



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 prévue le Loi de 2007 les foyers de soins de longue

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

Ottawa Service Area Office
347 Preston St, 4th Floor
OTTAWA, ON, K1S-3J4
Telephone: (613) 569-5602
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347, rue Preston, 4ième étage
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Table with 3 columns: Date(s) of inspection, Inspection No, Type of Inspection. Row 1: Jan 6, 10, 13, 16, 2012; 2012_028102_0004; Critical Incident

Licensee/Titulaire de permis

COMMUNITY LIFECARE INC
1955 Valley Farm Road, 3rd Floor, PICKERING, ON, L1V-1X6

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

COMMUNITY NURSING HOME (WARKWORTH)
97 Mill Street, P.O. Box 68, Warkworth, ON, K0K-3K0

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

WENDY BERRY (102)

Inspection Summary/Résumé de l'inspection

The purpose of this inspection was to conduct a Critical Incident inspection.

During the course of the inspection, the inspector(s) spoke with the Administrator.

During the course of the inspection, the inspector(s) reviewed the generator capacity currently provided at the home; reviewed the emergency plan; reviewed a critical incident related to a power outage in June 2011.

The following Inspection Protocols were used during this inspection:

Safe and Secure Home

Findings of Non-Compliance were found during this inspection.

NON-COMPLIANCE / NON-RESPECT DES EXIGENCES

Table with 2 columns: Legend and Legendé. 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



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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 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.
The following constitutes written notification of non-compliance under paragraph 1 of section 152 of the LTCHA.	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. 230. Emergency plans

Specifically failed to comply with the following subsections:

s. 230. (4) The licensee shall ensure that the emergency plans provide for the following:

- 1. Dealing with,**
 - i. fires,**
 - ii. community disasters,**
 - iii. violent outbursts,**
 - iv. bomb threats,**
 - v. medical emergencies,**
 - vi. chemical spills,**
 - vii. situations involving a missing resident, and**
 - viii. loss of one or more essential services.**
- 2. Evacuation of the home, including a system in the home to account for the whereabouts of all residents in the event that it is necessary to evacuate and relocate residents and evacuate staff and others in case of an emergency.**
- 3. Resources, supplies and equipment vital for the emergency response being set aside and readily available at the home.**
- 4. Identification of the community agencies, partner facilities and resources that will be involved in responding to the emergency. O. Reg. 79/10, s. 230 (4).**

Findings/Faits saillants :

1. Ontario Regulation 79/10, s. 19.(1)(c) identifies that essential services includes the resident-staff communication and response system.
2. During an approximate 16 hour long power outage that occurred on June 08 and 09, 2011 the resident-staff communication and response system was not operational.
3. The Emergency plan for the home does not provide a plan in writing for dealing with the loss of the resident-staff communication and response system. [s. 230.(4)1.viii]

WN #2: The Licensee has failed to comply with O.Reg 79/10, s. 19. Generators

Specifically failed to comply with the following subsections:

- s. 19. (4) The licensee of a home to which subsection (2) or (3) applies shall ensure, not later than six months after the day this section comes into force, that the home has guaranteed access to a generator that will be operational within three hours of a power outage and that can maintain everything required under clauses (1) (a), (b) and (c). O. Reg. 79/10, s. 19 (4).**

Findings/Faits saillants :



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1. Community Nursing Home (Warkworth) has Class B beds within the meaning of subsection 187(18) of the Act.
2. O.Reg. 79/10, s. 19.(1) requires that the home be served by a generator that has the capacity to maintain, in the event of a power outage, the heating system; emergency lighting; and essential services
3. O.Reg. 79/10, s. 9. 4 identifies that all alarms for doors leading to the outside must be connected to a back up power supply unless the home is not served by a generator.
4. The home is currently equipped with 2 portable generators that, in the event of a power outage, can be connected to the home in two locations. The home's "Emergency Plan Manual", Index I.D. EPM C-10-05, states that the generators "will supply sufficient power to illuminate emergency lights (Christmas lights), & one med refrigerator". "There are outlets in the hallways on east and south wing marked for generator. These outlets should be used for residents with G-tube feeds and Oxygen needs. Outlets with power are designated "G"."
5. The home's portable generators and back up electrical panels for the generators, are not set up to maintain in the event of a power outage, the heating system; essential services, including dietary services equipment required to store food at safe temperatures, the resident-staff communication and response system, safety and emergency equipment; and alarms for doors leading to the outside.
6. The home does not have guaranteed access to a generator that will be operational within 3 hours of a power outage that can maintain everything required under s. 19.(1).
7. On June 08, 2011 at approximately 8:30 pm, a power outage occurred which lasted until approximately 1 pm on June 09, 2011 for a period of approximately 16.5 hours. Essential services including the resident-staff communication and response system; dietary services refrigeration equipment; and door alarms were not operational, placing residents at increased risk of harm.
8. The building's heating system can not be sustained in the event of a cold weather power outage posing a potential high risk to the comfort, safety and well being of residents living at Community Nursing Home (Warkworth).

