



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 prévue 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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119 King Street West, 11th Floor
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Table with 3 columns: Date(s) of inspection, Inspection No, Type of Inspection. Row 1: May 31, Jun 17, 2011; 2011\_060127\_0005; Follow up

Licensee/Titulaire de permis

1508669 ONTARIO LIMITED
c/o Deloitte & Touche Inc. - 181 Bay Street, Brookfield Place, Suite 1400, TORONTO, ON, M5J-2V1

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

WEST PARK HEALTH CENTRE
103 Pelham Road, St Catharines, ON, L2S-1S9

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

RICHARD HAYDEN (127)

Inspection Summary/Résumé de l'inspection

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

During the course of the inspection, the inspector(s) spoke with administrator, director of care, environmental service supervisor/ward clerk, registered and non-registered staff and residents.

During the course of the inspection, the inspector(s) inspected all areas where previous non-compliance was identified during the follow-up inspection H-01910.

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

Accommodation Services - Maintenance

Safe and Secure Home

Findings of Non-Compliance were found during this inspection.

NON-COMPLIANCE / NON-RESPECT DES EXIGENCES

Table with 2 columns: Definitions, Définitions. Lists abbreviations for WN, VPC, DR, CO, WAO in both English and French.

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 LTCHA, 2007 S.O. 2007, c.8, s. 5. Every licensee of a long-term care home shall ensure that the home is a safe and secure environment for its residents. 2007, c. 8, s. 5.**

**Findings/Faits sayants :**

1. On May 31, 2011 the inspector observed 42 resident wardrobes in 17 resident rooms were not secured and were at risk of being tipped over and injuring a resident, staff member or visitor.
2. On May 31, 2011 the inspector observed loose toilet seats in five resident washrooms. Loose toilet seats are a slip and fall hazard for residents.
3. Securing toilet seats and stabilizing wardrobes and tethering them to the wall was included in the Order dated 12 October 2010 with a compliance date of 15 November 2010.

**Additional Required Actions:**

**CO # - 001, 002 will be served on the licensee. Refer to the "Order(s) of the Inspector".**

**WN #2: The Licensee has failed to comply with LTCHA, 2007 S.O. 2007, c.8, s. 3. Residents' Bill of Rights**

Specifically failed to comply with the following subsections:

s. 3. (1) Every licensee of a long-term care home shall ensure that the following rights of residents are fully respected and promoted:

1. Every resident has the right to be treated with courtesy and respect and in a way that fully recognizes the resident's individuality and respects the resident's dignity.
2. Every resident has the right to be protected from abuse.
3. Every resident has the right not to be neglected by the licensee or staff.
4. Every resident has the right to be properly sheltered, fed, clothed, groomed and cared for in a manner consistent with his or her needs.
5. Every resident has the right to live in a safe and clean environment.
6. Every resident has the right to exercise the rights of a citizen.
7. Every resident has the right to be told who is responsible for and who is providing the resident's direct care.
8. Every resident has the right to be afforded privacy in treatment and in caring for his or her personal needs.
9. Every resident has the right to have his or her participation in decision-making respected.
10. Every resident has the right to keep and display personal possessions, pictures and furnishings in his or her room subject to safety requirements and the rights of other residents.
11. Every resident has the right to,
  - i. participate fully in the development, implementation, review and revision of his or her plan of care,
  - ii. give or refuse consent to any treatment, care or services for which his or her consent is required by law and to be informed of the consequences of giving or refusing consent,
  - iii. participate fully in making any decision concerning any aspect of his or her care, including any decision concerning his or her admission, discharge or transfer to or from a long-term care home or a secure unit and to obtain an independent opinion with regard to any of those matters, and
  - iv. have his or her personal health information within the meaning of the Personal Health Information Protection Act, 2004 kept confidential in accordance with that Act, and to have access to his or her records of personal health information, including his or her plan of care, in accordance with that Act.
12. Every resident has the right to receive care and assistance towards independence based on a restorative care philosophy to maximize independence to the greatest extent possible.
13. Every resident has the right not to be restrained, except in the limited circumstances provided for under this Act and subject to the requirements provided for under this Act.
14. Every resident has the right to communicate in confidence, receive visitors of his or her choice and consult in private with any person without interference.
15. Every resident who is dying or who is very ill has the right to have family and friends present 24 hours per day.
16. Every resident has the right to designate a person to receive information concerning any transfer or any hospitalization of the resident and to have that person receive that information immediately.
17. Every resident has the right to raise concerns or recommend changes in policies and services on behalf of himself or herself or others to the following persons and organizations without interference and without fear of coercion, discrimination or reprisal, whether directed at the resident or anyone else,
  - i. the Residents' Council,
  - ii. the Family Council,
  - iii. the licensee, and, if the licensee is a corporation, the directors and officers of the corporation, and, in the case of a home approved under Part VIII, a member of the committee of management for the home under section 132 or of the board of management for the home under section 125 or 129,
  - iv. staff members,
  - v. government officials,
  - vi. any other person inside or outside the long-term care home.
18. Every resident has the right to form friendships and relationships and to participate in the life of the long-term care home.
19. Every resident has the right to have his or her lifestyle and choices respected.
20. Every resident has the right to participate in the Residents' Council.
21. Every resident has the right to meet privately with his or her spouse or another person in a room that assures privacy.
22. Every resident has the right to share a room with another resident according to their mutual wishes, if appropriate accommodation is available.



