

**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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Report Date(s) / Date(s) du Rapport	Inspection No / No de l'inspection	Log # / No de registre	Type of Inspection / Genre d'inspection
Oct 8, 2019	2019_749653_0024	017472-19	Complaint

Licensee/Titulaire de permis

Schlegel Villages Inc.
325 Max Becker Drive Suite. 201 KITCHENER ON N2E 4H5

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

The Village of Taunton Mills
3800 Brock Street North WHITBY ON L1R 3A5

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

ROMELA VILLASPIR (653)

Inspection Summary/Résumé de l'inspection

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

This inspection was conducted on the following date(s): October 4, 2019.

Complaint log #017472-19 related to withholding approval for admission of applicant #001, had been inspected.

During the course of the inspection, the inspector conducted a tour of a home area, reviewed the Central East Local Health Integration Network (CE LHIN)'s health assessment, the home's written notice to applicant #001, applicable documents from Public Health Ontario, and contacted the Regional Specialist from Public Health Ontario.

During the course of the inspection, the inspector(s) spoke with the CE LHIN Placement Co-ordinator, Director of Environmental Services (DES), Director of Nursing Care (DNC), and the Assistant General Manager (AGM).

**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)

1 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>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. 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 has failed to comply with s. 44 (7) of the Long-Term Care Homes Act (LTCHA) whereby the licensee refused the application of applicant #001 for reasons other than provided for in the LTCHA.

According to LTCHA, 2007, 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; (b) the staff of the home lack the nursing expertise necessary to meet the applicant's care requirements; or (c) circumstances exist which are provided for in the regulations as being a ground for withholding approval.

The Ministry of Long-Term Care (MLTC) received a complaint on an identified date, related to the home withholding approval for admission of applicant #001.

An interview with the Central East Local Health Integration Network (LHIN) Placement Co-ordinator indicated on an identified date the application of applicant #001 was made, for basic accommodation to five Long-Term Care homes including The Village of Taunton Mills.

At the time of the inspection, applicant #001 remained in the hospital.

A review of applicant #001's Health Assessment – LHIN document indicated they had an identified medical condition and required an identified care provision.

A review of the home's letter addressed to applicant #001, from the former Director of Nursing Care (DNC), indicated the home had received their bed application and declined it due to not having the necessary resources to meet their care requirements as it related to their identified medical condition. Public health advised that basic accommodations would not be in the public's best interest.

During an interview, the current DNC indicated they could not speak to the previous DNC's thought process and decision, however, they acknowledged that based on the above mentioned written notice to applicant #001, the grounds for withholding approval of their admission to the home was due to the fact that they had the identified medical condition but only applied for basic accommodation, which would have been a shared room with another resident. The recommendation from public health was a private room accommodation and the current DNC stated the home had the availability to provide private accommodation under High Intensity Needs Funding (HINF) if required. The DNC stated the home's private room had its own private washroom with a toilet and sink. The current DNC further indicated in June 2019, the home's neighbourhood coordinator was sent to Port Perry hospital for an education session on the identified medical condition, that was done by Durham Public Health.

The licensee has failed to comply with s. 44 (7) of the LTCHA whereby the licensee refused the application of applicant #001 for reasons other than provided for in the LTCHA. [s. 44. (7)]

2. The licensee has failed to ensure that when withholding approval for admission, the

licensee shall give 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.

The MLTC received a complaint on an identified date, related to the home withholding approval for admission of applicant #001.

An interview with the CE LHIN Placement Co-ordinator indicated on an identified date the application of applicant #001 was made, for basic accommodation to five Long-Term Care homes including The Village of Taunton Mills.

A review of applicant #001's Health Assessment – LHIN document indicated they had an identified medical condition and required an identified care provision.

At the time of the inspection, applicant #001 remained in the hospital.

A review of the home's letter addressed to applicant #001, from the former DNC, indicated the home had received their bed application and declined it due to not having the necessary resources to meet their care requirements as it related to their identified medical condition. Public health advised that basic accommodations would not be in the public's best interest.

During an interview, the current DNC reviewed the written notice addressed to applicant #001 and acknowledged that the letter did not include a detailed explanation of the supporting facts specifically related to the applicant's condition and requirements for care.

As per record reviews and staff interviews, it was identified that the written notice did not include sufficient details as required, for withholding approval for admission, and that the letter did not provide a detailed explanation of the supporting facts, as they related both to the home and to the applicant's condition and requirements for care, and an explanation of how the supporting facts justified the decision to withhold approval. [s. 44. (9)]

Additional Required Actions:

VPC - pursuant to the Long-Term Care Homes Act, 2007, S.O. 2007, c.8, s.152(2) the licensee is hereby requested to prepare a written plan of correction for achieving compliance to ensure that
-the licensee 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; (b) the staff of the home lack the nursing expertise necessary to meet the applicant's care requirements; or (c) circumstances exist which are provided for in the regulations as being a ground for withholding approval;
-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; (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; (c) an explanation of how the supporting facts justify the decision to withhold approval; and (d) contact information for the Director, to be implemented voluntarily.

Issued on this 10th day of October, 2019

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

Original report signed by the inspector.