

Amended Public Report (A2)

Report Issue Date	July 13, 2022		
Inspection Number	2022_1534_0001		
Inspection Type			
<input checked="" type="checkbox"/> Critical Incident System	<input type="checkbox"/> Complaint	<input type="checkbox"/> Follow-Up	<input type="checkbox"/> Director Order Follow-up
<input type="checkbox"/> Proactive Inspection	<input type="checkbox"/> SAO Initiated		<input type="checkbox"/> Post-occupancy
<input type="checkbox"/> Other _____			
Licensee	City of Ottawa		
Long-Term Care Home and City	Carleton Lodge, Nepean Ontario		
Inspector who Amended	Inspector who Amended Report Digital Signature		
Mark McGill (733)			

AMENDED INSPECTION REPORT SUMMARY

This licensee inspection report has been revised to reflect that it was an RPN and PSW not two PSWs that entered the resident’s room and that the RPN held the resident’s hand during care in the finding [Written Notification Duty to Protect]. The Critical Incident System inspection, [2022_1536_0001] was completed on May 17, 18, 19, 20, 24, 26, 27, 2022.

INSPECTION SUMMARY

The inspection occurred on the following date(s): May 17, 18, 19, 20, 24, 26, 27, 2022

The following intake(s) were inspected:

- Log 021062-21 (CIS: M508-000027-21) related to staff to resident physical abuse.

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

- Infection Prevention and Control (IPAC)
- Prevention of Abuse and Neglect

INSPECTION RESULTS

WRITTEN NOTIFICATION DUTY TO PROTECT

The Licensee has failed to comply with LTCHA, 2007 s.19

The licensee has failed to ensure that all residents are protected from abuse at all times.

On a specified date, one PSW and one RPN entered a resident's room to provide care. The PSW provided care while the RPN held the resident's hands. The resident was noted to be challenging when being provided care and was therefore a 2 person assist for all care. The RPN who was holding the resident's hands felt as though the resident was going to have some responsive behaviours and slapped the resident. The resident suffered an injury as a result of the slap.

Therefore, the resident was not protected from abuse.

Sources: care plan for a resident, interview with a PSW, record review of homes investigation notes.

WRITTEN NOTIFICATION REPORTING CERTAIN MATTERS TO THE DIRECTOR

The Licensee has failed to comply with LTCHA, 2007 s.24 (1)

The licensee has failed to ensure that an incident of abuse was immediately reported to the Director.

An incident of abuse took place at a specified time. The incident was reported to the charge nurse at a specified time later by a PSW. The charge nurse was unable to report to the on-call manager instead asking the PSW to contact the on-call manager. The PSW contacted the manager by email the next day. It was at this time that the incident was reported to the MLTC.

Therefore, the incident of abuse was not immediately reported to the Director as required.

Sources: interview with a PSW, interview with an RN, homes investigation notes.

Review/Appeal Information

TAKE NOTICE

The Licensee has the right to request a review by the Director of this (these) Order(s) and/or this Notice of Administrative Penalty (AMP) in accordance with section 169 of the *Fixing Long-Term Care Act, 2021* (Act). The licensee can request that the Director stay this (these) Order(s) pending the review. If a licensee requests a review of an AMP, the requirement to pay is stayed until the disposition of the review.

Note: Under the Act, a re-inspection fee is not subject to a review by the Director or an appeal to the Health Services Appeal and Review Board (HSARB).

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 or AMP was served on the licensee.

The written request for review must include,

- (a) the portions of the order or AMP in respect of which the review is requested. Please include the inspection report # and the order or AMP #;
- (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, email or commercial courier upon:

Director

c/o Appeals Coordinator
Long-Term Care Inspections Branch
Ministry of Long-Term Care
438 University Avenue, 8th floor
Toronto, ON M7A 1N3
email: MLTC.AppealsCoordinator@ontario.ca

If service is made by:

- registered mail, is deemed to be made on the fifth day after the day of mailing
- email, is deemed to be made on the following day, if the document was served after 4 p.m.
- commercial courier, is deemed to be made on the second business day after the commercial courier received the document

If the licensee is not served with a copy of the Director's decision within 28 days of receipt of the licensee's request for review, this(these) Order(s) is(are) and/or this AMP is deemed to be confirmed by the Director and, for the

purposes of an appeal to HSARB, the Director is deemed to have served the licensee with a copy of that decision on the expiry of the 28-day period.

Pursuant to s. 170 of the Act, the licensee has the right to appeal any of the following to HSARB:

- An order made by the Director under sections 155 to 159 of the Act.
- An AMP issued by the Director under section 158 of the Act.
- The Director's review decision, issued under section 169 of the Act, with respect to an inspector's compliance order (s. 155) or AMP (s. 158).

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 an appeal, the licensee must give a written notice of appeal within 28 days from the day the licensee was served with a copy of the order, AMP or Director's decision that is being appealed from. The appeal notice must be given to both HSARB and the Director:

Health Services Appeal and Review Board
Attention Registrar
151 Bloor Street West, 9th Floor
Toronto, ON M5S 1S4

Director
c/o Appeals Coordinator
Long-Term Care Inspections Branch
Ministry of Long-Term Care
438 University Avenue, 8th Floor
Toronto, ON M7A 1N3
email: MLTC.AppealsCoordinator@ontario.ca

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