



**Ministry of Health and
Long-Term Care**

**Inspection Report under
the Long-Term Care
Homes Act, 2007**

**Ministère de la Santé et des
Soins de longue durée**

**Rapport d'inspection prévu
le Loi de 2007 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**

Hamilton Service Area Office
119 King Street West 11th Floor
HAMILTON ON L8P 4Y7
Telephone: (905) 546-8294
Facsimile: (905) 546-8255

Bureau régional de services de
Hamilton
119 rue King Ouest 11iém étage
HAMILTON ON L8P 4Y7
Téléphone: (905) 546-8294
Télécopieur: (905) 546-8255

Amended Public Copy/Copie modifiée du public de permis

Report Date(s)/ Date(s) du Rapport	Inspection No/ No de l'inspection	Log #/ Registre no	Type of Inspection / Genre d'inspection
Mar 27, 2017;	2017_57610a_0004	009293-16 (A1)	Follow up

Licensee/Titulaire de permis

ST. JOSEPH'S HEALTH SYSTEM
56 GOVERNOR'S ROAD DUNDAS ON L9H 5G7

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

ST JOSEPH'S VILLA, DUNDAS
56 GOVERNOR'S ROAD DUNDAS ON L9H 5G7

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

IRENE SCHMIDT (510a) - (A1)

Amended Inspection Summary/Résumé de l'inspection modifié

The compliance date for the order has been amended from April 3, 2017 to May 30, 2017, at the request of the licensee.



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Issued on this 27 day of March 2017 (A1)

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

Original report signed by the inspector.



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

IRENE SCHMIDT (510a) - (A1)

Amended Inspection Summary/Résumé de l'inspection modifié



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The purpose of this inspection was to conduct a Follow up inspection.

**This inspection was conducted on the following date(s): January 30, 31,
February 1, 3, 8, 9, 13, 15, and 16, 2017**

**This inspection was completed during the same visit as a CI, inspection #
2017_57610a_0002 Log #021280-16/002619-17**

During the course of the inspection, the inspector(s) spoke with residents, the Chief Executive Officer, the Administrator, the Chief Nurse Executive (CNE), registered nurses, registered practical nurses, and personal support staff.

The following Inspection Protocols were used during this inspection:

Continence Care and Bowel Management

During the course of this inspection, Non-Compliances were issued.

**2 WN(s)
1 VPC(s)
1 CO(s)
0 DR(s)
0 WAO(s)**



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NON-COMPLIANCE / NON - RESPECT DES EXIGENCES

Legend

WN – Written Notification
VPC – Voluntary Plan of Correction
DR – Director Referral
CO – Compliance Order
WAO – Work and Activity Order

Legendé

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.)

The following constitutes written notification of non-compliance under paragraph 1 of section 152 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.

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 O.Reg 79/10, s. 51. Continence care and bowel management



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Specifically failed to comply with the following:

**s. 51. (2) Every licensee of a long-term care home shall ensure that,
(a) each resident who is incontinent receives an assessment that includes identification of causal factors, patterns, type of incontinence and potential to restore function with specific interventions, and that where the condition or circumstances of the resident require, an assessment is conducted using a clinically appropriate assessment instrument that is specifically designed for assessment of incontinence; O. Reg. 79/10, s. 51 (2).**

**s. 51. (2) Every licensee of a long-term care home shall ensure that,
(c) each resident who is unable to toilet independently some or all of the time receives assistance from staff to manage and maintain continence; O. Reg. 79/10, s. 51 (2).**

Findings/Faits saillants :

1. The licensee has failed to ensure that (a) each resident who is incontinent receives an assessment that includes identification of causal factors, patterns, type of incontinence and potential to restore function with specific interventions, and that where the condition or circumstances of the resident require, an assessment is conducted using a clinically appropriate assessment instrument that is specifically designed for assessment of incontinence. O. Reg. 79/10, s. 51 (2).

Resident #004 had identified care needs. The plan of care reflected resident specific care interventions for the identified care needs. However, review of the clinical record revealed the absence of a relevant assessment. Review of the home's policy related to this care need, directs that each resident who receives an assessment that includes identified assessment parameters, that the assessment is conducted using a clinically appropriate assessment instrument, specifically designed for the assessment of the identified care need. At the time of interview, registered staff #003 reported they were unaware of an assessment being completed for residents with the identified care need. The CNE confirmed at the time of interview that MDS was the only assessment that had been used at the home and that in reviewing the regulation, they recognized it did not include all required components of a clinically appropriate instrument. [s. 51. (2) (a)]

2. The licensee has failed to ensure that (c) each resident who is unable to toilet



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independently some or all of the time receives assistance from staff to manage and maintain continence; O. Reg. 79/10, s. 51 (2).

