s. 44 (9).

Related to log #019055-19:

A complaint from the Central East Local Health Integration Network was received by the Director on an identified date indicating an applicant had been refused admission to Chartwell Wynfield LTCH.

A review of the applicant's refusal letter for admission from the licensee indicated the applicant was refused admission because the home did not have the resources the applicant needed. Specifically, the licensee's staff lacked the nursing expertise to meet the applicant's care requirements and the licensee could not provide the care the applicant needed as the care needs would be more than the licensee could effectively manage.

The explanation provided by the licensee was that the applicant had a specified diagnosis and specified responsive behaviours. Based on that information, the licensee indicated that the communal living environment of the home, would trigger the applicant to have responsive behaviours. The refusal letter was signed by the Director of Care (DOC) of the Long-Term Care Home.

The letter did not provide for an explanation of how the supporting facts justify the decision to withhold approval for admission. [s. 44. (9) (c)]

Issued on this 6th day of November, 2019

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

Original report signed by the inspector.