

Ministry of Long-Term Care

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

Central East District

33 King Street West, 4th Floor
Oshawa, ON, L1H 1A1
Telephone: (844) 231-5702

Original Public Report	
Report Issue Date: December 29, 2023	
Inspection Number: 2023-1600-0003	
Inspection Type: Complaint	
Licensee: The Regional Municipality of York	
Long Term Care Home and City: York Region Maple Health Centre, Maple	
Lead Inspector Rajwinder Sehgal (741673)	Inspector Digital Signature
Additional Inspector(s)	

INSPECTION SUMMARY
<p>The inspection occurred onsite on the following date(s): December 6, 7, 11, 12, 2023</p> <p>The following intake was inspected:</p> <ul style="list-style-type: none"> • Intake: #00095310 related to withholding approval for admission.

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

- Infection Prevention and Control
- Admission, Absences and Discharge

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INSPECTION RESULTS

WRITTEN NOTIFICATION: Authorization for admission to a home

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

Non-compliance with: FLTCA, 2021, s. 51 (7) (b)

Authorization for admission to a home

Licensee consideration and approval

s. 51 (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 50 (6), and the licensee shall review the assessments and information and shall approve the applicant's admission to the home unless,

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

The licensee has failed to comply with FLTCA s. 51 (7) (b) whereby the licensee refused an applicant's admission to the home based on reasons that were not permitted in the legislation.

Specifically, the licensee withheld the approval for the admission citing the staff of the home lacked the nursing expertise.

Rationale and Summary

The Ministry of Long-Term Care (MLTC) received a complaint related to withholding an applicant's admission.

An applicant had been approved to the Long-Term Care Home (LTCH) waitlist for admission. After the home reviewed application package provided by Home and Community Care Support Services (HCCSS), the LTCH withheld their approval for

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admission. A review of application package indicated that the applicant had multiple health conditions and a specific responsive behaviour, however interventions were in place to manage the applicant's responsive behaviour.

A written refusal letter cited that staff of the home lacked the nursing expertise necessary to meet the applicant's responsive behaviour care needs.

The Director of Care (DOC) acknowledged that the home had a Behavioural Supports Ontario (BSO) program and external resources to assist residents with responsive behaviours. They also acknowledged that there were residents living in the LTCH who exhibited responsive behaviours and staff of the home were trained in the areas of responsive behaviours management. Furthermore, the home had a process in place to refer residents to external resources when they required further assessment or treatment. The DOC was unable to provide sufficient information to substantiate the specific nursing expertise staff at the home required to meet the applicant's responsive behaviour care needs related to their specific health condition.

There was a moderate impact to the applicant, when the home withheld their approval for admission without the appropriate grounds, as the applicant was not able to transition to the LTCH of their choice. This posed a potential risk of the applicant not receiving the care and support they needed.

Sources: An applicant's application for admission to LTC, including assessments, reassessments, refusal letters and communication logs, emails; interviews with the complainant, BSO Lead and the DOC.

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WRITTEN NOTIFICATION: Written notice if licensee withholds approval

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

Non-compliance with: FLTCA, 2021, s. 51 (9) (b)

Authorization for admission to a home

Written notice if licensee withholds approval

s. 51 (9) If the licensee withholds approval for admission, the licensee shall give to persons described in subsection (10) a written notice setting out,

(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;

The licensee has failed to ensure that when the home withheld approval for admission, they gave the applicant a written notice setting out a detailed explanation of the supporting facts, as they related both to the home and to the applicant's condition and requirements for care.

Rationale and Summary

A written notice showed that the home withheld approval for an applicant's admission due to lack of nursing expertise.

The written notice indicated that the home was unable to meet applicant's care needs due to safety concerns with responsive behaviours and they did not have the necessary expertise to manage the level of care required for the applicant. The written notice failed to provide a detailed explanation of the supporting facts, as they related both to the home and to the applicant's condition and requirements for care identified on the applicant's admission package.

The DOC acknowledged that the written notice of letter did not provide a detailed explanation of the supporting facts as it related to applicant' specific health

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condition and care needs.

As such, the written notice sent to the applicant and the placement coordinator by the home failed to meet the requirements of this provision.

Sources: Written notice and interview with DOC.

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WRITTEN NOTIFICATION: Written notice if licensee withholds approval

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

Non-compliance with: FLTCA, 2021, s. 51 (9) (c)

Authorization for admission to a home

Written notice if licensee withholds approval

s. 51 (9) If the licensee withholds approval for admission, the licensee shall give to persons described in subsection (10) a written notice setting out,

(c) an explanation of how the supporting facts justify the decision to withhold approval; and

The licensee has failed to ensure that when the home withheld approval for admission, that they provided the applicant and the placement coordinator with a written notice setting out an explanation of how the supporting facts justified the decision to withhold approval.

Rationale and Summary

A written notice showed that the home withheld application for an applicant's admission due to lack of nursing expertise.

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The written notice outlined that the home was unable to meet applicant's care needs due to safety concerns with responsive behaviours and they did not have the necessary expertise to manage the level of care required for the applicant. The written notice failed to provide an explanation of how the supporting facts substantiated that staff of the home lacked the nursing expertise necessary to meet the applicant's responsive behaviour care needs related to the decision to withhold approval.

The DOC acknowledged that the written notice did not provide an explanation of how the supporting facts justified the decision to withhold approval.

As such, the written notice sent by the home to the applicant and the placement coordinator failed to meet the requirements of this provision.

Sources: Written notice and DOC Interview.

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