This follow up inspection was conducted to review a compliance order which required the licensee to provide education to all nursing staff regarding basic care needs. This education was to include actions to be taken, as appropriate to the audience attending the education, when a medical device becomes dislodged, removed or the desired outcome is not achieved.

Three residents who use the identified medical device, were interviewed and their clinical records reviewed. All residents reported that staff provided appropriate assistance to help them manage the device and promote comfort. However, review of the education documentation for 2016, provided by the CNE, reported that 204, out of 375 nursing staff, had received the education, as directed in the order. The CNE advised that it has now been added to surge learning so in 2017, all staff will receive the education. The CNE confirmed that 171 staff had not received education as directed in the order by the compliance date of July 29, 2016. [s. 51. (2) (c)]

Additional Required Actions:

CO # - 001 will be served on the licensee. Refer to the “Order(s) of the Inspector”.

(A1)The following order(s) have been amended:CO# 001

WN #2: The Licensee has failed to comply with LTCHA, 2007, s. 6. Plan of care



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Specifically failed to comply with the following:

s. 6. (9) The licensee shall ensure that the following are documented:

- 1. The provision of the care set out in the plan of care. 2007, c. 8, s. 6 (9).**
- 2. The outcomes of the care set out in the plan of care. 2007, c. 8, s. 6 (9).**
- 3. The effectiveness of the plan of care. 2007, c. 8, s. 6 (9).**

Findings/Faits saillants :

1. The licensee has failed to ensure that the following are documented: 1. The provision of the care set out in the plan of care. 2007, c. 8, s. 6 (9).

Resident #001 had identified care needs. Interventions under this focus included that care would be provided as per "Villa" policy. The home's policy last revised April 19, 2016, under section 5.4 Maintenance, provided direction for personal care. Staff #103, confirmed that the personal support workers (PSW's) provide this care and it is to be documented on a flow chart. Review of the January 2017 flow chart for resident #001, revealed that on 20 out of 31 days, documentation related to care was incomplete and for 16 of those days, was completely absent, as confirmed by the resident care coordinator (RCC). Care set out in the plan of care was not documented. [s. 6. (9) 1.]

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 care set out in the plan of care is
documented, to be implemented voluntarily.***



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Issued on this 27 day of March 2017 (A1)

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

Original report signed by the inspector.



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Order(s) of the Inspector

Pursuant to section 153 and/or
section 154 of the Long-Term
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2007, c. 8

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Ordre(s) de l'inspecteur

Aux termes de l'article 153 et/ou de
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O. 2007, chap. 8

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Name of Inspector (ID #) /
Nom de l'inspecteur (No) : IRENE SCHMIDT (510a) - (A1)

Inspection No. /
No de l'inspection : 2017_57610a_0004 (A1)

Appeal/Dir# /
Appel/Dir#:

Log No. /
Registre no. : 009293-16 (A1)

Type of Inspection /
Genre d'inspection: Follow up

Report Date(s) /
Date(s) du Rapport : Mar 27, 2017;(A1)

Licsee /
Titulaire de permis : ST. JOSEPH'S HEALTH SYSTEM
56 GOVERNOR'S ROAD, DUNDAS, ON, L9H-5G7

LTC Home /
Foyer de SLD : ST JOSEPH'S VILLA, DUNDAS
56 GOVERNOR'S ROAD, DUNDAS, ON, L9H-5G7

Name of Administrator /
Nom de l'administratrice
ou de l'administrateur : David Bakker



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To ST. JOSEPH'S HEALTH SYSTEM, you are hereby required to comply with the following order(s) by the date(s) set out below:

Order # / Ordre no :	Order Type / Genre d'ordre :
001	Compliance Orders, s. 153. (1) (a)
Linked to Existing Order / Lien vers ordre existant:	2016_188168_0001, CO #003;

Pursuant to / Aux termes de :



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O.Reg 79/10, s. 51. (2) Every licensee of a long-term care home shall ensure that,

