



Ministry of Health and Long-Term Care

Ministère de la Santé et des Soins de longue durée

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

Rapport d'inspection sous la Loi de 2007 sur les foyers de soins de longue durée

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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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Report Date(s) / Date(s) du Rapport	Inspection No / No de l'inspection	Log # / Registre no	Type of Inspection / Genre d'inspection
Sep 30, 2014	2014_108110_0010	T-873-14	Complaint

Licensee/Titulaire de permis

VIGOUR LIMITED PARTNERSHIP ON BEHALF OF VIGOUR
302 Town Centre Blvd, Suite #200, MARKHAM, ON, L3R-0E8

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

LEISUREWORLD CAREGIVING CENTRE - CHELTENHAM
5935 BATHURST STREET, NORTH YORK, ON, M2R-1Y8

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

DIANE BROWN (110)

Inspection Summary/Résumé de l'inspection

The purpose of this inspection was to conduct a Complaint inspection.

This inspection was conducted on the following date(s): July 10, 11, 14, 2014.

During the course of the inspection, the inspector(s) spoke with executive director, director of resident programs and admissions, acting director of dietary services, registered dietitian and residents.

During the course of the inspection, the inspector(s) observed meal service and reviewed resident health records.

The following Inspection Protocols were used during this inspection:

- Nutrition and Hydration
- Resident Charges



Findings of Non-Compliance were found during this inspection.

NON-COMPLIANCE / NON - RESPECT DES EXIGENCES	
<p>Legend</p> <p>WN – Written Notification VPC – Voluntary Plan of Correction DR – Director Referral CO – Compliance Order WAO – Work and Activity Order</p>	<p>Legendé</p> <p>WN – Avis écrit VPC – Plan de redressement volontaire DR – Aiguillage au directeur CO – Ordre de conformité WAO – Ordres : travaux et activités</p>
<p>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.)</p> <p>The following constitutes written notification of non-compliance under paragraph 1 of section 152 of the LTCHA.</p>	<p>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.</p> <p>Ce qui suit constitue un avis écrit de non-respect aux termes du paragraphe 1 de l'article 152 de la LFSLD.</p>

WN #1: The Licensee has failed to comply with O.Reg 79/10, s. 71. Menu planning

Specifically failed to comply with the following:

s. 71. (5) The licensee shall ensure that an individualized menu is developed for each resident whose needs cannot be met through the home's menu cycle. O. Reg. 79/10, s. 71 (5).

Findings/Faits saillants :

1. The licensee failed to ensure that an individualized menu is developed for residents #001, #002 and #003 whose spiritual needs and food safety need cannot be met



through the home's menu cycle.

Resident #002 was identified to be of particular faith on admission to the home. Record review revealed that upon admission the family requested resident #002 to have specialized food and that the family would arrange to bring in a specialized lunch and supper. The initial nutritional assessment identified that the resident ate specialized foods at home and did not have any food dislikes. Resident #002's plan of care identified that foods from a local specialized restaurant were delivered every lunch and dinner and that staff should ask the resident if he/she could have a specific beverage as well at the lunch meal.

A family/POA interview revealed that resident #002 ate specialized food all his/her life and that the resident is waiting for placement to a long term care home which provides specialized meals. The POA stated that the resident "eats and needs specialized foods". The POA was paying for and providing a specialized lunch and dinner meal to the resident everyday.

An interview with the administrator confirmed that the home does not pay for or reimburse residents for specialized foods and that this information is provided to residents and families prior to admission to the home.

Record review and staff interview confirmed the resident was placed, as an alternative, on an identified diet to accommodate his/her religious observance as the home does not provide specialized foods.

An interview with the home's registered dietitian (RD) revealed that an individualized menu with specialized foods was not developed for resident #002 as the home does not provide this type of food. [s. 71. (5)]

2. Resident #001 was identified to be of a particular faith and regularly attends faith based services in the home. The resident stated that he/she would prefer to eat specialized foods to honour his/her religious observance and has made his/her preference known in the home. Resident #001 was interviewed on two separate occasions and on both occasions confirmed that he/she would prefer specialized foods.

An interview with the director of resident programs and admissions, chair of the resident food committee meetings, identified that resident #001 has requested



specialized foods at the meetings. The director of resident programs and admissions stated that resident #001 takes his/her religion quite seriously. An interview with the nutrition manager also identified resident #001 as a resident that would say "yes" to preferring specialized foods if they were available.

An interview with the RD revealed that she was unaware of residents request for specialized foods.

An individualized menu was not developed for resident #001 whereby the home provides the resident with specialized foods to meet his spiritual needs. [s. 71. (5)]

3. Record review including physician orders and the dining serving report identified resident #003 with the food safety intervention related to the elimination of a food ingredient.

