Ontario

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 11iém étage
HAMILTON ON L8P 4Y7
Téléphone: (905) 546-8294
Télécopieur: (905) 546-8255

Public Copy/Copie du public

Report Date(s) / Date(s) du apport	Inspection No / No de l'inspection	Log # / Registre no	Type of Inspection / Genre d'inspection
Aug 17, 2015	2015_189120_0064	H-001911-15	Follow up

Licensee/Titulaire de permis

KING NURSING HOME LIMITED
49 Sterne Street Bolton ON L7E 1B9

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

KING NURSING HOME
49 Sterne Street Bolton ON L7E 1B9

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

BERNADETTE SUSNIK (120)

Inspection Summary/Résumé de l'inspection

The purpose of this inspection was to conduct a Follow up inspection.

This inspection was conducted on the following date(s): July 30, 2015

An inspection (2014-278539-0022) was previously conducted September 3-15, 2014 at which time Order #002 was issued with respect to bed safety. For this follow-up visit, some of the conditions laid out in the order remain outstanding and the Order has been revised to reflect the current status of the bed safety program in the home.

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

During the course of the inspection, the inspector reviewed resident plans of care, bed entrapment audit documentation and resident bed rail use assessments and toured the home and observed residents occupying their bed systems.

The following Inspection Protocols were used during this inspection:
Safe and Secure Home

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 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
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). The following constitutes written notification of non-compliance under paragraph 1 of section 152 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. 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. 15. Bed rails

Specifically failed to comply with the following:

s. 15. (1) Every licensee of a long-term care home shall ensure that where bed rails are used,
(a) the resident is assessed and his or her bed system is evaluated in accordance with evidence-based practices and, if there are none, in accordance with prevailing practices, to minimize risk to the resident; O. Reg. 79/10, s. 15 (1).
(b) steps are taken to prevent resident entrapment, taking into consideration all potential zones of entrapment; and O. Reg. 79/10, s. 15 (1).
(c) other safety issues related to the use of bed rails are addressed, including height and latch reliability. O. Reg. 79/10, s. 15 (1).

Findings/Faits saillants :

1. The licensee did not ensure that where bed rails were used, that residents were assessed in accordance with prevailing practices to minimize risk to the resident.

Based on a tour of the home on July 30, 2015, interventions to minimize possible entrapment risks to residents were not implemented and residents had not been assessed in accordance with prevailing practices adopted by Health Canada in a document titled "Clinical Guidance for the Assessment and Implementation of Bed Rails in Hospitals, Long Term Care Homes, and Home Care Settings, April 2003" developed by the US Food and Drug Administration.

Residents were assessed to determine if they required one or more bed rails for mobility, transfers or repositioning and this information was found in random resident care plans. However, the assessment process did not include what safety risks were associated for each specific resident using the rail for mobility, transfers or repositioning. According to the clinical guidance document, residents also need to be assessed to determine whether the bed rail would pose any harm to them while they were in bed and whether alternatives would be more suitable. According to the Director of Care, the assessment tool they used and the processes they followed did not include an evaluation of residents for bed rail safety. [s. 15(1)(a)]

2. The licensee did not take steps to prevent resident entrapment where bed rails were used, taking into consideration all potential zones of entrapment.

During a tour of the home, using the licensee's bed entrapment audit records dated April

30, 2015 identifying that 22 beds failed one or more entrapment zones, several beds did not have any obvious signs that steps were taken to mitigate entrapment risks. Some beds were confirmed to have rail pads, rails tied down, rails removed or had new mattresses as a sign that steps had been initiated to minimize entrapment risks to residents, however others did not.

1) Resident #001 was lying on an air mattress with both 3/4 rails elevated. The air mattress did not have any built-in side bolsters or gap fillers and was a high risk for resident entrapment without these accessories due to it's flexible design. According to the Director of Care, the resident did not require the bed rails for positioning and that the bed rails were raised automatically on all air mattresses. The resident was not accessed to determine if the side rails were necessary or whether the rails would pose a safety risk to the resident.

2) Resident #002 was equipped with a bed that failed entrapment zone 2 and was required to have the bed rails tied down (as documented) to eliminate the risk of entrapment to the resident. However, during the tour, the bed rails were not tied down.

3) Resident #003 was equipped with a bed that failed entrapment zones 2,3 and 4 and was required to have the bed rails tied down, however it was observed that the left 1/2 rail was raised.

Residents returning to these beds would be at risk for entrapment as the beds did not include any accessory to mitigate the identified entrapment risks. Beds were not being monitored to ensure that documented interventions such as "rail to be tied down" were being instituted by staff. In addition, there were no directions in the resident's plan of care for staff to follow regarding the use of any mitigating accessory.

The Administrator confirmed that the beds systems were slated for another round of entrapment tests in early August 2015 and a discussion was held regarding the need to date any follow up actions on the bed entrapment audit records. [s. 15(1)(b)]

Additional Required Actions:

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

Ontario

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

Issued on this 17th day of August, 2015

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

Original report signed by the inspector.

