



**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**

Hamilton Service Area Office  
119 King Street West 11th Floor  
HAMILTON ON L8P 4Y7  
Telephone: (905) 546-8294  
Facsimile: (905) 546-8255

Bureau régional de services de  
Hamilton  
119 rue King Ouest 11<sup>ième</sup> étage  
HAMILTON ON L8P 4Y7  
Téléphone: (905) 546-8294  
Télécopieur: (905) 546-8255

**Public Copy/Copie du public**

---

<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>
Dec 11, 2018	2018_689586_0025	003442-18, 003444-18, 003445-18, 005558-18, 007049-18, 007223-18	Critical Incident System

---

**Licensee/Titulaire de permis**

Rykka Care Centres LP  
3760 14th Avenue Suite 402 MARKHAM ON L3R 3T7

---

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

Dundurn Place Care Centre  
39 Mary Street HAMILTON ON L8R 3L8

---

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

JESSICA PALADINO (586)

---

**Inspection Summary/Résumé de l'inspection**

---



**The purpose of this inspection was to conduct a Critical Incident System inspection.**

**This inspection was conducted on the following date(s): November 22, 23, 27, 28, 29, 30 and December 3, 2018.**

**The following Critical Incident System (CIS) inspections were completed during the inspection:**

**005558-18 - Prevention of Abuse & Neglect;  
007049-18 - Prevention of Abuse & Neglect; and,  
007223-18 - Prevention of Abuse & Neglect.**

**The following Follow Up inspections were completed during the inspection:**

**003442-18 - Pain Management;  
003444-18 - Prevention of Abuse & Neglect; and,  
003445-18 - Responsive Behaviours.**

**During the course of the inspection, the inspector(s) spoke with the Executive Director, Interim Director of Care (DOC), Clinical Director of Care (CDOC), Staff Development Coordinator, Vice President of Operations, Admissions Coordinator, Former Executive Director, Ward Clerk, Registered Nurses (RN), Registered Practical Nurses (RPN), Personal Support Workers (PSW), residents and families.**

**During the course of this inspection, the inspectors: observed the provision of services, reviewed records including but not limited to: compliance plans, training records, policies and procedures and clinical health records.**

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

**Pain  
Prevention of Abuse, Neglect and Retaliation  
Responsive Behaviours**

**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)**



The following previously issued Order(s) were found to be in compliance at the time of this inspection:

Les Ordre(s) suivants émis antérieurement ont été trouvés en conformité lors de cette inspection:

REQUIREMENT/ EXIGENCE	TYPE OF ACTION/ GENRE DE MESURE	INSPECTION # / DE L'INSPECTION	NO NO DE L'INSPECTEUR
LTCHA, 2007 S.O. 2007, c.8 s. 19.	CO #002	2017_695156_0007	586
O.Reg 79/10 s. 48. (1)	CO #001	2017_695156_0007	586
O.Reg 79/10 s. 53. (1)	CO #003	2017_695156_0007	586



**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>Légende</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. 19.  
Duty to protect**

**Specifically failed to comply with the following:**

**s. 19. (1) Every licensee of a long-term care home shall protect residents from abuse by anyone and shall ensure that residents are not neglected by the licensee or staff. 2007, c. 8, s. 19 (1).**

**Findings/Faits saillants :**

1. The licensee has failed to ensure that every resident was protected from physical abuse.

The following is further evidence to support the compliance order issued on February 7, 2018, during Resident Quality Inspection 2017\_695156\_0007, which was to be complied April 6, 2018, as the incident occurred on April 5, 2018.

O. Reg. 79/10, s. 2 (1) defines physical abuse as "the use of physical force by a resident that causes physical injury to another resident".

Critical Incident System #2739-000011-18, log #007049-18, was submitted to the Director on an identified date in 2018, which described an altercation between resident #004 and resident #005. According to progress notes, the two residents had a history of other altercations prior to this incident.

According to the CIS, the home's internal investigation notes, and interview with PSW #110, the altercation took place. According to resident health records, both residents had history of identified behaviours in the home. Both residents recalled the incident.

Resident #005 was not protected from physical abuse by resident #004. [s. 19. (1)]

---



**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***

**Issued on this 11th day of December, 2018**

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

**Original report signed by the inspector.**