



**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**

**Long-Term Care Homes Division
Long-Term Care Inspections Branch**

**Division des foyers de soins de
longue durée
Inspection de soins de longue durée**

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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
Feb 10, 2017	2017_641513_0003	032600-16	Complaint

Licensee/Titulaire de permis

848357 ONTARIO INC.
33 Christie Street TORONTO ON M6G 3B1

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

THE O'NEILL CENTRE
33 CHRISTIE STREET TORONTO ON M6G 3B1

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

JUDITH HART (513)

Inspection Summary/Résumé de l'inspection



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The purpose of this inspection was to conduct a Complaint inspection.

This inspection was conducted on the following date(s): February 6, 8, 9, 2017, by phone.

During the course of the inspection, the inspector(s) spoke with the complainant, placement coordinator, social services coordinator, and director of nursing (DON) by phone.

During the course of the inspection the inspector reviewed the placement application records and correspondence from the licensee.

**The following Inspection Protocols were used during this inspection:
Admission and Discharge**

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

1 WN(s)

0 VPC(s)

0 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>Legendé</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. 44. Authorization for admission to a home

Specifically failed to comply with the following:

s. 44. (7) The appropriate placement co-ordinator shall give the licensee of each selected home copies of the assessments and information that were required to have been taken into account, under subsection 43 (6), and the licensee shall review the assessments and information and shall approve the applicant's admission to the home unless,

(a) the home lacks the physical facilities necessary to meet the applicant's care requirements; 2007, c. 8, s. 44. (7).

(b) the staff of the home lack the nursing expertise necessary to meet the applicant's care requirements; or 2007, c. 8, s. 44. (7).

(c) circumstances exist which are provided for in the regulations as being a ground for withholding approval. 2007, c. 8, s. 44. (7).

s. 44. (9) If the licensee withholds approval for admission, the licensee shall give to persons described in subsection (10) a written notice setting out,

(a) the ground or grounds on which the licensee is withholding approval; 2007, c. 8, s. 44. (9).

(b) a detailed explanation of the supporting facts, as they relate both to the home and to the applicant's condition and requirements for care; 2007, c. 8, s. 44. (9).

(c) an explanation of how the supporting facts justify the decision to withhold approval; and 2007, c. 8, s. 44. (9).

(d) contact information for the Director. 2007, c. 8, s. 44. (9).

Findings/Faits saillants :

1. The licensee failed to ensure that the application for admission to the home is accepted unless the home lacks the physical facilities necessary to meet the applicant's care requirements; the staff of the home lack the nursing expertise necessary to meet the applicant's care requirements; or circumstances exist which are provided for in the regulations as being a ground for withholding approval.

On a specified date a complaint was received, reporting that the long-term-care (LTC) home wrongfully refused him/her admission.

A review of the home's letter of rejection, on a specified date, to resident #001 revealed the ground for refusal of admission as the "nursing home lacks physical facilities necessary to meet the applicant's needs."



A record review of the placement application assessment revealed resident #001 is presently living independently in the community and uses a device for mobility. The resident requested private LTC accommodation. The LTC home was toured by this resident on a specified date and he/she chose this home in which to reside.

An interview with the home's internal placement coordinator, staff #100, identified that the resident's application was rejected because of the size of the ambulatory device in an older home and challenges with safety of movement. He/she stated that while using the ambulatory device resident #001 was able to enter and exit the home, get on and off the smaller of two elevators, was able to mobilize in the hallway, could access the dining facility and washrooms in the home for toileting. Assistance with movement was provided by staff when needed.

An interview with the director of care (DOC) acknowledged that the home had 12 beds for private accommodation and if the resident required assistance with mobilizing, it would be available. The DOC could not establish that the home did not have the physical facilities required by the resident.

The DOC confirmed the resident could be accommodated in the home and the resident's name could have been placed on a waiting list for admission to the home. [s. 44. (7) (a)]

2. The licensee failed to ensure that if the licensee withholds approval for admission, the licensee shall give to persons described in subsection (10) a written notice setting out: the ground or grounds on which the licensee is withholding approval; a detailed explanation of the supporting facts, as they relate both to the home and to the applicant's condition and requirements for care; an explanation of how the supporting facts justify the decision to withhold approval; and contact information for the Director.

On a specified date, a complaint was received, reporting that the long-term-care (LTC) home wrongfully refused him/her admission.

A record review of the placement application assessment revealed resident #001 is presently living independently in the community and uses a device for mobility. The resident requested private LTC accommodation. The LTC home was toured by this resident on a specified date and he/she chose this home in which to reside.

A review of the home's letter of rejection, on a specified date, to resident #001 revealed



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the ground for refusal of admission as the “nursing home lacks physical facilities necessary to meet the applicant’s needs.” A detailed explanation of the supporting facts, as they relate both to the home and to the applicant’s condition and requirements for care, were not included.

An interview with the director of care (DOC) confirmed that a detailed explanation of the supporting facts, as they relate both to the home and to the applicant's condition and requirements for care, were not included in the letter of rejection. [s. 44. (9) (b)]

Issued on this 10th day of February, 2017

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

Original report signed by the inspector.