

Inspection Report under
the Long-Term Care
Homes Act, 2007

Rapport d'inspection en vertu de
la Loi de 2007 sur les foyers de
soins de longue durée

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

Division des opérations relatives aux
soins de longue durée
Inspection de soins de longue durée

London Service Area Office
130 Dufferin Avenue 4th floor
LONDON ON N6A 5R2
Telephone: (519) 873-1200
Facsimile: (519) 873-1300

Bureau régional de services de
London
130, avenue Dufferin 4ème étage
LONDON ON N6A 5R2
Téléphone: (519) 873-1200
Télécopieur: (519) 873-1300

Public Copy/Copie du rapport public

| Report Date(s) / Date(s) du Rapport | Inspection No / No de l'inspection | Log # / No de registre | Type of Inspection / Genre d'inspection |
|--|---|-----------------------------------|--|
| Apr 20, 2021 | 2021_747725_0007 | 002657-21, 003774-21 | Complaint |

Licensee/Titulaire de permis

DTOC Long Term Care LP, by its general partner, DTOC Long Term Care MGP (a general partnership) by its partners, DTOC Long Term Care GP Inc. and Arch Venture Holdings Inc.

161 Bay Street, Suite 2100 TD Canada Trust Tower Toronto ON M5J 2S1

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

Franklin Gardens Long Term Care Home
24 Franklin Road Leamington ON N8H 4B7

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

CASSANDRA TAYLOR (725), JULIE DALESSANDRO (739)

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): April 13-16, 2021

During the course of this inspection the following intakes were inspected:

Log #: 002657-21 - relating to infection control practices relating to isolation, food quality and toileting routine

Log #: 003774-21 - relating to falls preventions and management, food and fluid intake and cleanliness of the home.

This inspection was conducted concurrently with inspection #2021_747725_0008 at which time non-compliance relating to falls prevention and management was identified and issued within inspection #2021_747725_00008.

During the course of the inspection, the inspector(s) spoke with the Administrator, the Environmental Services Manager, the Dietary Manager, two Registered Nurses, four Personal Support Workers, two housekeepers.

During the course of this inspection the inspectors reviewed relevant internal documentation, reviewed relevant resident records, observed the provision of care and spoke with residents.

The following Inspection Protocols were used during this inspection:

Accommodation Services - Housekeeping

Accommodation Services - Maintenance

Contenance Care and Bowel Management

Dignity, Choice and Privacy

Falls Prevention

Infection Prevention and Control

Nutrition and Hydration

Responsive Behaviours

Skin and Wound Care

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 | |
|---|--|
| <p>Legend</p> <p>WN – Written Notification VPC – Voluntary Plan of Correction DR – Director Referral CO – Compliance Order WAO – Work and Activity Order</p> | <p>Légende</p> <p>WN – Avis écrit VPC – Plan de redressement volontaire DR – Aiguillage au directeur CO – Ordre de conformité WAO – Ordres : travaux et activités</p> |
| <p>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).</p> <p>The following constitutes written notification of non-compliance under paragraph 1 of section 152 of the LTCHA.</p> | <p>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.</p> <p>Ce qui suit constitue un avis écrit de non-respect aux termes du paragraphe 1 de l'article 152 de la LFSLD.</p> |

**WN #1: The Licensee has failed to comply with LTCHA, 2007 S.O. 2007, c.8, s. 15.
Accommodation services**

Specifically failed to comply with the following:

- s. 15. (2) Every licensee of a long-term care home shall ensure that,**
- (a) the home, furnishings and equipment are kept clean and sanitary; 2007, c. 8, s. 15 (2).**
 - (b) each resident's linen and personal clothing is collected, sorted, cleaned and delivered; and 2007, c. 8, s. 15 (2).**
 - (c) the home, furnishings and equipment are maintained in a safe condition and in a good state of repair. 2007, c. 8, s. 15 (2).**

Findings/Faits saillants :

1. The licensee has failed to ensure that the home, furnishings and equipment were kept clean and sanitary.

A tour of the home was conducted on April 14, 15 and 16, 2021. The following was observed;

Unit One

- There were brown and pink dried spill spots noted on the hallway floors.
- At the end of the hallway in the resident lounge there was a large yellowed stain on the wall and the baseboard heater, photos were obtained.
- In an identified resident room the bathroom was noted to have grime and cracked tiles around the toilet.

