



**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 sous la
Loi de 2007 sur les foyers de
soins de longue durée**

**Health System Accountability and
Performance Division
Performance Improvement and
Compliance Branch**

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^{ième} étage
OTTAWA, ON, K1S-3J4
Téléphone: (613) 569-5602
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**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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Report Date(s) / Date(s) du Rapport	Inspection No / No de l'inspection	Log # / Registre no	Type of Inspection / Genre d'inspection
Dec 12, 2013	2013_128138_0049	O-001124- 13	Follow up

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

PAULA MACDONALD (138), AMBER MOASE (541)

Inspection Summary/Résumé de l'inspection



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The purpose of this inspection was to conduct a Follow up inspection.

**This inspection was conducted on the following date(s): November 28 and 29,
2013**

**The Follow Up inspection included logs O-000378-13, O-000848-13 and O-001124
-13**

**During the course of the inspection, the inspector(s) spoke with residents, the
Food Service Manager, the Staffing Scheduler, the Administrator, the Director of
Care, several personal support workers, and a registered practical nurse.**

**During the course of the inspection, the inspector(s) reviewed the registered
nurse staff schedule, observed a lunch meal service, toured the resident home
areas, observed residents, and reviewed several resident health care records.**

The following Inspection Protocols were used during this inspection:

Continence Care and Bowel Management

Nutrition and Hydration

Personal Support Services

Sufficient Staffing

Findings of Non-Compliance were found during this inspection.



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 LTCHA, 2007 S.O. 2007, c.8, s. 8. Nursing and personal support services

Specifically failed to comply with the following:

s. 8. (3) Every licensee of a long-term care home shall ensure that at least one registered nurse who is both an employee of the licensee and a member of the regular nursing staff of the home is on duty and present in the home at all times, except as provided for in the regulations. 2007, c. 8, s. 8 (3).

Findings/Faits saillants :



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1. The licensee failed to comply with LTCHA, 2007 S.O 2007, c.8, s. 8. (3) in that there was not a registered nurse (RN) who is both an employee of the licensee and a member of the regular nursing staff of the home on duty and present in the home at all times.

Wellington House is a 60 bed long term care home. The home was noted to be non-compliant with 24/7 registered nurse coverage during a complaint inspection conducted April-May 2012. A compliance order was served with a compliance date of October 1, 2012. On September 26, 2012 the compliance order was amended to extend the compliance date to January 31, 2013.

A Follow Up inspection was conducted in May-April 2013 and it was noted that the home was non-compliant with 24/7 registered nurse coverage. A compliance order was re-issued with a compliance date of September 30, 2013.

Another Follow Up inspection was conducted on November 28-29, 2013. The inspectors reviewed the registered nurse staff schedule with the Staff Scheduler and later with the Director of Care and the Administrator for the time period of October 1, 2013 to November 24, 2013. It was identified in this time period that there were 24 days (either day, evening and night shifts) of 55 days where a registered nurse was not on duty and present in the home at all times. These specific dates were October 4, 7, 11, 20, 21, 24, 28, 30, 31, 2013 and November 3, 4, 5, 6, 9, 10, 11, 13, 14, 15, 18, 19, 20, 23, and 24, 2013.

The shifts not being covered are not a result of an emergency situation defined by Ontario Regulation 79/10 s.45. (1) (2) therefore the exception to the requirement in Ontario Regulation 79/10 s. 45. (1) 2. does not apply.

The home continues to advertise locally and through the Extendicare website and has been successful in hiring three registered nurses, one of whom will be working full time in the home.

