

**Ministry of Long-Term Care**  
Long-Term Care Operations Division  
Long-Term Care Inspections Branch

**Ottawa District**  
347 Preston Street, Suite 420  
Ottawa, ON, K1S 3J4  
Telephone:(877) 779-5559

**Immediate Compliance Order**

**Amended Public Report (A2)**

<b>Report Issue Date:</b> June 2, 2023	
<b>Inspection Number:</b> 2023-1577-0002	
<b>Inspection Type:</b> Complaint	
<b>Licensee:</b> United Counties of Prescott and Russell	
<b>Long Term Care Home and City:</b> Residence Prescott et Russell, Hawkesbury	
<b>Lead Inspector</b> Joelle Taillefer (211)	<b>Inspector Digital Signature</b>  Joelle Taillefer <small>Digitally signed by Joelle Taillefer Date: 2023.06.02 08:22:32 -04'00'</small>
<b>Additional Inspector(s)</b> Lisa Kluge (000725)	

**AMENDED INSPECTION SUMMARY**

On May 19, 2023, this licensee inspection report was revised to reflect the Administrative Monetary Penalty related to O. Reg. 246/22 s. 349 (6) (c) and s. 349 (10).

On June 2, 2023, this licensee inspection report was revised to reflect the addition of the date of May 18, 2023, to the Inspection Report Summary. This Immediate Compliance Order was originally issued under inspection (#2023-1577-0002) on May 19, 2023.

**INSPECTION REPORT SUMMARY**

The inspection occurred on the following date(s): May 18 and 19, 2023

The following intake was inspected:

- Intake: #00087956- Complaint related to concerns with no air conditioning in the home.

It is noted that Inspection Manager Lyne Duchesne #117 was present as an observer during this inspection.

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## COMPLIANCE ORDER [ICO #901] Air conditioning requirements

NC# 001 Compliance Order pursuant to FLTCA, 2021, s. 154 (1) 2.

Non-compliance with: O. Reg. 246/22, s. 23.1 (1) 1.

### The Inspector is ordering the licensee to:

FLTCA, 2021, s.155 (1) (a) do anything, or refrain from doing anything, to achieve compliance with a requirement under this Act

### Compliance Order: [FLTCA 2021, s. 155 (1)]

The Licensee has failed to comply with O. Reg. 246/22, s. 23.1 (1) 1.

The licensee shall ensure that:

- All resident rooms have portable air conditioning units installed and are functional by May 26, 2023.

### Grounds

The licensee has failed to ensure that air conditioning is installed, operational and in good working order for the purpose of cooling temperature in every resident bedroom on May 15, 2023.

### Rationale and Summary

A complaint was received by the Ministry of Long-Term Care on May 15, 2023, related to elevated temperatures in the home as well as no air conditioning in resident rooms.

The long-term care home has 110 resident rooms. The long-term care home did not have central air conditioning other than in designated common areas on the first floor.

On May 18 and 19, 2023, it was observed that the home did not have any portable or window mounted air conditioning units installed in resident rooms. On May 19, 2023, there were no portable window mounted air conditioning units in 4 of 13 resident unit lounges.

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**Sources:** Observation of residents' rooms, interviews with the Administrator, Environmental Maintenance Manager, DOC, Manager of Services, and Registered Nursing Staff, Personal Support Worker and a resident's family member. [211]

**This order must be complied with by:** May 26, 2023

**An Administrative Monetary Penalty (AMP) is being issued on this compliance order AMP# 001**

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## NOTICE OF ADMINISTRATIVE MONETARY PENALTY (AMP)

The Licensee has failed to comply with FLTCA, 2021

**Notice of Administrative Monetary Penalty AMP#001**

**Related to Compliance Order NC# 001**

Pursuant to section 158 of the Fixing Long-Term Care Act, 2021, the licensee is required to pay an administrative penalty of \$25000.00, to be paid within 30 days from the date of the invoice.

