

Ministry of Long-Term Care

Long-Term Care Operations Division
Long-Term Care Inspections Branch

London District

130 Dufferin Avenue, 4th Floor
London, ON, N6A 5R2
Telephone: (800) 663-3775

**Immediate Compliance
Order**

Public Report

Report Issue Date: February 29, 2024	
Inspection Number: 2024-1004-0001	
Inspection Type: Complaint Critical Incident Follow-up	
Licensee: Omni Healthcare (CT) GPCO Ltd. as General Partner of Omni Healthcare (Country Terrace) Limited Partnership	
Long Term Care Home and City: Country Terrace, Komoka	
Lead Inspector Christie Birch (740898)	Inspector Digital Signature
Additional Inspector(s) Julie Lampman (522) Tatiana McNeill (733564)	

INSPECTION REPORT SUMMARY

The inspection occurred on the following date(s): February 28, and 29, 2024.

The following intake was inspected:

- Intake: #00108872-Anonymous complainant relate to the care and safety of residents.

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COMPLIANCE ORDER [ICO #902] Air Temperatures

NC# 002 Compliance Order pursuant to FLTCA, 2021, s. 154 (1) 2.

Non-compliance with: O. Reg. 246/22, s. 24 (1)

Air temperature s. 24 (1) Every licensee of a long-term care home shall ensure that the home is maintained at a minimum temperature of 22 degrees Celsius.

The Inspector is ordering the licensee to:

FLTCA, 2021, s.155 (1) (a) do anything, or refrain from doing anything, to achieve compliance with a requirement under this Act.

Compliance Order: [FLTCA 2021, s. 155 (1)]

The Licensee has failed to comply with O. Reg. 246/22, s. 24 (1)

- 1) Ascertain Heating Ventilation and Air Conditioning (HVAC) contractor and/or appropriate mechanical service for assessment of the homes system to ensure the homes system is operating, including a documented record of the assessment.
- 2) Ensure that the home is maintained at a minimum temperature of 22 degrees Celsius.
- 3) Ensure air temperatures are monitored and recorded at a minimum of 3 times daily in, but not limited to all areas that residents have access to.
- 4) Temperatures must be documented and kept in the home for ready access.
- 5) Develop and implement a contingency plan to ensure the comfort, safety, and wellbeing of residents in the home if temperatures taken are below the required 22 degrees Celsius.

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Grounds

The licensee failed to ensure the home was maintained at a minimum temperature of 22 degrees Celsius.

Rationale and Summary

On February 28, 2024, at approximately 1500 hours, it was noted that the reading on the thermostat in the Chapel, located on the first floor of the new building, was 18 degrees Celsius. Within 15 minutes, the temperature had dropped to 15 degrees Celsius.

The Multi-Purpose room located adjacent to the Chapel was also noted to have a temperature of 18 degrees Celsius on the wall thermostat at that time.

The Administrator of the home informed inspectors that a Heating Ventilation and Air Conditioning (HVAC) company had been contacted in relation to the low temperatures.

On February 29, 2024, at approximately 0730 hours, inspector #733564 noted that the reading on the thermostat in the Chapel was 7 degrees Celsius and the reading on the thermostat in the Multi-Purpose room was 10 degrees Celsius.

The air temperature in various resident areas were noted to be 20 degrees Celsius at that time. On the first floor, the air temperatures in some resident rooms and the dining room were 18 to 19 degrees Celsius.

At approximately 0815 hours, Inspector #733564 observed water coming from the ceiling of the first floor and accumulating on the floor, outside the Chapel, in the hallway and in the Multi-Purpose room. Contracted employees were observed working in the area, with ladders and other equipment. After the initial clean up had occurred, water was noted to remain on the floor in some areas of the Multi-

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Purpose room and hallways. Residents were also observed passing through the Multi-Purpose room to get to the front doors of the new building.

The Administrator stated that they were unable to find an HVAC company to service the heating issues on February 28, 2024, when they became aware of the low temperatures. They also stated that no air temperatures were checked or documented overnight in the home.

At approximately 1100 hours, two employees were observed assessing the pipes in the ceiling of the Multi-Purpose room. They stated that they were doing their best to look into the cause of the heating issues but were unsure if they could diagnose it and fix it.

At approximately 1115 hours, the Administrator stated that workers were in the home presently working on fixing the heating issue.

At 1500 hours, two employees from another company were working in the Multi-Purpose room and industrial dehumidifiers were observed in the Multi-Purpose room. The air temperature in the Multi-Purpose room was 15 degrees Celsius.

There was significant risk and impact to residents in the home when the heating was not functioning, and temperatures externally were noted below zero.

Sources: Observations; Interviews with residents, contracted employees, and Administrator.

[740898]

This order must be complied with by: Immediately

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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/or this Notice of Administrative Monetary Penalty (AMP) in accordance with section 169 of the *Fixing Long-Term Care Act, 2021* (Act). The licensee can request that the Director stay this (these) Order(s) pending the review. If a licensee requests a review of an AMP, the requirement to pay is stayed until the disposition of the review.

Note: Under the Act, a re-inspection fee is not subject to a review by the Director or an appeal to the Health Services Appeal and Review Board (HSARB).

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 or AMP was served on the licensee.

The written request for review must include:

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

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

Director

c/o Appeals Coordinator
Long-Term Care Inspections Branch
Ministry of Long-Term Care
438 University Avenue, 8th floor
Toronto, ON, M7A 1N3

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e-mail: MLTC.AppealsCoordinator@ontario.ca

If service is made by:

- (a) registered mail, is deemed to be made on the fifth day after the day of mailing
- (b) email, is deemed to be made on the following day, if the document was served after 4 p.m.
- (c) commercial courier, is deemed to be made on the second business day after the commercial courier received the document

If the licensee is not served with a copy of the Director's decision within 28 days of receipt of the licensee's request for review, this (these) Order(s) is (are) and/or this AMP is deemed to be confirmed by the Director and, for the purposes of an appeal to HSARB, the Director is deemed to have served the licensee with a copy of that decision on the expiry of the 28-day period.

Pursuant to s. 170 of the Act, the licensee has the right to appeal any of the following to HSARB:

- (a) An order made by the Director under sections 155 to 159 of the Act;
- (b) An AMP issued by the Director under section 158 of the Act; or
- (c) The Director's review decision, issued under section 169 of the Act, with respect to an inspector's compliance order (s. 155) or AMP (s. 158).

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 an appeal, the licensee must give a written notice of appeal within 28 days from the day the licensee was served with a copy of the order, AMP, or Director's decision that is being appealed from. The appeal notice must be given to both HSARB and the Director:

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**Health Services Appeal and
Review Board**

Attention Registrar
151 Bloor Street West, 9th Floor
Toronto, ON M5S 1S4

Director

c/o Appeals Coordinator
Long-Term Care Inspections Branch
Ministry of Long-Term Care
438 University Avenue, 8th Floor
Toronto, ON, M7A 1N3

e-mail:

MLTC.AppealsCoordinator@ontario.ca

Upon receipt, the HSARB will acknowledge your notice of appeal and will provide instructions regarding the appeal and hearing process. A licensee may learn more about the HSARB on the website www.hsarb.on.ca.