



**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 sous la  
Loi de 2007 sur les foyers de  
soins de longue durée**

**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**

Hamilton Service Area Office  
119 King Street West 11th Floor  
HAMILTON ON L8P 4Y7  
Telephone: (905) 546-8294  
Facsimile: (905) 546-8255

Bureau régional de services de  
Hamilton  
119 rue King Ouest 11ième étage  
HAMILTON ON L8P 4Y7  
Téléphone: (905) 546-8294  
Télécopieur: (905) 546-8255

## **Public Copy/Copie du public**

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<b>Report Date(s) / Date(s) du apport</b>	<b>Inspection No / No de l'inspection</b>	<b>Log # / Registre no</b>	<b>Type of Inspection / Genre d'inspection</b>
Jan 23, 2015	2014_343585_0022	H-000053-14	Complaint

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### **Licensee/Titulaire de permis**

GRACE VILLA LIMITED  
284 CENTRAL AVENUE LONDON ON N6B 2C8

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

GRACE VILLA NURSING HOME  
45 LOCKTON CRESCENT HAMILTON ON L8V 4V5

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

LEAH CURLE (585)

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## **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): December 2 and 3, 2014**

**During the course of the inspection, the inspector(s) spoke with residents, Registered nursing staff, unregulated staff, dietary aides, a cook, the food service manager, the environmental supervisor, and the Administrator.**

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



## Food Quality

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

1 WN(s)

0 VPC(s)

1 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 O.Reg 79/10, s. 77. Food service workers, minimums**

**Specifically failed to comply with the following:**

- s. 77. (1) Every licensee of a long-term care home shall ensure that there are sufficient food service workers for the home to meet the minimum staffing hours as calculated under subsection (2) for,**
- (a) the preparation of resident meals and snacks; O. Reg. 79/10, s. 77 (1).**
  - (b) the distribution and service of resident meals; O. Reg. 79/10, s. 77 (1).**
  - (c) the receiving, storing and managing of the inventory of resident food and food service supplies; and O. Reg. 79/10, s. 77 (1).**
  - (d) the daily cleaning and sanitizing of dishes, utensils and equipment used for resident meal preparation, delivery and service. O. Reg. 79/10, s. 77 (1).**

**Findings/Faits saillants :**

1. The licensee failed to ensure that there were sufficient food service workers for the home to meet the minimum staffing hours in accordance to what is outlined in O. Reg 79/10 s. 77 (2).

The home had a licensed bed capacity of 184 beds, which was confirmed by the Administrator. Based on O. Reg 79/10 s. 77 (2), the minimum staffing hours for food service workers required by the licensee were as follows:

$M = A \times 7 \times 0.45$ , where 'M' was the minimum number of staffing hours per week, and 'A' was the licensed bed capacity in the home, if the home is at an occupancy of 97% or more. At an occupancy of 97% or more, the licensee was therefore required to provide a minimum of 579.6 food service worker staffing hours per week.

- A) Occupancy rates were reviewed from times in January, October, and November 2014.
- i) For the week of January 6 to 12, 2014, the average bed occupancy was 179.3, equating to an occupancy rate of 97.4%.
  - ii) For the week of January 13 to 19, 2014, the average bed occupancy was 180, equating to an occupancy rate of 97.8%.
  - iii) For the week of October 27 to November 2, 2014, the average bed occupancy was 181.7, equating to an occupancy rate of 98.8%.
  - iv) For the week of November 3 to 9, 2014, the average bed occupancy was 181.9,



equating to an occupancy rate of 98.8 %.

v) For the week of November 10 to 16, 2014, the average bed occupancy was 181, equating to an occupancy rate of 98.4 %.

vi) For the week of November 17 to 23, 2014, the average bed occupancy was 179.3, equating to an occupancy rate of 97.4%.

vii) For the week of November 24 to 30, 2014, the average bed occupancy was 178.7, equating to an occupancy rate of 97.1%.

The dietary staffing schedule and job routines were reviewed, and revealed that 573 hours per week were being allocated to food service worker staffing in the above identified time frames. The Food Service Manager (FSM) confirmed that the home's regular staffing schedule and job routines for food service workers totalled 573 hours per week, which was below the minimum expectation of hours. As a result, the home was consistently short staffed 6.6 hours per week from January to November 2014 for the time frames that were reviewed.