In accordance with s.349 (6) (c) and (10) of O. Reg. 246/22, this administrative penalty is being issued for:

The Licensee has failed to comply with subsection 23.1 (1) of this Regulation, resulting in an order being made under section 155 of the Act. O. Reg. 246/22, s. 349 (6); O. Reg. 66/23, s. 43 (1).

Where an inspector or the Director issues a notice of administrative penalty under clause 6 (c) for the failure to comply with subsection 23.1 (1) of this Regulation, the amount of the administrative penalty is \$25,000. O. Reg. 66/23, s. 43 (2).

### Compliance History:

This is the first time the licensee has failed to comply with this requirement.

*Invoice with payment information will be provided under a separate mailing after service of this notice. Licensee must **NOT** pay an AMP from a resident-care funding envelope provided by the Ministry [i.e., Nursing and Personal Care (NPC); Program and Support Services (PSS); and Raw Food (RF)]. By submitting a payment to the Minister of Finance, the licensee is attesting to using funds outside a resident-care funding envelope to pay the AMP.*

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## REVIEW/APPEAL INFORMATION

### TAKE NOTICE

The licensee has the right to request a review by the Director of this (these) Order(s) and/or this Notice of Administrative Monetary Penalty (AMP) in accordance with section 169 of the *Fixing Long-Term Care Act, 2021* (Act). The licensee can request that the Director stay this (these) Order(s) pending the review. If a licensee requests a review of an AMP, the requirement to pay is stayed until the disposition of the review.

Note: Under the Act, a re-inspection fee is not subject to a review by the Director or an appeal to the Health Services Appeal and Review Board (HSARB).

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 or AMP was served on the licensee.

The written request for review must include:

- (a) the portions of the order or AMP in respect of which the review is requested;
- (b) any submissions that the licensee wishes the Director to consider; and
- (c) an address for service for the licensee.

The written request for review must be served personally, by registered mail, email, or commercial courier upon:

#### Director

c/o Appeals Coordinator  
Long-Term Care Inspections Branch  
Ministry of Long-Term Care  
438 University Avenue, 8<sup>th</sup> floor  
Toronto, ON, M7A 1N3  
e-mail: [MLTC.AppealsCoordinator@ontario.ca](mailto:MLTC.AppealsCoordinator@ontario.ca)

If service is made by:

- (a) registered mail, is deemed to be made on the fifth day after the day of mailing
- (b) email, is deemed to be made on the following day, if the document was served after 4 p.m.

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- (c) commercial courier, is deemed to be made on the second business day after the commercial courier received the document

If the licensee is not served with a copy of the Director's decision within 28 days of receipt of the licensee's request for review, this (these) Order(s) is (are) and/or this AMP is deemed to be confirmed by the Director and, for the purposes of an appeal to HSARB, the Director is deemed to have served the licensee with a copy of that decision on the expiry of the 28-day period.

Pursuant to s. 170 of the Act, the licensee has the right to appeal any of the following to HSARB:

- (a) An order made by the Director under sections 155 to 159 of the Act;
- (b) An AMP issued by the Director under section 158 of the Act; or
- (c) The Director's review decision, issued under section 169 of the Act, with respect to an inspector's compliance order (s. 155) or AMP (s. 158).

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 an appeal, the licensee must give a written notice of appeal within 28 days from the day the licensee was served with a copy of the order, AMP, or Director's decision that is being appealed from. The appeal notice must be given to both HSARB and the Director:

**Health Services Appeal and Review  
Board**

Attention Registrar  
151 Bloor Street West, 9<sup>th</sup> Floor  
Toronto, ON M5S 1S4

**Director**

c/o Appeals Coordinator  
Long-Term Care Inspections Branch  
Ministry of Long-Term Care  
438 University Avenue, 8<sup>th</sup> Floor  
Toronto, ON, M7A 1N3  
e-mail: [MLTC.AppealsCoordinator@ontario.ca](mailto:MLTC.AppealsCoordinator@ontario.ca)

Upon receipt, the HSARB will acknowledge your notice of appeal and will provide instructions regarding the appeal and hearing process. A licensee may learn more about the HSARB on the website [www.hsarb.on.ca](http://www.hsarb.on.ca).