



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  
prévus le Loi de 2007 les  
foyers de soins de longue

Health System Accountability and Performance  
Division  
Performance Improvement and Compliance Branch  
Division de la responsabilisation et de la  
performance du système de santé  
Direction de l'amélioration de la performance et de la  
conformité

Ottawa Service Area Office  
347 Preston St, 4th Floor  
OTTAWA, ON, K1S-3J4  
Telephone: (613) 569-5602  
Facsimile: (613) 569-9670

Bureau régional de services d'Ottawa  
347, rue Preston, 4<sup>ème</sup> étage  
OTTAWA, ON, K1S-3J4  
Téléphone: (613) 569-5602  
Télécopieur: (613) 569-9670

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Date(s) of inspection/Date(s) de l'inspection	Inspection No/ No de l'inspection	Type of Inspection/Genre d'inspection
Aug 10, 11, 12, 2011	2011_042148_0023	Complaint

**Licensee/Titulaire de permis**  
DEEM MANAGEMENT LIMITED  
2 QUEEN STREET EAST, SUITE 1500, TORONTO, ON, M5C-3G5

**Long-Term Care Home/Foyer de soins de longue durée**  
WELLINGTON HOUSE NURSING HOME  
990 EDWARD STREET NORTH, P.O. BOX 1510, PRESCOTT, ON, K0E-1T0

**Name of Inspector(s)/Nom de l'inspecteur ou des inspecteurs**  
AMANDA NIXON (148)

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

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

During the course of the inspection, the inspector(s) spoke with the Administrator, Nutritional Manager, Food Service Workers and Personal Support Workers.

During the course of the inspection, the inspector(s) reviewed the staffing schedules for the Registered Dietitian and Food Service Workers. Review the job agreements for the Registered Dietitian and Nutritional Manager. Reviewed the qualifications of the Nutritional Manager, as provided by the home. Observed the lunch meal on August 11, 2011.

The following Inspection Protocols were used in part or in whole during this inspection:

Sufficient Staffing

Findings of Non-Compliance were found during this inspection.

**NON-COMPLIANCE / NON-RESPECT DES EXIGENCES**

Definitions	Définitions
WN – Written Notification	WN – Avis écrit
VPC – Voluntary Plan of Correction	VPC – Plan de redressement volontaire
DR – Director Referral	DR – Aiguillage au directeur
CO – Compliance Order	CO – Ordre de conformité
WAO – Work and Activity Order	WAO – Ordres : travaux et activités



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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.)

The following constitutes written notification of non-compliance under paragraph 1 of section 152 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.

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 O.Reg 79/10, s. 75. Nutrition manager  
Specifically failed to comply with the following subsections:**

**s. 75. (2) A person hired as a nutrition manager after the coming into force of this section must be a member of the Canadian Society of Nutrition Management or a registered dietitian. O. Reg. 79/10, s. 75 (2).**

**Findings/Faits sayants :**

1. A identified person was hired April 5, 2011 as the Food Service Manager/Housekeeping Manager. As per the April 5, 2011 Offer of Employment letter, the home acknowledges that this person does not have her membership in the Canadian Society of Nutrition Management and agree to a nine month probationary period in which he/she must obtained a CSNM membership.
2. As of August 11, 2011 the identified person was working as the Nutritional Manager under O.Reg. 79/10 s. 75(1), and he/she was not a member of the Canadian Society of Nutrition Management. No other person has this qualification or is working as the Nutritional Manager in the home.
3. As of August 11, 2011 the identified person has been accepted to the Food Service and Nutrition Management program for the 2011/2012 academic year. Courses have not yet commenced.
4. The home hired and continues to employ an identified person in the position of Nutritional Manager without the required qualifications.

**Additional Required Actions:**

**CO # - 001 will be served on the licensee. Refer to the "Order(s) of the Inspector".**

Issued on this 16th day of August, 2011

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

*Amanda ... LTCHA Inspector*



**Ministry of Health and  
Long-Term Care**

**Order(s) of the Inspector**  
Pursuant to section 153 and/or  
section 154 of the *Long-Term Care  
Homes Act, 2007*, S.O. 2007, c.8

**Ministère de la Santé et  
des Soins de longue durée**

**Ordre(s) de l'inspecteur**  
Aux termes de l'article 153 et/ou  
de l'article 154 de la *Loi de 2007 sur les foyers  
de soins de longue durée*, L.O. 2007, chap. 8

Health System Accountability and Performance Division  
Performance Improvement and Compliance Branch

Division de la responsabilisation et de la performance du système de santé  
Direction de l'amélioration de la performance et de la conformité

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<b>Name of Inspector (ID #) / Nom de l'inspecteur (No) :</b>	AMANDA NIXON (148)
<b>Inspection No. / No de l'inspection :</b>	2011_042148_0023
<b>Type of Inspection / Genre d'inspection:</b>	Complaint
<b>Date of Inspection / Date de l'inspection :</b>	Aug 10, 11, 12, 2011
<b>Licensee / Titulaire de permis :</b>	DEEM MANAGEMENT LIMITED 2 QUEEN STREET EAST, SUITE 1500, TORONTO, ON, M5C-3G5
<b>LTC Home / Foyer de SLD :</b>	WELLINGTON HOUSE NURSING HOME 990 EDWARD STREET NORTH, P.O. BOX 1510, PRESCOTT, ON, K0E-1T0
<b>Name of Administrator / Nom de l'administratrice ou de l'administrateur :</b>	MARYLIN BENN

