



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

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

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Report Date(s) / Date(s) du Rapport	Inspection No / No de l'inspection	Log # / Registre no	Type of Inspection / Genre d'inspection
Mar 25, 2014	2014_317703_0006	187-14	Other

Licensee/Titulaire de permis

2063412 ONTARIO LIMITED AS GENERAL PARTNER OF 2063412 INVESTMENT LP

302 Town Centre Blvd., Suite #200, MARKHAM, ON, L3R-0E8

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

LEISUREWORLD CAREGIVING CENTRE - MUSKOKA

200 KELLY DRIVE, GRAVENHURST, ON, P1P-1P3

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

ANDREW RENNER (703)

Inspection Summary/Résumé de l'inspection



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The purpose of this inspection was to conduct an Other inspection.

This inspection was conducted on the following date(s): February 18, 2014

During the course of the inspection, the inspector(s) spoke with Director of Administration, Office Manager, residents and substitute decision makers for residents.

During the course of the inspection, the inspector(s) examined the trust account transactions, backup, reconciliation and statement for January 2014, resident files, resident trust ledgers, resident billing charges, trust account audit report, resident admission package, policies and procedures for trust accounts and resident charges.

**The following Inspection Protocols were used during this inspection:
Resident Charges
Trust Accounts**

Findings of Non-Compliance were found during this inspection.



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NON-COMPLIANCE / NON - RESPECT DES EXIGENCES	
Legend	Legendé
WN – Written Notification	WN – Avis écrit
VPC – Voluntary Plan of Correction	VPC – Plan de redressement volontaire
DR – Director Referral	DR – Aiguillage au directeur
CO – Compliance Order	CO – Ordre de conformité
WAO – Work and Activity Order	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. 80. Regulated documents for resident

Specifically failed to comply with the following:

- s. 80. (1) Every licensee of a long-term care home shall ensure that no regulated document is presented for signature to a resident or prospective resident, a substitute decision-maker of a resident or prospective resident or a family member of a resident or prospective resident, unless,**
- (a) the regulated document complies with all the requirements of the regulations; and 2007, c. 8, s. 80. (1).**
 - (b) the compliance has been certified by a lawyer. 2007, c. 8, s. 80. (1).**

Findings/Faits saillants :



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1. Record review and staff interview confirmed that the Licensee failed to ensure that the accommodation agreement and resident admission package have been certified by a lawyer that they meet all the requirements of the regulations for regulated documents. [s. 80. (1) (b)]

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 by ensuring a lawyer has certified that regulated documents presented for signature to a resident or prospective resident, a substitute decision maker of a resident or prospective resident or a family member of a resident or prospective resident are in compliance with all the requirements of the regulations, to be implemented voluntarily.

WN #2: The Licensee has failed to comply with O.Reg 79/10, s. 241. Trust accounts



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Specifically failed to comply with the following:

s. 241. (4) No licensee shall,

(a) hold more than \$5,000 in a trust account for any resident at any time; O. Reg. 79/10, s. 241 (4).

(b) commingle resident funds held in trust with any other funds held by the licensee; or O. Reg. 79/10, s. 241 (4).

(c) charge a resident, or a person acting on behalf of a resident, a transaction fee for withdrawals, deposits, or anything else related to money held in trust. O. Reg. 79/10, s. 241 (4).

s. 241. (5) Every licensee shall establish a written policy and procedures for the management of resident trust accounts and the petty cash trust money, which must include,

(a) a system to record the written authorizations required under subsection (8); and O. Reg. 79/10, s. 241 (5).

(b) the hours when the resident, or the person acting on behalf of the resident, can make deposits to or withdrawals from the resident's funds in a trust account and make withdrawals from the petty cash trust money. O. Reg. 79/10, s. 241 (5).

s. 241. (6) The licensee shall provide a copy of the written policy and procedures to every resident and person acting on behalf of a resident who asks to have money deposited into a trust account. O. Reg. 79/10, s. 241 (6).

s. 241. (7) The licensee shall,

(a) provide a resident, or a person acting on behalf of a resident, with a written receipt for all money received by the licensee from the resident, or any other person, for deposit in a trust account on behalf of the resident; O. Reg. 79/10, s. 241 (7).

s. 241. (8) A resident, or a person acting on behalf of a resident, who wishes to pay a licensee for charges under section 91 of the Act with money from a trust account shall provide the licensee with a written authorization that specifies what the charge is for, including a description of the goods or services provided, the frequency and timing of the withdrawal and the amount of the charge. O. Reg. 79/10, s. 241 (8).

Findings/Faits saillants :



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1. A record review and interview with staff confirmed that the licensee failed to ensure that they are not holding more than \$5,000 in a trust account for any resident at any time.

A record review confirmed that at the time of the inspection the licensee held more than \$5,000 in a trust account for a resident.

A record review confirmed that on January 31, 2014, the licensee held more than \$5,000 in a trust account for five residents. [s. 241. (4) (a)]

2. A record review and interview with staff confirmed that the licensee failed to include the hours when a resident, or person acting on behalf of a resident can make deposits to or withdrawals from the resident's funds in a trust account and make withdrawals from the petty cash trust money in the written policy and procedures for trust accounts. [s. 241. (5)]

3. A record review and resident interviews confirmed that the licensee failed to provide a copy of the written policy and procedures for trust accounts to two residents or the person acting on behalf of those residents. [s. 241. (6)]

4. A record review and interview with staff confirmed that the licensee failed to ensure that a written receipt for all money received from a resident, or any other person, for deposit in a trust account on behalf of the resident, when cheques are mailed directly to the licensee. [s. 241. (7) (a)]

5. A record review and interview with staff confirmed that the licensee failed to ensure that they are provided with written authorization for withdrawals from the funds of a resident's trust account, which includes a description of the goods or services provided, the frequency and timing of the withdrawal and the amount of the charge from a resident, or person acting on behalf of a resident.

A record review and interview with staff confirmed that a resident has been charged for escort services and transportation services under a verbal agreement from the resident's substitute decision maker. [s. 241. (8)]



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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 with the following:

- 1. Ensuring that the licensee does not hold more than \$5,000 in a trust account for any resident at anytime.***
 - 2. Ensure that the hours when a resident, or person acting on behalf of a resident can make deposits to or withdrawals from the resident's funds in a trust account and make withdrawals from the petty cash trust money are included in the written policy and procedures for trust accounts.***
 - 3. Ensure that the licensee provides a copy of the written policy and procedures to every resident and person acting on behalf of a resident who asks to have money deposited into a trust account.***
 - 4. Ensure that the licensee provides a written receipt for all money received from a resident, or any other person, for deposit in a trust account on behalf of the resident.***
 - 5. Ensure that the licensee is provided with written authorization for withdrawals from the funds of a resident's trust account, which includes a description of the goods or services provided, the frequency and timing of the withdrawal and the amount of the charge from a resident, or person acting on behalf of a resident, to be implemented voluntarily.***
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Issued on this 25th day of March, 2014

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

Andrew Renner