



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

**Rapport d'inspection
prévus le *Loi de 2007
les foyers de soins de
longue durée***

Ministry of Health and Long-Term Care
Health System Accountability and Performance Division
Performance Improvement and Compliance Branch

London Service Area Office
291 King Street, 4th Floor
London ON N6B 1R8

Bureau régional de services de London
291, rue King, 4^{ème} étage
London ON N6B 1R8

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

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

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Licensee Copy/Copie du Titulaire



Public Copy/Copie Public

Date(s) of inspection/Date de l'inspection October 4, 2010	Inspection No/ d'inspection 2010-155-2603-04/Oct1054446	Type of Inspection/Genre d'inspection L-01456 Follow up
Licensee/Titulaire Caressant-Care Nursing and Retirement Homes Limited, 264 Norwich Avenue, Woodstock N4S 3V9		
Long-Term Care Home/Foyer de soins de longue durée Caressant Care Fergus Nursing Home, 450 Queen Street East, Fergus N1M 2Y7		
Name of Inspector(s)/Nom de l'inspecteur(s) Sharon Perry #155		

Inspection Summary/Sommaire d'inspection

The purpose of this inspection was to conduct a follow up inspection to review unmet standards or criteria issued 2010/04/27, 2010/03/23, 2010/03/12, and 2010/02/23.

During the course of the inspection, the inspector spoke with: Administrator, Director of Care, MDS-RAI Coordinator, Dietary-Nutrition Manager, RN, RPN, PSWs and Residents.

During the course of the inspection, the inspector: reviewed clinical records of six residents; reviewed bath schedules; reviewed RN and RPN schedules from September 5, 2010 to October 16, 2010; CQI meeting minutes; and observed residents during lunch in large and small dining rooms.

The following Inspection Protocols were used:

Sufficient Staffing
Dining Observation
Personal Support Services
Quality Improvement

☒ Findings of Non-Compliance were found during this inspection. The following action was taken:

1 WN
1 CO: CO #001

Corrected Non-Compliance is listed in the section titled Corrected Non-Compliance.

NON- COMPLIANCE / (Non-respectés)

Definitions/Définitions

WN – Written Notifications/Avis écrit
VPC – Voluntary Plan of Correction/Plan de redressement volontaire
DR – Director Referral/Régisseur envoyé
CO – Compliance Order/Ordres de conformité
WAO – Work and Activity Order/Ordres: travaux et activités

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

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.)

Le suivant constituer un avis d'écrit de l'exigence prévue le paragraphe 1 de section 152 de les foyers de soins de longue durée.

Non-respect avec les exigences sur le *Loi de 2007 les foyers de soins de longue durée* à trouvé. (Une exigence dans le loi comprend les exigences contenues dans les points énumérés dans la définition de "exigence prévue par la présente loi" au paragraphe 2(1) de la loi.

WN #1: The Licensee has failed to comply with LTCHA, 2007, S.O.2007, c.8, s.8(3).

Every licensee of a long-term care home shall ensure that at least one registered nurse who is both an employee of the licensee and a member of the regular nursing staff of the home is on duty and present in the home at all times, except as provided for in the regulations.

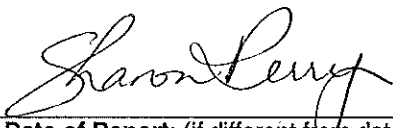
Findings:

1. On inspection date October 4, 2010 the schedules for registered staff included the following:
 - Sept 8, 2010 no RN on evening shift. The shift was worked by a RPN.
 - Sept 9, 2010 no RN on night shift. The shift was worked by a RPN.
 - September 10, 2010 no RN on evening or night shift. There were 2 RNs on day shift. Evening shift was worked by 2 RPNs. Night shift was worked by a RPN.
 - Sept 11, 2010 no RN on night shift. Night shift was worked by a RPN.
 - Sept 16, 2010 no RN on day shift or night shift. Day shift was worked by 2 RPNs. Night shift was worked by a RPN.
 - Sept 20, 2010 no RN on day shift. Day shift was worked by 2 RPNs.
 - Sept 23, 2010 no RN on day or night shift.
 - Sept 24, 2010 no RN on night shift.
 - Sept 25, 2010 no RN on night shift.
 - Sept 26, 2010 no RN on night shift.

Additional Required Actions:

CO # - 001 will be served on the licensee.