It was also noted during the inspection that a full time registered nurse had been removed from the registered nurse staff schedule to provided coverage for the Director of Care position. This registered nurse has been returned to the registered nurse staff schedule and is providing registered nurse coverage. [s. 8. (3)]



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Additional Required Actions:

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

**THE FOLLOWING NON-COMPLIANCE AND/OR ACTION(S)/ORDER(S) HAVE BEEN COMPLIED WITH/
LES CAS DE NON-RESPECTS ET/OU LES ACTIONS ET/OU LES ORDRES SUIVANT SONT MAINTENANT CONFORME AUX EXIGENCES:**

COMPLIED NON-COMPLIANCE/ORDER(S) REDRESSEMENT EN CAS DE NON-RESPECT OU LES ORDERS:			
REQUIREMENT/ EXIGENCE	TYPE OF ACTION/ GENRE DE MESURE	INSPECTION # / NO DE L'INSPECTION	INSPECTOR ID #/ NO DE L'INSPECTEUR
LTCHA, 2007 S.O. 2007, c.8 s. 6. (7)	CO #001	2013_128138_0037	138

Issued on this 12th day of December, 2013

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

Paula MacDonald RD



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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) : PAULA MACDONALD (138), AMBER MOASE (541)

Inspection No. /
No de l'inspection : 2013_128138_0049

Log No. /
Registre no: O-001124-13

Type of Inspection /
Genre d'
inspection: Follow up

Report Date(s) /
Date(s) du Rapport : Dec 12, 2013

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 : *Joseph Barnhardt*

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**

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

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Order # /
Ordre no : 001 **Order Type /**
Genre d'ordre : Compliance Orders, s. 153. (1) (b)

Linked to Existing Order /
Lien vers ordre 2013_184124_0008, CO #001;
existant:

Pursuant to / Aux termes de :

LTCHA, 2007 S.O. 2007, c.8, s. 8. (3) Every licensee of a long-term care home shall ensure that at least one registered nurse who is both an employee of the licensee and a member of the regular nursing staff of the home is on duty and present in the home at all times, except as provided for in the regulations. 2007, c. 8, s. 8 (3).

Order / Ordre :

The licensee shall prepare, submit and implement a plan for achieving compliance to ensure that the home has at least one registered nurse who is both an employee of the licensee and a member of the regular nursing staff of the home on duty and present in the home at all times, except as provided for in the regulations. The plan shall also include all recruiting and retention strategies.

This plan must be submitted in writing to Paula MacDonald, LTCH Inspector at 347 Preston Street, 4th Floor, Ottawa ON K1S 3J4 or by fax at 613-569-9670 on or before December 24, 2013.

Grounds / Motifs :

1. This Follow Up inspection included the following logs: O-000378-13, O-000848-13 and O-001124-13. This order relates to log O-000378-13.

The licensee failed to comply with LTCHA, 2007 S.O 2007, c.8, s. 8. (3) in that there was not a registered nurse (RN) who is both an employee of the licensee and a member of the regular nursing staff of the home on duty and present in the home at all times.

Wellington House is a 60 bed long term care home. The home was noted to be non-compliant with 24/7 registered nurse coverage during a complaint inspection conducted April-May 2012. A compliance order was served with a compliance



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de l'article 154 de la *Loi de 2007 sur les foyers
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date of October 1, 2012. On September 26, 2012 the compliance order was amended to extend the compliance date to January 31, 2013.

A Follow Up inspection was conducted in May-April 2013 and it was noted that the home was non-compliant with 24/7 registered nurse coverage. A compliance order was re-issued with a compliance date of September 30, 2013.

Another Follow Up inspection was conducted on November 28-29, 2013. The inspectors reviewed the registered nursing staff schedule with the Staff Scheduler and later with the Director of Care and the Administrator for the time period of October 1, 2013 to November 24, 2013. It was identified in this time period that there were 24 days (either day, evening, or night shift) of 55 days were a registered nurse was not on duty and present in the home at all times. These specific dates were October 4, 7, 11, 20, 21, 24, 28, 30, 31, 2013 and November 3, 4, 5, 6, 9, 10, 11, 13, 14, 15, 18, 19, 20, 23, and 24, 2013.

The shifts not being covered are not a result of an emergency situation defined by Ontario Regulation 79/10 s.45. (1) (2) therefore the exception to the requirement in Ontario Regulation 79/10 s. 45. (1) 2. does not apply.

The home continues to advertise locally and through the Extendicare website and has been successful in hiring three registered nurses, one of whom will be working full time in the home.

It was also noted during the inspection that a full time registered nurse had been removed from the registered nurse staff schedule to provide coverage for the Director of Care position. This registered nurse has been returned to the registered nurse staff schedule and is providing registered nurse coverage.