Additional Required Actions:

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

Issued on this 16th day of January, 2012

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



**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

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Name of Inspector (ID #) / Nom de l'inspecteur (No) :	WENDY BERRY (102)
Inspection No. / No de l'inspection :	2012_028102_0004
Type of Inspection / Genre d'inspection:	Critical Incident
Date of Inspection / Date de l'inspection :	Jan 6, 10, 13, 16, 2012
Licensee / Titulaire de permis :	COMMUNITY LIFECARE INC 1955 Valley Farm Road, 3rd Floor, PICKERING, ON, L1V-1X6
LTC Home / Foyer de SLD :	COMMUNITY NURSING HOME (WARKWORTH) 97 Mill Street, P.O. Box 68, Warkworth, ON, K0K-3K0
Name of Administrator / Nom de l'administratrice ou de l'administrateur :	LISA ALLANSON

To COMMUNITY LIFECARE INC, 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) (a)
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Pursuant to / Aux termes de :

O.Reg 79/10, s. 19. (4) The licensee of a home to which subsection (2) or (3) applies shall ensure, not later than six months after the day this section comes into force, that the home has guaranteed access to a generator that will be operational within three hours of a power outage and that can maintain everything required under clauses (1) (a), (b) and (c). O. Reg. 79/10, s. 19 (4).

Order / Ordre :

The licensee will ensure that the home has guaranteed access to a generator that will be operational within 3 hours of a power outage and will be set up to maintain all alarms for doors leading to the outside and everything required under clauses (1) (a), (b) and (c) of O.Reg. 79/10, s. 19(1) including: the heating system; emergency lighting in corridors, hallways and exits; and essential services. Connections made to the generator must conform to all relevant provincial and municipal codes and regulations.

Grounds / Motifs :



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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
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1. Community Nursing Home (Warkworth) has Class B beds within the meaning of subsection 187(18) of the Act.
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3. O.Reg. 79/10, s. 9. 4 identifies that all alarms for doors leading to the outside must be connected to a back up power supply unless the home is not served by a generator.
4. The home is currently equipped with 2 portable generators that, in the event of a power outage, can be connected to the home in two locations. The home's "Emergency Plan Manual", Index I.D. EPM C-10-05, states that the generators "will supply sufficient power to illuminate emergency lights (Christmas lights), & one med refrigerator". "There are outlets in the hallways on east and south wing marked for generator. These outlets should be used for residents with G-tube feeds and Oxygen needs. Outlets with power are designated "G".
5. The home's portable generators and back up electrical panels for the generators, are not set up to maintain in the event of a power outage, the heating system; essential services, including dietary services equipment required to store food at safe temperatures, the resident-staff communication and response system, safety and emergency equipment; and alarms for doors leading to the outside.
6. The home does not have guaranteed access to a generator that will be operational within 3 hours of a power outage that can maintain everything required under s. 19.(1).
7. On June 08, 2011 at approximately 8:30 pm, a power outage occurred which lasted until approximately 1 pm on June 09, 2011 for a period of approximately 16.5 hours. Essential services including the resident-staff communication and response system; dietary services refrigeration equipment; and door alarms were not operational, placing residents at increased risk of harm.
8. The building's heating system can not be sustained in the event of a cold weather power outage posing a potential high risk to the comfort, safety and well being of residents living at Community Nursing Home (Warkworth). (102)

This order must be complied with by /

Vous devez vous conformer à cet ordre d'ici le : Sep 01, 2012



**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

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
55 St. Clair Avenue 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 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
55 St. Clair 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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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
55, avenue St. Clair Ouest
8e étage, bureau 800
Toronto (Ontario) M4V 2Y2
Télécopieur : 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.

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
55, avenue St. Clair Ouest
8e étage, bureau 800
Toronto (Ontario) M4V 2Y2
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.hsarb.on.ca.

Issued on this 16th day of January, 2012

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

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

WENDY BERRY

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

Ottawa Service Area Office