Unit Two

- The exit door at the end of the hallway was noted to have cobwebs and debris, photo obtained
- In an identified resident room the bathroom had a urine odour, the floor was sticky, there was dried brown liquid in the sink and grime around the base of the toilet.
- In an identified resident room the toilet had grime around the base There was a hole in the wall (through the tile) behind the toilet tank.

Unit Three

- The floor surrounding the nursing desk was covered in debris and grime, photo obtained

- The entrance of the hallway had a pile of sand and ants noted, photo obtained
- the floor leading to the oxygen room was covered in dirt and grime, photo obtained
- General observation of grime along the bottoms of the baseboards with buildup in the corners, mostly in the corners between the resident's door frames and the wall.

Unit Four

- General observation of grime along the bottoms of the baseboards with buildup in the corners, mostly in the corners between the resident's door frames and the wall.
- Outside of an identified resident room next to the bumper pad, above the baseboard outside the room there was a hole in the wall
- Between an identified resident room and the exit door at the end of the hall there was sand along the baseboard, photo obtained
- In the middle of the floor between the storage room and an identified resident room there were brown and pink dried spill spots
- In an identified resident room the closet, closest to the washroom large amount of sand noted in the closet and 3 large piles of sand noted in the shared bathroom behind the toilet. Photos obtained of the closet.

Main hallway outside of the offices the baseboard heater was filled with dirt, dust and debris, a photo was obtained.

During an interview with the homes Environmental Services Manager (ESM) it was indicated that the home has a cleaning schedule in place and audits are completed on a regular basis. The inspector and the Administrator toured the home together to review the condition of the home. The administrator indicated that the home does have a cleaning schedule in place however it appeared additional cleaning was required.

Not keeping the home, furnishings and equipment clean and sanitary posed a minimal risk to residents.

Sources: Observations from inspectors and staff interviews with ESM and Administrator.
[s. 15. (2) (a)]

Additional Required Actions:

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

Issued on this 27th day of April, 2021

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

Original report signed by the inspector.

Order(s) of the Inspector

Ordre(s) de l'inspecteur

Pursuant to section 153 and/or
section 154 of the *Long-Term
Care Homes Act, 2007*, S.O.
2007, c. 8

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

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

Division des opérations relatives aux soins de longue durée
Inspection de soins de longue durée

Public Copy/Copie du rapport public

Name of Inspector (ID #) /

Nom de l'inspecteur (No) : CASSANDRA TAYLOR (725), JULIE DALESSANDRO
(739)

Inspection No. /

No de l'inspection : 2021_747725_0007

Log No. /

No de registre : 002657-21, 003774-21

Type of Inspection /

Genre d'inspection: Complaint

Report Date(s) /

Date(s) du Rapport : Apr 20, 2021

Licensee /

Titulaire de permis : DTOC Long Term Care LP, by its general partner,
DTOC Long Term Care MGP (a general partnership) by
its partners, DTOC Long Term Care GP Inc. and Arch
Venture Holdings Inc.
161 Bay Street, Suite 2100, TD Canada Trust Tower,
Toronto, ON, M5J-2S1

LTC Home /

Foyer de SLD : Franklin Gardens Long Term Care Home
24 Franklin Road, Leamington, ON, N8H-4B7

Stacey Vaillancourt

Order(s) of the Inspector

Ordre(s) de l'inspecteur

Pursuant to section 153 and/or
section 154 of the *Long-Term
Care Homes Act, 2007*, S.O.
2007, c. 8

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

**Name of Administrator /
Nom de l'administratrice
ou de l'administrateur :**

To DTOC Long Term Care LP, by its general partner, DTOC Long Term Care MGP (a general partnership) by its partners, DTOC Long Term Care GP Inc. and Arch Venture Holdings Inc., you are hereby required to comply with the following order(s) by the date(s) set out below:

Order(s) of the Inspector

Ordre(s) de l'inspecteur

Pursuant to section 153 and/or section 154 of the *Long-Term Care Homes Act, 2007*, S.O. 2007, c. 8

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 # /

No d'ordre : 001

Order Type /

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

Pursuant to / Aux termes de :

LTCHA, 2007 S.O. 2007, c.8, s. 15. (2) Every licensee of a long-term care home shall ensure that,

- (a) the home, furnishings and equipment are kept clean and sanitary;
- (b) each resident's linen and personal clothing is collected, sorted, cleaned and delivered; and
- (c) the home, furnishings and equipment are maintained in a safe condition and in a good state of repair. 2007, c. 8, s. 15 (2).