(138)

This order must be complied with by /

Vous devez vous conformer à cet ordre d'ici le : Apr 30, 2014



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REVIEW/APPEAL INFORMATION

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 Coordinator
Performance Improvement and Compliance Branch
Ministry of Health and Long-Term Care
1075 Bay Street, 11th Floor
TORONTO, ON
M5S-2B1
Fax: 416-327-7603



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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

Director
c/o Appeals Coordinator
Performance Improvement and Compliance
Branch
Ministry of Health and Long-Term Care
1075 Bay Street, 11th Floor
TORONTO, ON
M5S-2B1
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.



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RENSEIGNEMENTS SUR LE RÉEXAMEN/L'APPEL

PRENDRE AVIS

En vertu de l'article 163 de la Loi de 2007 sur les foyers de soins de longue durée, le titulaire de permis peut demander au directeur de réexaminer l'ordre ou les ordres qu'il a donné et d'en suspendre l'exécution.

La demande de réexamen doit être présentée par écrit et est signifiée au directeur dans les 28 jours qui suivent la signification de l'ordre au titulaire de permis.

La demande de réexamen doit contenir ce qui suit :

- a) les parties de l'ordre qui font l'objet de la demande de réexamen;
- b) les observations que le titulaire de permis souhaite que le directeur examine;
- c) l'adresse du titulaire de permis aux fins de signification.

La demande écrite est signifiée en personne ou envoyée par courrier recommandé ou par télécopieur au:

Directeur
a/s Coordinateur des appels
Direction de l'amélioration de la performance et de la conformité
Ministère de la Santé et des Soins de longue durée
1075, rue Bay, 11^e étage
Ontario, ON
M5S-2B1
Fax: 416-327-7603

Les demandes envoyées par courrier recommandé sont réputées avoir été signifiées le cinquième jour suivant l'envoi et, en cas de transmission par télécopieur, la signification est réputée faite le jour ouvrable suivant l'envoi. Si le titulaire de permis ne reçoit pas d'avis écrit de la décision du directeur dans les 28 jours suivant la signification de la demande de réexamen, l'ordre ou les ordres sont réputés confirmés par le directeur. Dans ce cas, le titulaire de permis est réputé avoir reçu une copie de la décision avant l'expiration du délai de 28 jours.



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Ordre(s) de l'inspecteur
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de l'article 154 de la *Loi de 2007 sur les foyers
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En vertu de l'article 164 de la Loi de 2007 sur les foyers de soins de longue durée, le titulaire de permis a le droit d'interjeter appel, auprès de la Commission d'appel et de révision des services de santé, de la décision rendue par le directeur au sujet d'une demande de réexamen d'un ordre ou d'ordres donnés par un inspecteur. La Commission est un tribunal indépendant du ministère. Il a été établi en vertu de la loi et il a pour mandat de trancher des litiges concernant les services de santé. Le titulaire de permis qui décide de demander une audience doit, dans les 28 jours qui suivent celui où lui a été signifié l'avis de décision du directeur, faire parvenir un avis d'appel écrit aux deux endroits suivants :

À l'attention du registraire
Commission d'appel et de révision
des services de santé
151, rue Bloor Ouest, 9e étage
Toronto (Ontario) M5S 2T5

Directeur
a/s Coordinateur des appels
Direction de l'amélioration de la performance et de la
conformité
Ministère de la Santé et des Soins de longue durée
1075, rue Bay, 11e étage
Ontario, ON
M5S-2B1
Fax: 416-327-7603

La Commission accusera réception des avis d'appel et transmettra des instructions sur la façon de procéder pour interjeter appel. Les titulaires de permis peuvent se renseigner sur la Commission d'appel et de révision des services de santé en consultant son site Web, au www.hsarb.on.ca.

Issued on this 12th day of December, 2013

Signature of Inspector /

Signature de l'inspecteur :

Name of Inspector /

Nom de l'inspecteur :

PAULA MACDONALD

Service Area Office /

Bureau régional de services : Ottawa Service Area Office