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23. Every resident has the right to pursue social, cultural, religious, spiritual and other interests, to develop his or her potential and to be given reasonable assistance by the licensee to pursue these interests and to develop his or her potential.

24. Every resident has the right to be informed in writing of any law, rule or policy affecting services provided to the resident and of the procedures for initiating complaints.

25. Every resident has the right to manage his or her own financial affairs unless the resident lacks the legal capacity to do so.

26. Every resident has the right to be given access to protected outdoor areas in order to enjoy outdoor activity unless the physical setting makes this impossible.

27. Every resident has the right to have any friend, family member, or other person of importance to the resident attend any meeting with the licensee or the staff of the home. 2007, c. 8, s. 3 (1).

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**Findings/Faits sayants :**

1. The licensee has failed to comply with s.3(1)8. On May 31, 2011 the inspector observed more than one resident wardrobe was located inside the privacy-curtained area of a resident. As a result, a resident wishing to access their belongings from their wardrobe would have to enter the privacy- curtained area of the other resident.

**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 with ensuring every resident is afforded privacy in treatment and in caring for his or her personal needs, to be implemented voluntarily.*

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**WN #3: The Licensee has failed to comply with LTCHA, 2007 S.O. 2007, c.8, s. 15. Accommodation services**  
Specifically failed to comply with the following subsections:

s. 15. (2) Every licensee of a long-term care home shall ensure that,  
(a) the home, furnishings and equipment are kept clean and sanitary;  
(b) each resident's linen and personal clothing is collected, sorted, cleaned and delivered; and  
(c) the home, furnishings and equipment are maintained in a safe condition and in a good state of repair. 2007, c. 8, s. 15 (2).

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**Findings/Faits sayants :**

1. On May 31, 2011 the inspector observed the toilet in a resident washroom was cracked at its base.  
2. This was a finding under WN #7 in the follow-up inspection report dated 21 July 2010 (Log # H-01910).

**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 with ensuring the home, furnishings and equipment are maintained in a safe condition and a good state of repair, to be implemented voluntarily.*

Issued on this 17th day of June, 2011



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

A handwritten signature in black ink, appearing to be "A. H.", written within a rectangular box.