- (a) each resident who is incontinent receives an assessment that includes identification of causal factors, patterns, type of incontinence and potential to restore function with specific interventions, and that where the condition or circumstances of the resident require, an assessment is conducted using a clinically appropriate assessment instrument that is specifically designed for assessment of incontinence;
- (b) each resident who is incontinent has an individualized plan, as part of his or her plan of care, to promote and manage bowel and bladder continence based on the assessment and that the plan is implemented;
- (c) each resident who is unable to toilet independently some or all of the time receives assistance from staff to manage and maintain continence;
- (d) each resident who is incontinent and has been assessed as being potentially continent or continent some of the time receives the assistance and support from staff to become continent or continent some of the time;
- (e) continence care products are not used as an alternative to providing assistance to a person to toilet;
- (f) there are a range of continence care products available and accessible to residents and staff at all times, and in sufficient quantities for all required changes;
- (g) residents who require continence care products have sufficient changes to remain clean, dry and comfortable; and
- (h) residents are provided with a range of continence care products that,
- (i) are based on their individual assessed needs,
- (ii) properly fit the residents,
- (iii) promote resident comfort, ease of use, dignity and good skin integrity,
- (iv) promote continued independence wherever possible, and
- (v) are appropriate for the time of day, and for the individual resident's type of incontinence. O. Reg. 79/10, s. 51 (2).

Order / Ordre :



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The licensee shall ensure that:

- 1) all nursing staff who did not receive education regarding an identified medical device and actions to be taken, as appropriate to the audience attending the education, when the medical device becomes dislodged, removed or the desired outcome is not achieved, receive the education,
- 2) each resident who has the identified care requirements receives an assessment that includes identification of causal factors, patterns, and potential to restore function with specific interventions, and that where the condition or circumstances of the resident require, an assessment is conducted using a clinically appropriate assessment instrument that is specifically designed for assessment of the identified care requirement,
- 3) all registered staff are educated regarding the introduction for use, of a clinically relevant instrument, specifically designed for the assessment of the identified care need. The instrument will include the identification of causal factors, patterns, and potential to restore function, and will provide resident specific interventions, and
- 4) that an auditing process is initiated to ensure that assessments are completed, as required.



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Grounds / Motifs :

1. The licensee failed to comply with the previous compliance order, to provide education for all nursing staff regarding identified care requirement. This education was to include actions to be taken, as appropriate to the audience attending the education, when a medical device becomes dislodged, removed or the desired output is not achieved and had a compliance date of July 29, 2016. During the inspection in February 2017, the CNE provided documentation that 204 nursing staff had received the education as directed in the order and further confirmed that the total number of nursing staff at the Home is 375. Education was not provided to all nursing staff by July 29, 2016.
2. The licensee has failed to ensure that (a) each resident who has an identified care need receives an assessment that includes identification of causal factors, patterns, and potential to restore function with specific interventions, and that where the condition or circumstances of the resident require, an assessment is conducted using a clinically appropriate assessment instrument that is specifically designed for assessment of the identified care need. O. Reg. 79/10, s. 51 (2).

Resident #004 had identified care needs. The plan of care reflected resident specific care interventions for the identified care needs. However, review of the clinical record revealed the absence of a relevant assessment. Review of the home's policy related to this care need directs that each resident who demonstrates the care need, receives an assessment that includes identified assessment parameters and that the assessment is conducted using a clinically appropriate assessment instrument that is specifically designed for the assessment of the identified care need. At the time of interview, registered staff #003 reported they were unaware of an assessment being completed for residents with the identified care need. The CNE confirmed at the time of interview that MDS was the only assessment that had been used at the home and that in reviewing the regulation, they recognized it did not include all required components of a clinically appropriate instrument. [s. 51. (2) (a)] (510a)

**This order must be complied with by /
Vous devez vous conformer à cet ordre d'ici le :**

May 30, 2017(A1)



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REVIEW/APPEAL INFORMATION

TAKE NOTICE:

The Licensee has the right to request a review by the Director of this (these) Order(s) and to request that the Director stay this (these) Order(s) in accordance with section 163 of the Long-Term Care Homes Act, 2007.

The request for review by the Director must be made in writing and be served on the Director within 28 days from the day the order was served on the Licensee.

The written request for review must include,

- (a) the portions of the order in respect of which the review is requested;
- (b) any submissions that the Licensee wishes the Director to consider; and
- (c) an address for services for the Licensee.

The written request for review must be served personally, by registered mail or by fax upon:

Director
c/o Appeals Coordinator
Long-Term Care Inspections Branch
Ministry of Health and Long-Term Care
1075 Bay Street, 11th Floor
Toronto, ON M5S 2B1
Fax: 416-327-7603

When service is made by registered mail, it is deemed to be made on the fifth day after the day of mailing and when service is made by fax, it is deemed to be made on the first business day after the day the fax is sent. If the Licensee is not served with written notice of the Director's decision within 28 days of receipt of the Licensee's request for review, this(these) Order(s) is(are) deemed to be confirmed by the Director and the Licensee is deemed to have been served with a copy of that decision on the expiry of the 28 day period.