An interview with the acting director of dietary services (ADDS) identified that she was unaware that resident #003 required the elimination of a food ingredient from his/her diet and that the cooks were responsible for knowing if food items contained this ingredient. The inspector and ADDS interviewed the cook to inquire if the cook was aware if the ready- to- service, purchased, cabbage rolls served for lunch contained this identified ingredient. Both the cook and ADDS were unaware if the cabbage rolls contained the ingredient. A further interview with the ADDS revealed that there should be an individualized menu, eliminating the ingredient, in place to guide staff in serving foods to resident #003.

An interview with the RD revealed awareness of the residents care need and that an individualized menu to address this need was not in place. The RD stated that a menu should be developed and in place for the resident. [s. 71. (5)]



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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 resident #001 and #002 have an individualized menu providing specialized foods to met their spiritual needs and an individualized menu for resident #003's care need, to be implemented voluntarily.

WN #2: The Licensee has failed to comply with LTCHA, 2007 S.O. 2007, c.8, s. 3. Residents' Bill of Rights

Specifically failed to comply with the following:

- s. 3. (1) Every licensee of a long-term care home shall ensure that the following rights of residents are fully respected and promoted:**
- 4. Every resident has the right to be properly sheltered, fed, clothed, groomed and cared for in a manner consistent with his or her needs. 2007, c. 8, s. 3 (1).**

Findings/Faits saillants :



1. The licensee failed to ensure residents' right to be properly fed and cared for in a manner consistent with their needs was fully respected and promoted. Resident #002's spiritual need for specialized foods was not fully respected and promoted.

Resident #002 was admitted to Leisureworld Cheltenham and was identified to be of a particular faith. Record review and family/POA interview identified that specialized food is part of resident #002's religious observance; ate specialized foods all his/her life and "needs" specialized foods. The POA identified that resident #002 has been waiting for placement to a long term care home which provides specialized foods. Staff interviews and record review identified that family have purchased and arranged specialized meals to be delivered to the home since the resident's admission.

Record review and an interview with the home's RD revealed that in an identified month, the resident's condition changed and the resident required a downgraded textured diet. The RD stated that the regular textured specialized food from the restaurant was no longer suitable. The interview revealed that there has been no attempt to seek out a vendor that would provide texture modified specialized meals. Resident #002 now receives the downgraded texture, identified menu option provided by the home as an alternative to specialized foods.

An interview with the administrator confirmed that the home does not pay for or reimburse residents for specialized foods and that this information is provided to residents and families prior to admission to the home. [s. 3. (1) 4.]

WN #3: The Licensee has failed to comply with LTCHA, 2007 S.O. 2007, c.8, s. 91. Resident charges

Specifically failed to comply with the following:

s. 91. (4) A licensee shall not accept payment from or on behalf of a resident for anything that the licensee is prohibited from charging for under subsection (1) and shall not cause or permit anyone to make such a charge or accept such a payment on the licensee's behalf. 2007, c. 8, s. 91. (4).

Findings/Faits saillants :



1. The licensee failed to ensure that it shall not cause or permit anyone to make a charge or accept a payment on the licensee's behalf that the licensee is prohibited from charging for under the legislation.

According to the definitions set out in the Regulation, basic accommodation and preferred accommodation includes dietary services and raw food.

Resident #002 paid the co-payment charges for dietary services and raw foods. Specialized food is an eligible expenditure under the raw food and other accommodation envelopes. To the extent that the accommodation fee does not cover the full cost of the food, the licensee can claim the rest of the cost as eligible expenditures through the raw food and other accommodation envelopes pursuant to the Ministry's funding and financial management policies. The LTCHA and Regulation prohibit the licensee from charging a resident for goods and services that a licensee is required to provide to a resident.

Resident #002 is currently living in semi-private accommodation at Leisureworld Cheltenham and was identified to be of a particular faith requiring specialized foods as part of his/her religious observance.

Family and staff interviews confirmed that family have purchased specialized foods from a local restaurant and arranged delivery to the home since the resident's admission. The specialized foods are served along with an identified menu provided to the resident by the licensee. A family/POA interview revealed that resident #002 must have specialized meals and expressed concern that it was costing \$480.00 per month. The POA identified that resident #002 has been waiting for alternative placement to a long term care home which provides specialized foods.

Record review and staff interview revealed the resident #002's diet texture was downgraded and can no longer have the regular textured specialized food from the restaurant. Resident #002 now receives the downgraded texture, identified menu option, provided by the home, as an alternative to specialized foods.

An interview with the administrator confirmed that the licensee will not order or pay for specialized foods to be brought into the home and it is the resident and/or families responsibility to make such arrangements and that this information is provided to residents and families prior to admission to the home. [s. 91. (4)]



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Issued on this 30th day of September, 2014

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

Mare Brown