Order / Ordre :

The licensee must be compliant with O. Reg. s. 15. (2) (a)
Specifically;

A) The licensee shall schedule a deep clean of the home that includes but is not limited to identified resident rooms and all nursing desks, wall surfaces, base boards, base board heaters and all floors and doors.

B) The licensee shall schedule increased cleaning and monitoring for identified resident rooms and all other rooms identified with ant issues or potential for ant issues.

C) The licensee shall conduct weekly audits of the cleanliness of the home. The audits will include all resident rooms, common areas and dining rooms. The weekly audits shall be conducted by the Manager of Environmental Services, the Director of Care or the Administrator.

D) The licensee shall keep written records of the weekly audits that includes the date of the audit, any identified areas of concern, what corrective actions were implemented and the date of the corrective actions.

Grounds / Motifs :

1. 1. The licensee has failed to ensure that the home, furnishings and equipment were kept clean and sanitary.

Order(s) of the Inspector**Ordre(s) de l'inspecteur**

Pursuant to section 153 and/or section 154 of the *Long-Term Care Homes Act, 2007*, S.O. 2007, c. 8

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

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- Outside of an identified resident room next to the bumper pad, above the baseboard outside the room there was a hole in the wall
- Between an identified resident room and the exit door at the end of the hall

Order(s) of the Inspector**Ordre(s) de l'inspecteur**

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there was sand along the baseboard, photo obtained

- In the middle of the floor between the storage room and an identified resident room there were brown and pink dried spill spots
- In an identified resident room the closet, closest to the washroom large amount of sand noted in the closet and 3 large piles of sand noted in the shared bathroom behind the toilet. Photos obtained of the closet.

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During an interview with the homes Environmental Services Manager (ESM) it was indicated that the home has a cleaning schedule in place and audits are completed on a regular basis. The inspector and the Administrator toured the home together to review the condition of the home. The administrator indicated that the home does have a cleaning schedule in place however it appeared additional cleaning was required.

Not keeping the home, furnishings and equipment clean and sanitary posed a minimal risk to residents.

Sources: Observations from inspectors and staff interviews with ESM and Administrator.

An order was made taking the following factors into account;

Severity: Not keeping the home, furnishings and equipment clean and sanitary posed a minimal risk to residents.

Scope: The scope of this issue was widespread as observations were completed throughout the home.

Compliance History: 5 Written Notifications, 3 Voluntary Plans of Correction and 1 Compliance Order which has since been complied, were issued to the home related to different sub-sections of the legislation in the last 36 months.

(725)

Order(s) of the Inspector

Ordre(s) de l'inspecteur

Pursuant to section 153 and/or
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2007, c. 8

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 :**

Aug 19, 2021

Order(s) of the Inspector

Ordre(s) de l'inspecteur

Pursuant to section 153 and/or
section 154 of the *Long-Term
Care Homes Act, 2007*, S.O.
2007, c. 8

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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, commercial courier or by fax upon:

Director
c/o Appeals Coordinator
Long-Term Care Inspections Branch
Ministry of 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, when service is made by a commercial courier it is deemed to be made on the second business day after the day the courier receives the document, 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:

Order(s) of the Inspector

Ordre(s) de l'inspecteur

Pursuant to section 153 and/or
section 154 of the *Long-Term
Care Homes Act, 2007*, S.O.
2007, c. 8

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l'article 154 de la *Loi de 2007 sur les
foyers de soins de longue durée*, L.O.
2007, chap. 8

Health Services Appeal and Review Board and the Director

Attention Registrar
Health Services Appeal and Review Board
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
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.

