



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

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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

WN – Written Notification
VPC – Voluntary Plan of Correction
DR – Director Referral
CO – Compliance Order
WAO – Work and Activity Order

Définitions

WN – Avis écrit
VPC – Plan de redressement volontaire
DR – Aiguillage au directeur
CO – Ordre de conformité
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 Nye RD LTCHA Inspector



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

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

Public Copy/Copie du public

Name of Inspector (ID #) / Nom de l'inspecteur (No) : AMANDA NIXON (148)

Inspection No. / No de l'inspection : 2011_042148_0023

Type of Inspection / Genre d'inspection: Complaint

Date of Inspection / Date de l'inspection : Aug 10, 11, 12, 2011

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

LTC Home / Foyer de SLD : WELLINGTON HOUSE NURSING HOME
990 EDWARD STREET NORTH, P.O. BOX 1510, PRESCOTT, ON, K0E-1T0

Name of Administrator / Nom de l'administratrice ou de l'administrateur : MARYLIN BENN

AMENDED - COMPLIANCE PLAN MUST BE SUBMITTED IN WRITING TO INSPECTOR KATHLEEN SMID ON OR BEFORE SEPTEMBER 1, 2011. Kathleen Smid August 25, 2011

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~~ **SEPTEMBER 1, 2011** to Inspector: ~~Amanda Nixon~~ **KATHLEEN SMID**, 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/APEAL 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.

Issued on this 16th day of August, 2011

Signature of Inspector / Signature de l'inspecteur :

Handwritten signature: Kathleen Smith for Amanda Nixon on August 25, 2011.

Name of Inspector / Nom de l'inspecteur :

AMANDA NIXON

Service Area Office /

Bureau régional de services : Ottawa Service Area Office