



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

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

Order(s) of the Inspector

Pursuant to section 153 and/or
section 154 of the *Long-Term Care
Homes Act, 2007*, S.O. 2007, c.8

Ordre(s) de l'inspecteur

Aux termes de l'article 153 et/ou
de l'article 154 de la *Loi de 2007 sur les foyers
de soins de longue durée*, L.O. 2007, chap. 8

**Health System Accountability and Performance Division
Performance Improvement and Compliance Branch**

**Division de la responsabilisation et de la performance du système de santé
Direction de l'amélioration de la performance et de la conformité**

Public Copy/Copie du public

Name of Inspector (ID #) /

Nom de l'inspecteur (No) : BONNIE MACDONALD (135)

Inspection No. /

No de l'inspection : 2014_183135_0002

Log No. /

Registre no: L-000918-13

Type of Inspection /

Genre

d'inspection:

Critical Incident System

Report Date(s) /

Date(s) du Rapport : Feb 14, Mar 31, 2014

Licensee /

Titulaire de permis :

ST. JOSEPH'S HEALTH CARE, LONDON
268 Grosvenor Street, P.O. Box 5777, LONDON, ON,
N6A-4V2

LTC Home /

Foyer de SLD :

ST. JOSEPH'S HEALTH CARE, LONDON - MOUNT
HOPE CENTRE FOR LONG TERM CARE - ST.
MARY'S
21 GROSVENOR STREET, P.O. BOX 5777, LONDON,
ON, N6A-1Y6

Name of Administrator /

Nom de l'administratrice

ou de l'administrateur :

ANN WOUTERS



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

Order(s) of the Inspector

Pursuant to section 153 and/or
section 154 of the *Long-Term Care
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**Ministère de la Santé et
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Ordre(s) de l'inspecteur

Aux termes de l'article 153 et/ou
de l'article 154 de la *Loi de 2007 sur les foyers
de soins de longue durée*, L.O. 2007, chap. 8

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



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

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

Order(s) of the Inspector

Pursuant to section 153 and/or
section 154 of the *Long-Term Care
Homes Act, 2007*, S.O. 2007, c.8

Ordre(s) de l'inspecteur

Aux termes de l'article 153 et/ou
de l'article 154 de la *Loi de 2007 sur les foyers
de soins de longue durée*, L.O. 2007, chap. 8

Order # /

Ordre no : 001

Order Type /

Genre d'ordre : Compliance Orders, s. 153. (1) (b)

Pursuant to / Aux termes de :

O.Reg 79/10, s. 15. (1) Every licensee of a long-term care home shall ensure that where bed rails are used,

(a) the resident is assessed and his or her bed system is evaluated in accordance with evidence-based practices and, if there are none, in accordance with prevailing practices, to minimize risk to the resident;

(b) steps are taken to prevent resident entrapment, taking into consideration all potential zones of entrapment; and

(c) other safety issues related to the use of bed rails are addressed, including height and latch reliability. O. Reg. 79/10, s. 15 (1).

Order / Ordre :



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

Order(s) of the Inspector

Pursuant to section 153 and/or
section 154 of the *Long-Term Care
Homes Act, 2007, S.O. 2007, c.8*

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

Ordre(s) de l'inspecteur

Aux termes de l'article 153 et/ou
de l'article 154 de la *Loi de 2007 sur les foyers
de soins de longue durée, L.O. 2007, chap. 8*

The Licensee must prepare, submit and implement a plan for achieving compliance with O.Reg. 79/10,s.15.1(a) that includes:

1. An immediate review of the residents bed system that failed the Bed Entrapment Audit December 5, 2013, to determine if it is appropriate for the needs of the resident.
2. Determine what immediate interventions will be implemented to mitigate risks to the residents that use one or more bed rails for beds that failed any zone of entrapment during the audit December 5, 2013. This includes all beds, whether the mattress is foam based or not.
3. How and when remaining residents will be assessed to determine if their bed system (rail, mattress and frame) is appropriate for their needs.
4. The plan must include confirmation with dates of when the assessment for the identified residents will be completed, care plans updated and what interventions will be put in place.

Please submit the plan in writing, to Bonnie MacDonald Long-Term Care Homes Inspector, Ministry of Health and Long Term Care Performance Improvement and Compliance Branch, 130 Dufferin Avenue 4th Floor London Ontario N6A 5R2, or by email [bonnie.macdonald @ontario.ca](mailto:bonnie.macdonald@ontario.ca) by April 4, 2014.

Grounds / Motifs :



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

Order(s) of the Inspector

Pursuant to section 153 and/or
section 154 of the *Long-Term Care
Homes Act, 2007, S.O. 2007, c.8*

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

Ordre(s) de l'inspecteur

Aux termes de l'article 153 et/ou
de l'article 154 de la *Loi de 2007 sur les foyers
de soins de longue durée, L.O. 2007, chap. 8*

1. The licensee failed to ensure, where bed rails are used that the resident has been assessed and his or her bed system evaluated in accordance with evidence-based practices, and if there are none, in accordance with prevailing practices to minimize risk to the resident when the following occurred:

A critical incident report was submitted by the home indicating that resident #01 was found by a staff member.

During an interview January 28, 2014, the Coordinator of Resident Care verified the side rails were used as the resident was at high risk for falls.

Record review revealed the resident had not received a full assessment to determine if their bed system (bed frame, mattress and bed rails) was appropriate for their needs.

Existing assessment tools available to staff at the home are related to transfers and overall mobility and not specifically geared to bed safety. Bed safety assessments would require review of residents for sleep habits and patterns, the sleep environment, mobility in bed, cognition, communication, continence, risk of falls, medication and underlying medical conditions.

