



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) : LISA VINK (168), GILLIAN TRACEY (130), MARILYN
TONE (167), TAMMY SZYMANOWSKI (165)

Inspection No. /

No de l'inspection : 2013_188168_0015

Log No. /

Registre no: H-000153-13

Type of Inspection /

Genre d'inspection: Resident Quality Inspection

Report Date(s) /

Date(s) du Rapport : May 8, 2013

Licensee /

Titulaire de permis : THE THOMAS HEALTH CARE CORPORATION
490 Highway #8, STONEY CREEK, ON, L8G-1G6

LTC Home /

Foyer de SLD : ARBOUR CREEK LONG-TERM CARE CENTRE
2717 KING STREET EAST, HAMILTON, ON, L8G-1J3

Name of Administrator /

Nom de l'administratrice

ou de l'administrateur :

~~DORGAS-HAIZEL~~ ^{H)} ^{error May 31/13} Lisa Paladino

To THE THOMAS HEALTH CARE CORPORATION, you are hereby required to
comply with the following order(s) by the date(s) set out below:



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Order # / Ordre no : 001	Order Type / Genre d'ordre : Compliance Orders, s. 153. (1) (b)
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Pursuant to / Aux termes de :

O.Reg 79/10, s. 72. (3) The licensee shall ensure that all food and fluids in the food production system are prepared, stored, and served using methods to,
(a) preserve taste, nutritive value, appearance and food quality; and
(b) prevent adulteration, contamination and food borne illness. O. Reg. 79/10, s. 72 (3).

Order / Ordre :

The licensee shall prepare, submit and implement a plan to ensure that all food and fluids in the food production system, including nourishments, are prepared, stored, and served using methods to, preserve taste, nutritive value, appearance and food quality.

The plan is to be submitted electronically to Long Term Care Homes Inspector Tammy.Szymanowski@ontario.ca by May 16, 2013.

Grounds / Motifs :

1. Previously identified in January 6, 2013, as VPC

A) Recipes for planned menu items were not available and followed by staff and sufficient quantities of food were not available. The Food Service Manager (FSM) confirmed that the recipe for the summer fruit and cottage cheese plate served March 19, 2013, was printed and placed in the recipe binder the following day on March 20, 2013. The summer fruit and cottage cheese plate recipe indicated watermelon and cantaloupe were to be served with cottage cheese, the therapeutic menu indicated watermelon, cantaloupe and grapes were to be served. The FSM confirmed that resident's on the first and fourth floor dining rooms received strawberries and grapes and resident's on second floor received watermelon and cantaloupe as there was not enough fruit available for staff to follow the recipe.

B) The recipe for puree soup was not followed on April 5, 2013. The cook stated that the soup was prepared to nectar consistency and staff confirmed that thickener was added on the floor for resident's that required honey consistencies



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however; the recipe indicated that staff were to prepare soup to honey consistency.

C) The planned menu indicated that residents were to receive waffles for the lunch meal on March 19, 2013. Resident's on first and fourth floor dining rooms received waffles however; those on second and third floor dining rooms received pancakes. The FSM confirmed that the home did not have enough waffles to serve all residents. There were not sufficient quantities of pancakes to serve the residents in the second floor dining room. Dietary staff called all other dining areas however there were no pancakes left to serve. A resident requested the pancake meal however; the home did not have sufficient quantities to provide the meal.

D) The food committee meeting minutes dated November 28, 2012 raised concerns to the home regarding running out of food and family interviewed during the inspection indicated the home frequently runs short of food.

E) The FSM confirmed that shortages are not consistently tracked in each dining room and the cook confirmed that the main kitchen did not track food shortages. Production sheets were not adjusted to reflect changes in production.

F) Consistencies of puree foods were not prepared to preserve taste and nutritive value. The consistency of puree menu items prepared March 19, March 26 and April 5, 2013, were not of a cohesive texture. The cook stated that foods were prepared by adding water and thickener as needed and the puree fruit compote was prepared cold and then placed in the steam cart which contributed to the texture.

G) Portion sizes for the planned menu were not always followed which did not preserve the nutritive value of the planned menu items. During the lunch meal April 5, 2013, staff served portion sizes that were less than those listed on the therapeutic menu. For example, the therapeutic menu indicated a #12 scoop was to be used for the puree sausage however; a #16 scoop was used instead. The recipes for minced and puree salad indicated the portion sizes for staff to be used were #10 scoop, however; the therapeutic menu indicated portion sizes for staff to be used were #16 scoop. (165)

This order must be complied with by /

Vous devez vous conformer à cet ordre d'ici le : Jun 30, 2013



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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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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 8th day of May, 2013

Signature of Inspector /

Signature de l'inspecteur :

Name of Inspector /

Nom de l'inspecteur : LISA VINK

Service Area Office /

Bureau régional de services : Hamilton Service Area Office