



**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 prévue  
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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**Public Copy/Copie du public**

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<b>Report Date(s) / Date(s) du Rapport</b>	<b>Inspection No / No de l'inspection</b>	<b>Log # / No de registre</b>	<b>Type of Inspection / Genre d'inspection</b>
Feb 1, 2019	2019_556168_0004	000514-19	Complaint

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**Licensee/Titulaire de permis**

Liuna Local 837 Nursing Home (Hamilton) Corporation  
44 Hughson Street South HAMILTON ON L8N 2A7

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

Queen's Garden  
80 Queen Street North HAMILTON ON L8R 3P6

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

LISA VINK (168)

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**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): January 14, 15, 16, 22, 25, and 31, 2019.**

**This inspection was conducted off site.**

**This inspection, complaint log number 000514-19, was conducted related to authorization to admission to a home.**

**During the course of the inspection, the inspector(s) spoke with the Director of Care (DOC) and a representative from the Hamilton, Niagara, Haldimand and Brant (HNHB) Local Health Integration Network (LHIN) placement services.**

**During the course of the inspection, the inspector reviewed relevant documents regarding the applicant.**

**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**

Legend	Légende
WN – Written Notification VPC – Voluntary Plan of Correction DR – Director Referral CO – Compliance Order WAO – Work and Activity Order	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).	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. 44. Authorization for admission to a home**



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**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).**

**Findings/Faits saillants :**



1. The licensee failed to ensure that following a review of the assessments and information provided, that they approved the applicant's admission to the home unless, the home lacked the physical facilities necessary to meet the applicant's care requirements or the staff of the home lacked the nursing expertise necessary to meet the applicant's care requirements.

Placement Services, of the HNHB LHIN, received a letter from the DOC of the home, on a specified date in January 2019, related to application for admission for applicant #001.

The letter identified that the home was withholding approval of the application as the home did not have the necessary resources to meet the applicants needs and that this decision was based on the information provided on the LHIN application forms.

On a specified date in January 2019, a discussion was held with the DOC regarding the applicant and the reason that their application was denied.

On a specified date in January 2019, management, from the long-term care home, took action to obtain additional information about the applicant, in an effort to assess care needs.

On a specified date in January 2019, the DOC confirmed that the home did not lack the physical facilities nor that their staff lacked the nursing expertise necessary to meet the applicant's care requirements.

The DOC acknowledged that the home did not have acceptable grounds to withhold approval for the applicants admission to the home. [s. 44. (7)]

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**Issued on this 1st day of February, 2019**

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

**Original report signed by the inspector.**