B) On January 6, 2014, dietary staffing was short an additional four hours as a result of staff calling in sick. On January 7, 2014, dietary staffing was short an additional four hours as a result of staff calling in sick. The FSM stated that when the department was short-staffed, the home's expectation was that additional staff would be scheduled following the shortage to make up unexpected lost hours. The dietary schedule was reviewed from January 6 to 20, 2014, and revealed that the hours from the staffing hour shortages on January 6 and 7, 2014 were not made up. As a result, the home was short 14.6 staffing hours in the week of January 5 to 11, 2014. [s. 77. (1)]

***Additional Required Actions:***

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

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

**Issued on this 25th day of February, 2015**

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

**Original report signed by the inspector.**



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**

**Public Copy/Copie du public**

**Name of Inspector (ID #) /**

**Nom de l'inspecteur (No) :** LEAH CURLE (585)

**Inspection No. /**

**No de l'inspection :** 2014\_343585\_0022

**Log No. /**

**Registre no:** H-000053-14

**Type of Inspection /**

**Genre**

Complaint

**d'inspection:**

**Report Date(s) /**

**Date(s) du Rapport :** Jan 23, 2015

**Licensee /**

**Titulaire de permis :** GRACE VILLA LIMITED  
284 CENTRAL AVENUE, LONDON, ON, N6B-2C8

**LTC Home /**

**Foyer de SLD :** GRACE VILLA NURSING HOME  
45 LOCKTON CRESCENT, HAMILTON, ON, L8V-4V5

**Name of Administrator /**

**Nom de l'administratrice**

**ou de l'administrateur :** Annette Prentall

To GRACE VILLA LIMITED, you are hereby required to comply with the following order(s) by the date(s) set out below:

**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)**Pursuant to / Aux termes de :**

O.Reg 79/10, s. 77. (1) Every licensee of a long-term care home shall ensure that there are sufficient food service workers for the home to meet the minimum staffing hours as calculated under subsection (2) for,

- (a) the preparation of resident meals and snacks;
- (b) the distribution and service of resident meals;
- (c) the receiving, storing and managing of the inventory of resident food and food service supplies; and
- (d) the daily cleaning and sanitizing of dishes, utensils and equipment used for resident meal preparation, delivery and service. O. Reg. 79/10, s. 77 (1).

**Order / Ordre :**

The licensee shall ensure that there are sufficient food service workers for the home to meet the minimum staffing hours as calculated under subsection (2) for, (a) the preparation of resident meals and snacks; (b) the distribution and service of resident meals; (c) the receiving, storing and managing of the inventory of resident food and food service supplies; and (d) the daily cleaning and sanitizing of dishes, utensils and equipment used for resident meal preparation, delivery and service.

**Grounds / Motifs :**

1. The licensee failed to ensure that there were sufficient food service workers for the home to meet the minimum staffing hours in accordance to what is outlined in O. Reg 79/10 s. 77 (2).

The home had a licensed bed capacity of 184 beds, which was confirmed by the Administrator. Based on O. Reg 79/10 s. 77 (2), the minimum staffing hours for food service workers required by the licensee were as follows:

$M = A \times 7 \times 0.45$ , where 'M' was the minimum number of staffing hours per week, and 'A' was the licensed bed capacity in the home, if the home is at an occupancy of 97% or more. At an occupancy of 97% or more, the licensee was therefore required to provide a minimum of 579.6 food service worker staffing hours per week.

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B) On January 6, 2014, dietary staffing was short an additional four hours as a result of staff calling in sick. On January 7, 2014, dietary staffing was short an additional four hours as a result of staff calling in sick. The FSM stated that when the department was short-staffed, the home's expectation was that additional staff would be scheduled following the shortage to make up unexpected lost hours. The dietary schedule was reviewed from January 6 to 20, 2014, and revealed that the hours from the staffing hour shortages on January 6 and 7, 2014 were not made up. As a result, the home was short 14.6 staffing hours in the week of January 5 to 11, 2014. (585)





**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

**This order must be complied with by /  
Vous devez vous conformer à cet ordre d'ici le :**

Jan 28, 2015



**Ministry of Health and  
Long-Term Care**

**Ministère de la Santé et  
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**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

### **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  
1075 Bay Street, 11th Floor  
TORONTO, ON  
M5S-2B1  
Fax: 416-327-7603



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section 154 of the *Long-Term Care  
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de l'article 154 de la *Loi de 2007 sur les foyers  
de soins de longue durée, L.O. 2007, chap. 8*

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  
1075 Bay Street, 11th Floor  
TORONTO, ON  
M5S-2B1  
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](http://www.hsarb.on.ca).



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de l'article 154 de la *Loi de 2007 sur les foyers  
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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  
1075, rue Bay, 11<sup>e</sup> étage  
Ontario, ON  
M5S-2B1  
Fax: 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.



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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*

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  
1075, rue Bay, 11e étage  
Ontario, ON  
M5S-2B1  
Fax: 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](http://www.hsarb.on.ca).

**Issued on this 23rd day of January, 2015**

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

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

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