



**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 # / No de registre	Type of Inspection / Genre d'inspection
Jan 11, 2018	2018_505103_0002	025125-17	Complaint

Licensee/Titulaire de permis

THE CORPORATION OF THE CITY OF KINGSTON
216 Ontario Street KINGSTON ON K7L 2Z3

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

RIDEAUCREST HOME
175 RIDEAU STREET KINGSTON ON K7K 3H6

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

DARLENE MURPHY (103)

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 3, 4, and 10, 2018

Log #025125-17 (complaint related to trust accounts).

During the course of the inspection, the inspector(s) spoke with office staff and the Administrator.

During the course of the inspection, the inspector reviewed the home's trust fund policy, reviewed the complainant's trust fund transactions, pre-authorized payment plan agreement and Unfunded services agreement, and reviewed any correspondence that was provided by the home related to the trust account.

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

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 O.Reg 79/10, s. 241. Trust accounts
Specifically failed to comply with the following:

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 :

1. The licensee has failed to receive written authorization from the resident, or a person acting on behalf of the resident, who wishes to pay the licensee for charges under s. 91 of the Act with money from a trust account, that specifies what the charge is for including: a description of goods and services provided, the frequency and timing of the withdrawal and the amount of the charge.

Resident #001 resided in the home during a specified period of time. This resident had two accounts set up by the home: one for accommodation fees and one trust fund for the resident to access money when required.

Resident #001's Power of Attorney (POA) raised concern that he/she was unaware there had been authorization given for pharmacy bills to be paid out of the family member's trust account. Additionally, the POA recalled having given authorization on one occasion for \$100 to be transferred into the trust account, but indicated transfers had been done on several occasions without consent. The POA indicated they were receiving monthly statements from the home, but often had to question the office staff about the entries.

The resident's trust fund entries were reviewed for a specified period of time. A total of six "paid from trust" entries were made and pharmacy bills were noted to have been withdrawn from the trust account on five occasions during this time frame.

Office staff #100 was interviewed and indicated upon admission, the resident and/or POA complete a Pre-authorized payment plan (PAP). Resident #001's PAP was reviewed. The form was observed to have a check mark, beside "Accommodation Fees" and indicated the home was authorized to debit monthly, on or after the fifteenth business day of each month, the resident's accommodation fees as per the accommodation agreement.

A check mark was also observed beside "Trust Account", and indicated the home was authorized to process a debit to be withdrawn monthly, on or after the fifteenth business day of each month, to be transferred to the resident's trust account in the amount of \$50. The amount to be withdrawn monthly was hand written on the form. It was also noted that in the margin of this consent, there was hand writing that indicated "changed to \$100.00 January 2017". The PAP form was signed at the bottom by the POA on a specified date.



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The initial entry of \$100 did correspond to an email received by the home from the POA, however the five additional entries that ranged from \$50 to \$100 had no corresponding written authorizations and did not coincide with the signed PAP agreement. According to the office staff member, the POA was in contact often with the home and frequently gave consent for the transfers of monies by phone.

The office staff member #100 indicated the resident/POA can also authorize from a list of unfunded services/optional services. Resident #001's Unfunded services agreement was reviewed. Under "Bill to trust" the following were marked off: uncovered non-prescription drugs, salon fees with consent and guest meals. The office manager indicated the pharmacy withdrawals were done in accordance with the signed Unfunded services agreement and that the POA did receive itemized statements related to these withdrawals.

The home failed to ensure written authorization form the resident or a person acting on behalf of the resident was obtained that specified what the charges were for, the frequency and the timing of the withdrawal and the amount of the charge. [s. 241. (8)]

Issued on this 11th day of January, 2018

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

Original report signed by the inspector.