



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

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

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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
Mar 7, 2014	2014_315702_0006	191-14	Other

Licensee/Titulaire de permis

Chartwell Master Care LP
100 Milverton Drive, Suite 700, MISSISSAUGA, ON, L5R-4H1

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

THE GIBSON LONG TERM CARE CENTRE
1925 STEELES AVENUE EAST, NORTH YORK, ON, M2H-2H3

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

DAVID THOMSON (702)

Inspection Summary/Résumé de l'inspection

The purpose of this inspection was to conduct an Other inspection.

This inspection was conducted on the following date(s): February 19, 2014

During the course of the inspection, the inspector(s) spoke with the Administrator, Business Manager, and residents.

During the course of the inspection, the inspector(s) examined licensee's records with respect to resident charges and trust accounts that included resident records, licensee's policy and procedure documentation, correspondence with applicable third parties, trust account ledgers, and all other required documentation to satisfy the inspection requirements.

The following Inspection Protocols were used during this inspection:



**Resident Charges
Trust Accounts**

Findings of Non-Compliance were found during this inspection.

NON-COMPLIANCE / NON - RESPECT DES EXIGENCES	
Legend	Legende
WN – Written Notification	WN – Avis écrit
VPC – Voluntary Plan of Correction	VPC – Plan de redressement volontaire
DR – Director Referral	DR – Aiguillage au directeur
CO – Compliance Order	CO – Ordre de conformité
WAO – Work and Activity Order	WAO – Ordres : travaux et activités
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. 241. Trust accounts



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Specifically failed to comply with the following:

s. 241. (4) No licensee shall,

(a) hold more than \$5,000 in a trust account for any resident at any time; O. Reg. 79/10, s. 241 (4).

(b) commingle resident funds held in trust with any other funds held by the licensee; or O. Reg. 79/10, s. 241 (4).

(c) charge a resident, or a person acting on behalf of a resident, a transaction fee for withdrawals, deposits, or anything else related to money held in trust. O. Reg. 79/10, s. 241 (4).

s. 241. (7) The licensee shall,

(a) provide a resident, or a person acting on behalf of a resident, with a written receipt for all money received by the licensee from the resident, or any other person, for deposit in a trust account on behalf of the resident; O. Reg. 79/10, s. 241 (7).

Findings/Faits saillants :



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1. Record review indicated and staff interview confirmed that the balance in two resident trust accounts had exceeded \$5,000 in the previous 6 months.

Analysis of the first resident's trust account activity revealed that the balance in this account had remained above \$5,000 for the entire 6 month period. This resident receives monthly deposits that consistently exceed the monthly withdrawals from this account, therefore, the balance in this resident's trust account has not and will not decrease below \$5,000 without a withdrawal by the resident. The office manager indicated that they are aware of this problem and they were currently working with the licensee's head office personnel to remedy the issue.

Analysis of the second resident's trust account activity revealed that the balance in this account exceeded \$5,000 five times in the previous 6 months. This resident receives monthly deposits that consistently exceed the monthly withdrawals from this account. The timing of monthly deposits precedes that of monthly withdrawals, therefore, the five observed instances in which the account balance exceeded \$5,000 were temporary. The office manager indicated that they are aware of this problem and they were currently working with the licensee's head office personnel to remedy the issue. [s. 241. (4) (a)]

2. Interview with the office manager indicated that receipts are not issued for any deposits made to resident trust accounts. These deposits include cash amounts received from residents or resident family members and government issued cheques for Old Age Security, Canada Pension Plan, Harmonized Sales Tax rebate, and the Ontario Trillium Benefit. Examination of the licensee's trust account deposit documentation confirmed that receipts are never issued when deposits are made to resident trust accounts. [s. 241. (7) (a)]

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 with respect to issuing receipts for all deposits made into resident trust accounts, to be implemented voluntarily.



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Issued on this 19th day of March, 2014

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

A handwritten signature in black ink, consisting of several fluid, overlapping strokes, positioned within a rectangular box.