Ontario

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

Ministére 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

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) :	BERNADETTE SUSNIK (120)
Inspection No. / No de l'inspection :	2015_189120_0064
Log No. / Registre no:	H-001911-15
Type of Inspection / Genre d'inspection:	Follow up
Report Date(s) / Date(s) du Rapport :	Aug 17, 2015
Licensee / Titulaire de permis :	KING NURSING HOME LIMITED 49 Sterne Street, Bolton, ON, L7E-1B9
LTC Home / Foyer de SLD :	KING NURSING HOME 49 Sterne Street, Bolton, ON, L7E-1B9
Name of Administrator / Nom de l'administratrice ou de l'administrateur :	

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

Order # / Ordre no : 001

Order Type / Genre d'ordre : Compliance Orders, s. 153. (1) (a)

Linked to Existing Order / Lien vers ordre existant: 2014_278539_0022, CO #002;

Pursuant to / Aux termes de :

O.Reg 79/10, s. 15. (1) Every licensee of a long-term care home shall ensure that where bed rails are used,

(a) the resident is assessed and his or her bed system is evaluated in accordance with evidence-based practices and, if there are none, in accordance with prevailing practices, to minimize risk to the resident;

(b) steps are taken to prevent resident entrapment, taking into consideration all potential zones of entrapment; and

(c) other safety issues related to the use of bed rails are addressed, including height and latch reliability. O. Reg. 79/10, s. 15 (1).

Order / Ordre :

The licensee shall:

1. Amend the existing "Restraint/PASD Assessment" form to include additional questions related to bed rail risks as identified in the "Clinical Guidance for the Assessment and Implementation of Bed Rails in Hospitals, Long Term Care Homes, and Home Care Settings, April 2003" and re-assess all residents accordingly.
2. For all residents who have been assessed to require one or more bed rails while in bed and who currently reside in a bed that has failed one or more zones of entrapment, shall have interventions instituted to mitigate the identified zone of entrapment or risk.
3. Update the residents' plan of care to reflect what directions staff require to apply a specific intervention to ensure that the resident who resides in a bed that has failed one or more entrapment zones has the risk reduced or mitigated.
4. Implement a method and frequency to monitor the residents who require a specific intervention to ensure that the required intervention is being applied by staff and re-evaluate the intervention to determine it's effectiveness for the resident.
5. Maintain documentation of all bed systems audited so that it clearly identifies what date the follow up action was taken.

Grounds / Motifs :

1. The licensee did not ensure that where bed rails were used, that residents were assessed in accordance with prevailing practices to minimize risk to the resident.

Based on a tour of the home on July 30, 2015, interventions to minimize possible entrapment risks to residents were not implemented and residents had not been assessed in accordance with prevailing practices adopted by Health Canada in a document titled "Clinical Guidance for the Assessment and Implementation of Bed Rails in Hospitals, Long Term Care Homes, and Home Care Settings, April 2003" developed by the US Food and Drug Administration.

Residents were assessed to determine if they required one or more bed rails for mobility, transfers or repositioning and this information was found in random resident care plans. However, the assessment process did not include what safety risks were associated for each specific resident using the rail for mobility, transfers or repositioning. According to the clinical guidance document, residents also need to be assessed to determine whether the bed rail would

pose any harm to them while they were in bed and whether alternatives would be more suitable. According to the Director of Care, the assessment tool they used and the processes they followed did not include an evaluation of residents for bed rail safety. (120)

2. The licensee did not take steps to prevent resident entrapment where bed rails were used, taking into consideration all potential zones of entrapment. During a tour of the home, using the licensee's bed entrapment audit records dated April 30, 2015 identifying that 22 beds failed one or more entrapment zones, several beds did not have any obvious signs that steps were taken to mitigate entrapment risks. Some beds were confirmed to have rail pads, rails tied down, rails removed or had new mattresses as a sign that steps had been initiated to minimize entrapment risks to residents, however others did not.

1) Resident #001 was lying on an air mattress with both 3/4 rails elevated. The air mattress did not have any built-in side bolsters or gap fillers and was a high risk for resident entrapment without these accessories due to it's flexible design. According to the Director of Care, the resident did not require the bed rails for positioning and that the bed rails were raised automatically on all air mattresses. The resident was not accessed to determine if the side rails were necessary or whether the rails would pose a safety risk to the resident.

2) Resident #002 was equipped with a bed that failed entrapment zone 2 and was required to have the bed rails tied down (as documented) to eliminate the risk of entrapment to the resident. However, during the tour, the bed rails were not tied down.

3) Resident #003 was equipped with a bed that failed entrapment zones 2,3 and 4 and was required to have the bed rails tied down, however it was observed that the left 1/2 rail was raised.

Residents returning to these beds would be at risk for entrapment as the beds did not include any accessory to mitigate the identified entrapment risks. Beds were not being monitored to ensure that documented interventions such as "rail to be tied down" were being instituted by staff. In addition, there were no directions in the resident's plan of care for staff to follow regarding the use of any mitigating accessory.

The Administrator confirmed that the beds systems were slated for another

round of entrapment tests in early August 2015 and a discussion was held regarding the need to date any follow up actions on the bed entrapment audit records. (120)

This order must be complied with by /
Vous devez vous conformer à cet ordre d'ici le : Oct 30, 2015

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

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.

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, 11e 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.

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.

Issued on this 17th day of August, 2015

Signature of Inspector /
Signature de l'inspecteur :

Name of Inspector /
Nom de l'inspecteur : BERNADETTE SUSNIK

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