

Ministry of Long-Term Care
Long-Term Care Operations Division
Long-Term Care Inspections Branch

Central West Service Area Office
609 Kumpf Drive, Suite 105
Waterloo, ON, N2V 1K8
Telephone: (888) 432-7901
central.west.sao@ontario.ca

Original Public Report

Report Issue Date: November 17, 2022	
Inspection Number: 2022-1203-0003	
Inspection Type: Follow up	
Licensee: Golden Dawn Senior Citizen Home	
Long Term Care Home and City: Golden Dawn Nursing Home, Lions Head	
Lead Inspector Helene Desabrais (615)	Inspector Digital Signature
Additional Inspector(s)	

INSPECTION SUMMARY

The Inspection occurred on the following date(s):
October 11, 12 and 13, 2022.

The following intake(s) were inspected:

- Intake: #00005323, follow up to the Order of the Director from original inspection #2022_1203_0002, related to policy to promote zero tolerance, with a compliance due date of August 5, 2022.

The following previously issued Director's Order(s) were found **NOT** to be in compliance.

Legislative Reference		Inspection #	Order #	Inspector (ID) who inspected the order
FLTCA 2021	s. 25(2)(e)	Original inspection #2022_1203_0002	Order of the Director	Helene Desabrais #615

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

Prevention of Abuse and Neglect
Infection Prevention and Control

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INSPECTION RESULTS

WRITTEN NOTIFICATION [CONDITIONS OF LICENSE-LICENSEE MUST COMPLY]

NC#01 Written Notification pursuant to FLTCA, 2021, s. 154(1)1

Non-compliance with: FLTCA 2021, s. 104(4)

The licensee has failed to comply with the Order of the Director issued on July 27, 2022, related to FLTCA, 2021, s.25 (2)(e), with a compliance due date of August 5, 2022, associated with original inspection #2022_1203_0002.

The Home's zero tolerance of abuse and neglect policy was not revised as required.

Rational and Summary

When the Home's zero tolerance of abuse and neglect policy was revised, September 2022, they did not include procedures for investigating and, in particular, responding to alleged, suspected, or witnessed sexual abuse of a resident.

When the Home's zero tolerance for abuse policy was not revised as directed by the Order of the Director, the staff could not receive training on the revised policy, specifically as it related to investigating and responding to sexual abuse of residents.

Therefore, the home could not provide records of training of staff on the Home's revised zero tolerance of abuse and neglect policy, specifically as it relates to sexual abuse of a resident.

Sources: Order of the Director issued July 27, 2022, Home's zero tolerance of abuse and neglect policy last reviewed September 2022 and interviews with the Administrator, the Acting Director of Care, and the Care Manager.

[615]

An Administrative Monetary Penalty (AMP) is being issued for this written notification [AMP#001]

NOTICE OF ADMINISTRATIVE MONETARY PENALTY (AMP)

The Licensee has failed to comply with FLTCA 2021, s. 104(4)

Notice of Administrative Monetary Penalty [AMP #001] Related to Written Notification [#001]

Pursuant to section 158 of the *Fixing Long-Term Care Act, 2021*, the licensee is required to pay an administrative penalty of **\$1,100.00**, to be paid within 30 days from the date of the invoice.

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In accordance with s. 349 (6) and (7) of O. Reg. 246/22, this administrative penalty is being issued for the licensee's failure to comply with an order under s. 155 of the Act.

Compliance History

- Order of the Director issued on July 27, 2022, related to FLTCA, 2021, s. 25(2)(e).

This is the **first** time an AMP has been issued to the licensee for failing to comply with this requirement.

Invoice with payment information will be provided under a separate mailing after service of this notice.

*Licensees must **not** pay an AMP from a resident-care funding envelope provided by the Ministry [i.e., Nursing and Personal Care (NPC); Program and Support Services (PSS); and Raw Food (RF)]. By submitting a payment to the Minister of Finance, the licensee is attesting to using funds outside a resident-care funding envelope to pay the AMP.*

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.

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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:



**Inspection Report Under the
Fixing Long-Term Care Act, 2021**

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**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.