CORRECTED NON-COMPLIANCE Non-respects à Corrigé				
REQUIREMENT EXIGENCE	TYPE OF ACTION/ORDER	ACTION/ ORDER #	INSPECTION REPORT #	INSPECTOR ID #
B3.39, LTC Homes Program Manual now found in O. Reg. 79/10, s.33.(1)	Unmet	N/A	N/A	N/A
B3.32, LTC Homes Program Manual now found in O. Reg. 79/10, s.73.(1) 9.	Unmet	N/A	N/A	N/A
M2.5, LTC Homes Program Manual now found in O. Reg. 79/10, s.228. 2.	Unmet	N/A	N/A	N/A
M1.18, LTC Homes Program Manual now found in O. Reg. 79/10, s.27.(1)(a)(b)(c)	Unmet	N/A	N/A	N/A
M1.8, LTC Homes Program Manual	Unmet	N/A	N/A	N/A

Signature of Licensee or Representative of Licensee Signature du Titulaire du représentant désigné		Signature of Health System Accountability and Performance Division representative/Signature du (de la) représentant(e) de la Division de la responsabilisation et de la performance du système de santé. 
Title:	Date:	Date of Report: (if different from date(s) of inspection). October 19, 2010

**Ministry of Health and Long-Term Care**Health System Accountability and Performance Division
Performance Improvement and Compliance Branch**Ministère de la Santé et des Soins de longue durée**Division de la responsabilisation et de la performance du système de santé
Direction de l'amélioration de la performance et de la conformité

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

	<input type="checkbox"/> Licensee Copy/Copie du Titulaire	<input checked="" type="checkbox"/> Public Copy/Copie Public
Name of Inspector:	Sharon Perry	Inspector ID # 155
Log #:	L-01456	
Inspection Report #:	2010-155-2603-04Oct105446	
Type of Inspection:	Follow up	
Date of Inspection:	October 4, 2010	
Licensee:	Caressant-Care Nursing and Retirement Homes Limited, 264 Norwich Avenue, Woodstock N4S 3V9	
LTC Home:	Caressant Care Fergus Nursing Home, 450 Queen Street East, Fergus N1M 2Y7	
Name of Administrator:	Cathy Cook	

To Caressant-Care Nursing and Retirement Homes Limited, you are hereby required to comply with the following order(s) by the date(s) set out below:

Order #:	001	Order Type:	Compliance Order, Section 153 (1)(b)
Pursuant to: LTCHA, 2007, S.O. 2007, c.8, s.8(3) Every licensee of a long-term care home shall ensure that at least one registered nurse who is both an employee of the licensee and a member of the regular nursing staff of the home is on duty and present in the home at all times, except as provided for in the regulations.			
Order: The licensee is required to prepare, submit and implement a plan for achieving compliance with LTCHA, 2007, S.O. 2007, c.8, s.8(3). Please submit plan to Duty Inspector at LondonSAO.moh@ontario.ca quoting Log # L-01456.			
Grounds: 1. On inspection date October 4, 2010 the schedules for registered staff included the following: <ul style="list-style-type: none">• Sept 8, 2010 no RN on evening shift. The shift was worked by a RPN.• Sept 9, 2010 no RN on night shift. The shift was worked by a RPN.• September 10, 2010 no RN on evening or night shift. There were 2 RNs on day shift. Evening shift was worked by 2 RPNs. Night shift was worked by a RPN.			



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- Sept 11, 2010 no RN on night shift. Night shift was worked by a RPN.
- Sept 16, 2010 no RN on day shift or night shift. Day shift was worked by 2 RPNs. Night shift was worked by a RPN.
- Sept 20, 2010 no RN on day shift. Day shift was worked by 2 RPNs.
- Sept 23, 2010 no RN on day or night shift.
- Sept 24, 2010 no RN on night shift.
- Sept 25, 2010 no RN on night shift.
- Sept 26, 2010 no RN on night shift.

This order must be complied with by:	November 12, 2010
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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 service for the Licensee.

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

Director
c/o Appeals Clerk
Performance Improvement and Compliance Branch
Ministry of Health and Long-Term Care
55 St. Clair Ave. West
Suite 800, 8th floor
Toronto, ON M4V 2Y2
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 group of members not connected with the Ministry. They are appointed by legislation to review matters concerning health care services. If the Licensee decides to request a hearing, the Licensee must, with 28 days of being served with the notice of the Director's decision, mail or deliver a written notice of appeal to both:

Health Services Appeal and Review Board and the
Attention Registrar
151 Bloor Street West
9th Floor
Toronto, ON
M5S 2T5

Director
c/o Appeals Clerk
Performance Improvement and Compliance Branch
55 St. Claire Avenue, West
Suite 800, 8th Floor
Toronto, ON M4V 2Y2

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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Direction de l'amélioration de la performance et de la conformité

Issued on this 28th day of October, 2010.

Signature of Inspector:

A handwritten signature in black ink, appearing to read "Sharon Perry".

Name of Inspector:

Sharon Perry

Service Area Office:

London Service Area Office