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Ordre(s) de l'inspecteur

Pursuant to section 153 and/or
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2007, c. 8

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foyers de soins de longue durée*, L.O.
2007, chap. 8

**RENSEIGNEMENTS RELATIFS AUX RÉEXAMENS DE DÉCISION ET AUX
APPELS**

PRENEZ AVIS :

Le/la titulaire de permis a le droit de faire une demande de réexamen par le directeur de cet ordre ou de ces ordres, et de demander que le directeur suspende cet ordre ou ces ordres conformément à l'article 163 de la Loi de 2007 sur les foyers de soins de longue durée.

La demande au directeur doit être présentée par écrit et signifiée au directeur dans les 28 jours qui suivent la signification de l'ordre au/à la titulaire de permis.

La demande écrite doit comporter ce qui suit :

- a) les parties de l'ordre qui font l'objet de la demande de réexamen;
- b) les observations que le/la titulaire de permis souhaite que le directeur examine;
- c) l'adresse du/de la titulaire de permis aux fins de signification.

La demande de réexamen présentée par écrit doit être signifiée en personne, par courrier recommandé, par messagerie commerciale ou par télécopieur, au :

Directeur
a/s du coordonnateur/de la coordonnatrice en matière d'appels
Direction de l'inspection des foyers de soins de longue durée
Ministère des Soins de longue durée
1075, rue Bay, 11^e étage
Toronto ON M5S 2B1
Télécopieur : 416-327-7603

Order(s) of the Inspector**Ordre(s) de l'inspecteur**

Pursuant to section 153 and/or
section 154 of the *Long-Term
Care Homes Act, 2007*, S.O.
2007, c. 8

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

Quand la signification est faite par courrier recommandé, elle est réputée être faite le cinquième jour qui suit le jour de l'envoi, quand la signification est faite par messagerie commerciale, elle est réputée être faite le deuxième jour ouvrable après le jour où la messagerie reçoit le document, et lorsque la signification est faite par télécopieur, elle est réputée être faite le premier jour ouvrable qui suit le jour de l'envoi de la télécopie. Si un avis écrit de la décision du directeur n'est pas signifié au/à la titulaire de permis dans les 28 jours de la réception de la demande de réexamen présentée par le/la titulaire de permis, cet ordre ou ces ordres sont réputés être confirmés par le directeur, et le/la titulaire de permis est réputé(e) avoir reçu une copie de la décision en question à l'expiration de ce délai.

Le/la titulaire de permis a le droit d'interjeter appel devant la Commission d'appel et de révision des services de santé (CARSS) de la décision du directeur relative à une demande de réexamen d'un ordre ou des ordres d'un inspecteur ou d'une inspectrice conformément à l'article 164 de la Loi de 2007 sur les foyers de soins de longue durée. La CARSS est un tribunal autonome qui n'a pas de lien avec le ministère. Elle est créée par la loi pour examiner les questions relatives aux services de santé. Si le/la titulaire décide de faire une demande d'audience, il ou elle doit, dans les 28 jours de la signification de l'avis de la décision du directeur, donner par écrit un avis d'appel à la fois à :

la Commission d'appel et de révision des services de santé et au directeur

À l'attention du/de la registrateur(e)
Commission d'appel et de révision
des services de santé
151, rue Bloor Ouest, 9e étage
Toronto ON M5S 1S4

Directeur
a/s du coordonnateur/de la coordonnatrice en matière
d'appels
Direction de l'inspection des foyers de soins de longue durée
Ministère des Soins de longue durée
1075, rue Bay, 11e étage
Toronto ON M5S 2B1
Télécopieur : 416-327-7603

À la réception de votre avis d'appel, la CARSS en accusera réception et fournira des instructions relatives au processus d'appel. Le/la titulaire de permis peut en savoir davantage sur la CARSS sur le site Web www.hsarb.on.ca.

Issued on this 20th day of April, 2021

Signature of Inspector /

Signature de l'inspecteur :

Name of Inspector /

Nom de l'inspecteur : Cassandra Taylor

Service Area Office /

Bureau régional de services : London Service Area Office