During an interview the Coordinator of Resident Care confirmed her expectation that when bed rails are used the resident is assessed and his or her bed system evaluated in accordance with evidence based practices, and if there are none, in accordance with prevailing practices to minimize risk to the resident.

(135)

This order must be complied with by /

Vous devez vous conformer à cet ordre d'ici le : Apr 30, 2014



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

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

Order(s) of the Inspector

Pursuant to section 153 and/or
section 154 of the *Long-Term Care
Homes Act, 2007*, S.O. 2007, c.8

Ordre(s) de l'inspecteur

Aux termes de l'article 153 et/ou
de l'article 154 de la *Loi de 2007 sur les foyers
de soins de longue durée*, L.O. 2007, chap. 8

Order # /

Ordre no : 002

Order Type /

Genre d'ordre : Compliance Orders, s. 153. (1) (b)

Pursuant to / Aux termes de :

O.Reg 79/10, s. 15. (1) Every licensee of a long-term care home shall ensure that where bed rails are used,

(a) the resident is assessed and his or her bed system is evaluated in accordance with evidence-based practices and, if there are none, in accordance with prevailing practices, to minimize risk to the resident;

(b) steps are taken to prevent resident entrapment, taking into consideration all potential zones of entrapment; and

(c) other safety issues related to the use of bed rails are addressed, including height and latch reliability. O. Reg. 79/10, s. 15 (1).

Order / Ordre :



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

Order(s) of the Inspector

Pursuant to section 153 and/or
section 154 of the *Long-Term Care
Homes Act, 2007, S.O. 2007, c.8*

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

Ordre(s) de l'inspecteur

Aux termes de l'article 153 et/ou
de l'article 154 de la *Loi de 2007 sur les foyers
de soins de longue durée, L.O. 2007, chap. 8*

The Licensee must prepare, submit and implement a plan for achieving compliance with O.Reg. 79/10,s.15.1(b) that includes:

1. Creating and implementing a policy and procedure that clearly describes the expectations of nursing staff and maintenance staff with respect to ensuring all beds remain safe and in a good state of repair. Specifically the process for reporting disrepair, when residents require a new or different surface, when a resident requires a bed rail , bed auditing frequency and when it would be necessary to re-test a bed for entrapment zones.
2. Provide a time line and action plan for remaining beds at the home to be tested for zones of entrapment.
3. Identify what long term measures will be implemented to ensure beds continue to pass all zones of entrapment and the time lines .
4. Summarize how and when staff have been or will be trained and oriented with respect to bed safety.
5. Provide Inspector with a copy of the home's finalized bed safety policy and procedure.

The plan shall be implemented within 6 months of the date of this Order.

Please submit the plan in writing, to Bonnie MacDonald Long-Term Care Homes Inspector, Ministry of Health and Long Term Care Performance Improvement and Compliance Branch, 130 Dufferin Avenue 4th Floor London Ontario N6A 5R2, or by email [bonnie.MacDonald @ontario.ca](mailto:bonnie.MacDonald@ontario.ca) by April 15, 2014.

Grounds / Motifs :



**Ministry of Health and
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Pursuant to section 153 and/or
section 154 of the *Long-Term Care
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1. January 28, 2014, the Coordinator Facilities Engineering provided documentation that 36 of the beds on St. Mary's 1st floor were assessed December 5, 2013, to determine compliance with Health Canada's "Adult Hospital Beds: Patient Entrapment Hazards, Side Rail Latching Reliability and Other Hazards 2008."

The entrapment zones, if not managed, become areas where bodily parts can become lodged and trapped. The audit, identified 23 (63.8 %) of St Mary's 1st. floor beds failed the bed entrapment zones between the rail and mattress. The home's air mattresses automatically fail the zones of entrapment based on their design.

Since the audit, the home had not instituted any measures to minimize or mitigate potential risk to the residents and have not conducted any clinical assessments of the residents that currently sleep on failed beds to determine if the bed system they have been provided is appropriate for their individual needs.

The management of the home met January 28, 2014, to determine plans to audit the remaining beds at St. Mary's. Once those beds are audited the home plans to outline specifically what will be instituted to mitigate risk to residents who continue to sleep in beds that have identified safety risks.

During an interview, the Coordinator Facilities Engineering confirmed his expectation that when bed rails are used, the resident be assessed and his or her bed system evaluated and steps taken to prevent resident entrapment, taking into consideration all potential zones of entrapment.

(135)

This order must be complied with by /

Vous devez vous conformer à cet ordre d'ici le : Aug 29, 2014



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

Order(s) of the Inspector

Pursuant to section 153 and/or
section 154 of the *Long-Term Care
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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
Performance Improvement and Compliance Branch
Ministry of Health and Long-Term Care
1075 Bay Street, 11th Floor
TORONTO, ON
M5S-2B1
Fax: 416-327-7603



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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

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

Director
c/o Appeals Coordinator
Performance Improvement and Compliance
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.



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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
Direction de l'amélioration de la performance et de la conformité
Ministère de la Santé et des Soins de longue durée
1075, rue Bay, 11^e étage
Ontario, ON
M5S-2B1
Fax: 416-327-7603

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.



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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
Direction de l'amélioration de la performance et de la
conformité
Ministère de la Santé et des Soins de longue durée
1075, rue Bay, 11e étage
Ontario, ON
M5S-2B1
Fax: 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.hsarb.on.ca.

Issued on this 14th day of February, 2014

Signature of Inspector /

Signature de l'inspecteur :

Name of Inspector /

Nom de l'inspecteur : BONNIE MACDONALD

Service Area Office /

Bureau régional de services : London Service Area Office