



**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**

**Long-Term Care Homes Division
Long-Term Care Inspections Branch**

**Division des foyers de soins de
longue durée
Inspection de soins de longue durée**

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Public Copy/Copie du public

| Report Date(s) / Date(s) du rapport | Inspection No / No de l'inspection | Log # / No de registre | Type of Inspection / Genre d'inspection |
|--|---|-----------------------------------|--|
| Mar 23, 2018 | 2018_621547_0014 | 003457-18 | Complaint |

Licensee/Titulaire de permis

0760444 B.C. Ltd. as General Partner on behalf of Omni Health Care Limited Partnership

2020 Fisher Drive Suite 1 PETERBOROUGH ON K9J 6X6

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

Garden Terrace
100 Aird Place KANATA ON K2L 4H8

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

LISA KLUKE (547)

Inspection Summary/Résumé de l'inspection



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

This inspection was conducted on the following date(s): February 23,27, 28, 2018 and March 21, 2018 (off-site)

This complaint inspection was conducted in relation to the Licensee response to the applicant time lines and reasons for withholding approval of applicant #001's admission to the Long-Term Care home.

During the course of the inspection, the inspector(s) spoke with the Director of Care, a Manager of Client Services with the Champlain Local Health Integrated Network(LHIN) and a Treatment Decisions Consultant with the Public Guardian and Trustee's office representing applicant #001.

In addition to these interviews, a review of the documentation of applicant #001's assessments and information that were required to have been taken into account as part of the application requirements for admission to a Long-Term Care home and the written notice from the Licensee to the applicant.

Ad-hoc notes were used during this inspection.

During the course of this inspection, Non-Compliances were issued.

2 WN(s)

2 VPC(s)

0 CO(s)

0 DR(s)

0 WAO(s)



NON-COMPLIANCE / NON - RESPECT DES EXIGENCES

| Legend | Legendé |
|---|--|
| WN – Written Notification VPC – Voluntary Plan of Correction DR – Director Referral CO – Compliance Order WAO – Work and Activity Order | WN – Avis écrit VPC – Plan de redressement volontaire DR – Aiguillage au directeur CO – Ordre de conformité 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 LTCHA, 2007 S.O. 2007, c.8, s. 44. Authorization for admission to a home



Specifically failed to comply with the following:

- s. 44. (9) If the licensee withholds approval for admission, the licensee shall give to persons described in subsection (10) a written notice setting out,**
- (a) the ground or grounds on which the licensee is withholding approval; 2007, c. 8, s. 44. (9).**
 - (b) a detailed explanation of the supporting facts, as they relate both to the home and to the applicant's condition and requirements for care; 2007, c. 8, s. 44. (9).**
 - (c) an explanation of how the supporting facts justify the decision to withhold approval; and 2007, c. 8, s. 44. (9).**
 - (d) contact information for the Director. 2007, c. 8, s. 44. (9).**

Findings/Faits saillants :

1. The Licensee has failed to ensure that when withholding approval for admission, the licensee shall give the persons described in subsection (10) a written notice setting out specifically: c) an explanation of how the supporting facts justify the decision to withhold approval and d) contact information for the Director.

LTCHA 2007 stipulates in s.44(7) whereby the appropriate placement coordinator gave the Licensee copies of the assessments and information that were required to have been taken into account, under subsection 43(6), and the Licensee is to review these assessments and information and shall approve the applicant's admission to the home unless, as the Licensee specified in their response letter that:

b) staff of the home lack the nursing expertise necessary to meet the applicant's care requirements.

The written notice provided by the Licensee was in a format of a letter. In this letter, the Licensee did not provide an explanation of the supporting facts associated with a reported lack of nursing expertise to meet applicant #001's care requirements or contact information for the Director to justify the decision to withhold approval, required by this section. [s. 44. (9)]



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 when withholding approval for admission, the licensee shall give the persons described in subsection (10) a written notice setting out an explanation of how the supporting facts justify the decision to withhold approval and contact information for the Director, to be implemented voluntarily.

WN #2: The Licensee has failed to comply with O.Reg 79/10, s. 162. Approval by licensee

Specifically failed to comply with the following:

s. 162. (3) Subject to subsections (4) and (5), the licensee shall, within five business days after receiving the request mentioned in clause (1) (b), do one of the following:

- 1. Give the appropriate placement co-ordinator the written notice required under subsection 44 (8) of the Act. O. Reg. 79/10, s. 162 (3).**
- 2. If the licensee is withholding approval for the applicant's admission, give the written notice required under subsection 44 (9) of the Act to the persons mentioned in subsection 44 (10) of the Act. O. Reg. 79/10, s. 162 (3).**

Findings/Faits saillants :



1. The Licensee has failed to respond within five business days after receiving applicant #001's request for authorization for admission to the Long-Term Care home.

The Licensee is required to determine whether to give or withhold approval for the applicant's admission to the home. The Licensee is then required to provide a written notice of their decision under subsection 44 (9) of the Act to the persons mentioned in subsection 44 (10) of the Act, being the applicant, the Director and the appropriate placement coordinator.

Applicant #001 had a long-term care application completed and forwarded to the Long-Term care home (LTCH) for request for authorization of admission. This application was prepared and sent by the Champlain Local Health Integrated Network (LHIN) care coordinator on a specified date via their electronic document and communication sharing system with the Licensee.

The Licensee failed to respond within five business days with the written notice letter to applicant #001's request for authorization for admission. On a specified date, eight business days after the applicant's information and assessments were shared to the Licensee, the written notice letter to the applicant indicated the Licensee was withholding approval for applicant #001's admission.

As such, the Licensee failed to inform the applicant, the Director and the appropriate placement coordinator as required in subsection 44(10) of the Act, when the decision to withhold the applicant from admission by a specified date, five business days after the applicants request was received by the Licensee. [s. 162. (3) 2.]

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 the Licensee shall respond with a written notice letter within five business days after receiving the request from the applicants who apply for authorization for admission, to be implemented voluntarily.



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Issued on this 4th day of April, 2018

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

Original report signed by the inspector.