**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

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**Name of Inspector (ID #) /  
Nom de l'inspecteur (No) :** RICHARD HAYDEN (127)

**Inspection No. /  
No de l'inspection :** 2011\_060127\_0005

**Type of Inspection /  
Genre d'inspection:** Follow up

**Date of Inspection /  
Date de l'inspection :** May 31, Jun 17, 2011

**Licensee /  
Titulaire de permis :** 1508669 ONTARIO LIMITED  
c/o Deloitte & Touche Inc. - 181 Bay Street, Brookfield Place, Suite 1400,  
TORONTO, ON, M5J-2V1

**LTC Home /  
Foyer de SLD :** WEST PARK HEALTH CENTRE  
103 Pelham Road, St Catharines, ON, L2S-1S9

**Name of Administrator /  
Nom de l'administratrice  
ou de l'administrateur :** MARJORIE MOSSMAN

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To 1508669 ONTARIO LIMITED, you are hereby required to comply with the following order(s) by the date(s) set out below:

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

**Pursuant to / Aux termes de :**

LTCHA, 2007 S.O. 2007, c.8, s. 5. Every licensee of a long-term care home shall ensure that the home is a safe and secure environment for its residents. 2007, c. 8, s. 5.

**Order / Ordre :**



**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

The licensee, 1508669 Ontario Limited, shall:

1. Prepare a plan for achieving compliance with:

(a) Stabilizing and tethering to the wall all wardrobes in identified resident rooms at West Park Health Centre, 103 Pelham Road, St. Catharines, Ontario to eliminate the risk of the wardrobes being tipped over; and

(b) Repairing, or replacing as necessary, the toilet seats in identified resident rooms at West Park Health Centre, 103 Pelham Road, St. Catharines, Ontario such that the seats do not slip in any direction and cause any resident to slip and fall.

2. Submit the plan by mail, fax or e-mail to:

Richard Hayden  
Long Term Care Homes Inspector  
Ministry of Health and Long-Term Care  
Performance Improvement and Compliance Branch  
119 King Street West, 11th Floor  
Hamilton ON L8P 4Y7  
Fax: 905-546-8255  
richard.hayden@ontario.ca

3. Implement the plan at West Park Health Centre, 103 Pelham Road, St. Catharines, Ontario.

**Grounds / Motifs :**

1. On May 31, 2011 the inspector observed 42 resident wardrobes in 17 resident rooms were not secured and were at risk of tipping over and injuring a resident, staff member or visitor.

2. On May 31, 2011 the inspector observed loose toilet seats in five resident washrooms. Loose toilet seats are a slip and fall hazard for residents.

3. Securing toilet seats and stabilizing wardrobes and tethering them to the wall was included in the Order dated 12 October 2010 with a compliance date of 15 November 2010.  
(127)

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

**Vous devez vous conformer à cet ordre d'ici le :** Jun 23, 2011

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**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 :** 002

**Order Type /**

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

**Pursuant to / Aux termes de :**

LTCHA, 2007 S.O. 2007, c.8, s. 5. Every licensee of a long-term care home shall ensure that the home is a safe and secure environment for its residents. 2007, c. 8, s. 5.

**Order / Ordre :**

The licensee, 1508669 Ontario Limited, shall:

1. Stabilize and tether to the wall all wardrobes in identified resident rooms at West Park Health Centre, 103 Pelham Road, St. Catharines, Ontario to eliminate the risk of the wardrobes being tipped over; and
2. Repair, or replace as necessary, the toilet seats in identified resident rooms at West Park Health Centre, 103 Pelham Road, St. Catharines, Ontario such that the seats do not slip in any direction and cause any resident to slip and fall.

**Grounds / Motifs :**

1. On May 31, 2011 the inspector observed 42 resident wardrobes in 17 resident rooms were not secured and were at risk of tipping over and injuring a resident, staff member or visitor.
2. On May 31, 2011 the inspector observed loose toilet seats in five resident washrooms. Loose toilet seats are a slip and fall hazard for residents.
3. Securing toilet seats and stabilizing wardrobes and tethering them to the wall was included in the Order dated 12 October 2010 with a compliance date of 15 November 2010.  
(127)

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

**Vous devez vous conformer à cet ordre d'ici le :** Jun 30, 2011

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**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 17th day of June, 2011**

**Signature of Inspector /  
Signature de l'inspecteur :**

**Name of Inspector /  
Nom de l'inspecteur :**

RICHARD HAYDEN

**Service Area Office /  
Bureau régional de services :**

Hamilton Service Area Office