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To DEEM MANAGEMENT LIMITED, you are hereby required to comply with the following order(s) by the date(s) set out below:



**Ministry of Health and  
Long-Term Care**

**Ministère de la Santé et  
des Soins de longue durée**

**Order(s) of the Inspector**

Pursuant to section 153 and/or  
section 154 of the *Long-Term Care  
Homes Act, 2007*, S.O. 2007, c.8

**Ordre(s) de l'inspecteur**

Aux termes de l'article 153 et/ou  
de l'article 154 de la *Loi de 2007 sur les foyers  
de soins de longue durée*, L.O. 2007, chap. 8

**Order # /**

**Ordre no :** 001

**Order Type /**

**Genre d'ordre :** Compliance Orders, s. 153. (1) (b)

**Pursuant to / Aux termes de :**

O.Reg 79/10, s. 75. (2) A person hired as a nutrition manager after the coming into force of this section must be a member of the Canadian Society of Nutrition Management or a registered dietitian. O. Reg. 79/10, s. 75 (2).

**Order / Ordre :**

The licensee shall prepare, submit and implement a plan for achieving compliance to meet the requirements that:

1. the home ensure that the person hired as a Nutritional Manager be a member of the Canadian Society of Nutrition Management

The plan will include:

1. the recruitment, training and deployment for a Nutritional Manager, meeting the requirements under O. Reg 79/10 s. 75.
2. time lines and accountability for the recruitment, training and deployment of a Nutritional Manager.

The plan is to be submitted by August 23, 2011, to Inspector: Amanda Nixon, Ministry of Health and Long-term Care, Performance Improvement and Compliance Branch, 347 Preston Street, 4th Floor, Ottawa ON K1S 3J4, Fax 613-569-9670

**Grounds / Motifs :**

1. An identified person was hired April 5, 2011 as the Food Service Manager/Housekeeping Manager. As per the April 5, 2011 Offer of Employment letter, the home acknowledges that this person does not have her membership in the Canadian Society of Nutrition Management and agree to a nine month probationary period in which he/she must obtain a CSNM membership.

2. As of August 11, 2011 the identified person was working as the Nutritional Manager under O.Reg. 79/10 s. 75 (1), and he/she was not a member of the Canadian Society of Nutrition Management. No other person has this qualification or is working as the Nutritional Manager in the home.

3. As of August 11, 2011 the identified person has been accepted to the Food Service and Nutrition Management program for the 2011/2012 academic year. Courses have not yet commenced.

4. The home hired and continues to employ an identified person in the position of Nutritional Manager without the required qualifications.

(148)

**This order must be complied with by /**

**Vous devez vous conformer à cet ordre d'ici le :** Sep 16, 2011



Ministry of Health and  
Long-Term Care

Ministère de la Santé et  
des Soins de longue durée

Order(s) of the Inspector  
Pursuant to section 153 and/or  
section 154 of the *Long-Term Care  
Homes Act, 2007*, S.O. 2007, c.8

Ordre(s) de l'inspecteur  
Aux termes de l'article 153 et/ou  
de l'article 154 de la *Loi de 2007 sur les foyers  
de soins de longue durée*, L.O. 2007, chap. 8

**REVIEW/APPEAL INFORMATION / RENSEIGNEMENTS SUR LE RÉEXAMEN/L'APPEL**

TAKE NOTICE:

The Licensee has the right to request a review by the Director of this (these) Order(s) and to request that the Director stay this (these) Order(s) in accordance with section 163 of the Long-Term Care Homes Act, 2007.

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 was served on the Licensee.

The written request for review must include,

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

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

Director  
c/o Appeals Clerk  
Performance Improvement and Compliance Branch  
Ministry of Health and Long-Term Care  
55 St. Clair Ave. West  
Suite 800, 8th floor  
Toronto, ON M4V 2Y2  
Fax: 416-327-760

When service is made by registered mail, it is deemed to be made on the fifth day after the day of mailing and when service is made by fax, it is deemed to be made on the first business day after the day the fax is sent. If the Licensee is not served with written notice of the Director's decision within 28 days of receipt of the Licensee's request for review, this(these) Order(s) is(are) deemed to be confirmed by the Director and the Licensee is deemed to have been served with a copy of that decision on the expiry of the 28 day period.

The Licensee has the right to appeal the Director's decision on a request for review of an Inspector's Order(s) to the Health Services Appeal and Review Board (HSARB) in accordance with section 164 of the Long-Term Care Homes Act, 2007. The 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 a hearing, the Licensee must, within 28 days of being served with the notice of the Director's decision, give a written notice of appeal to both:

Health Services Appeal and Review Board and the

Director

Attention Registrar  
151 Bloor Street West  
9th Floor  
Toronto, ON  
M5S 2T5


c/o Appeals Clerk  
Performance Improvement and Compliance Branch  
55 St. Clair Avenue, West  
Suite 800, 8th Floor  
Toronto, ON M4V 2Y2

Fax: 416-327-7603

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

Issued on this 16th day of August, 2011

Signature of inspector /

Signature de l'inspecteur : 

Name of Inspector /

Nom de l'inspecteur : AMANDA NIXON

Service Area Office /

Bureau régional de services : Ottawa Service Area Office