The Licensee has the right to appeal the Director's decision on a request for review of an Inspector's Order(s) to the Health Services Appeal and Review Board (HSARB) in accordance with section 164 of the Long-Term Care Homes Act, 2007. The HSARB is an independent tribunal not connected with the Ministry. They are established by legislation to review matters concerning health care services. If the Licensee decides to request a hearing, the Licensee must, within 28 days of being served with the notice of the Director's decision, give a written notice of appeal to both:

Health Services Appeal and Review Board and the Director



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Attention Registrar
151 Bloor Street West
9th Floor
Toronto, ON M5S 2T5

Director
c/o Appeals Coordinator
Long-Term Care Inspections Branch
Ministry of Health and Long-Term Care
1075 Bay Street, 11th Floor
Toronto, ON M5S 2B1
Fax: 416-327-7603

Upon receipt, the HSARB will acknowledge your notice of appeal and will provide instructions regarding the appeal process. The Licensee may learn more about the HSARB on the website www.hsarb.on.ca.

RENSEIGNEMENTS SUR LE RÉEXAMEN/L'APPEL

PRENDRE AVIS

En vertu de l'article 163 de la Loi de 2007 sur les foyers de soins de longue durée, le titulaire de permis peut demander au directeur de réexaminer l'ordre ou les ordres qu'il a donné et d'en suspendre l'exécution.

La demande de réexamen doit être présentée par écrit et est signifiée au directeur dans les 28 jours qui suivent la signification de l'ordre au titulaire de permis.

La demande de réexamen doit contenir ce qui suit :

- a) les parties de l'ordre qui font l'objet de la demande de réexamen;
- b) les observations que le titulaire de permis souhaite que le directeur examine;
- c) l'adresse du titulaire de permis aux fins de signification.

La demande écrite est signifiée en personne ou envoyée par courrier recommandé ou par télécopieur au:

Directeur
a/s Coordinateur des appels
Inspection de soins de longue durée
Ministère de la Santé et des Soins de longue durée
1075, rue Bay, 11e étage
Toronto ON M5S 2B1
Télécopieur : 416-327-7603

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Les demandes envoyées par courrier recommandé sont réputées avoir été signifiées le cinquième jour suivant l'envoi et, en cas de transmission par télécopieur, la signification est réputée faite le jour ouvrable suivant l'envoi. Si le titulaire de permis ne reçoit pas d'avis écrit de la décision du directeur dans les 28 jours suivant la signification de la demande de réexamen, l'ordre ou les ordres sont réputés confirmés par le directeur. Dans ce cas, le titulaire de permis est réputé avoir reçu une copie de la décision avant l'expiration du délai de 28 jours.

En vertu de l'article 164 de la Loi de 2007 sur les foyers de soins de longue durée, le titulaire de permis a le droit d'interjeter appel, auprès de la Commission d'appel et de révision des services de santé, de la décision rendue par le directeur au sujet d'une demande de réexamen d'un ordre ou d'ordres donnés par un inspecteur. La Commission est un tribunal indépendant du ministère. Il a été établi en vertu de la loi et il a pour mandat de trancher des litiges concernant les services de santé. Le titulaire de permis qui décide de demander une audience doit, dans les 28 jours qui suivent celui où lui a été signifié l'avis de décision du directeur, faire parvenir un avis d'appel écrit aux deux endroits suivants :

À l'attention du registraire
Commission d'appel et de révision
des services de santé
151, rue Bloor Ouest, 9e étage
Toronto (Ontario) M5S 2T5

Directeur
a/s Coordinateur des appels
Inspection de soins de longue durée
Ministère de la Santé et des Soins de longue durée
1075, rue Bay, 11e étage
Toronto ON M5S 2B1
Télécopieur : 416-327-7603

La Commission accusera réception des avis d'appel et transmettra des instructions sur la façon de procéder pour interjeter appel. Les titulaires de permis peuvent se renseigner sur la Commission d'appel et de révision des services de santé en consultant son site Web, au www.hsb.on.ca.

Issued on this 27 day of March 2017 (A1)

**Signature of Inspector /
Signature de l'inspecteur :**

**Name of Inspector /
Nom de l'inspecteur :** IRENE SCHMIDT

**Service Area Office /
Bureau régional de services :** Hamilton