



**Inspection Report
under the *Long-Term
Care Homes Act, 2007***

**Rapport d'inspection
prévus le *Loi de 2007
les foyers de soins de
longue durée***

Ministry of Health and Long-Term Care
Health System Accountability and Performance Division
Performance Improvement and Compliance Branch

London Service Area Office
291 King Street, 4th Floor
London ON N6B 1R8

Bureau régional de services de London
291, rue King, 4^{ème} étage
London ON N6B 1R8

**Ministère de la Santé et des Soins de
longue durée**

Division de la responsabilisation et de la performance du
système de santé
Direction de l'amélioration de la performance et de la
conformité

Telephone: 519-675-7680
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☐ Licensee Copy/Copie du Titulaire

☒ Public Copy/Copie Public

Date(s) of inspection/Date de l'inspection

October 12, 2010

Inspection No/ d'inspection

2010_112_2689_12Oct092752

Type of Inspection/Genre d'inspection

Critical Incident Log# L-01203

Licensee/Titulaire

Ritz Lutheran Villa, RR#5 Mitchell, NOK 1NO

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

Mitchell Nursing Home, 184 Napier Street, Mitchell, NOK 1NO

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

Carole Alexander #112

Inspection Summary/Sommaire d'inspection

The purpose of this inspection was to conduct a critical incident investigation related to neglect for resident care.

During the course of the inspection, the inspector spoke with: Assistant of Director Care, and a resident.

During the course of the inspection, the inspector: reviewed the following information:

- 1) Licensee's investigation into the alleged incident
- 2) The resident's progress notes
- 3) The resident's care plan

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

Prevention of Abuse and Neglect

☒ Findings of Non-Compliance were found during this inspection. The following action was taken:

1 WN

1 CO: 001

NON- COMPLIANCE / (Non-respectés)



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Term Care Homes
Act, 2007*

Rapport
d'inspection prévue
le *Loi de 2007 les
foyers de soins de
longue durée*

Definitions/Définitions

WN – Written Notifications/Avis écrit
VPC – Voluntary Plan of Correction/Plan de redressement volontaire
DR – Director Referral/Régisseur envoyé
CO – Compliance Order/Ordre de conformité
WAO – Work and Activity Order/Ordre: travaux et activités

The following constitutes written notification of non-compliance under paragraph 1 of section 152 of the LTCHA.

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.)

Le suivant constituer un avis d'écrit de l'exigence prévue le paragraphe 1 de section 152 de les foyers de soins de longue durée.

Non-respect avec les exigences sur le *Loi de 2007 les foyers de soins de longue durée* à trouvé. (Une exigence dans le loi comprend les exigences contenues dans les points énumérés dans la définition de "exigence prévue par la présente loi" au paragraphe 2(1) de la loi.

WN #1: LTCHA, 2007, S.O.2007c.8 s.3(1)3.

Every licensee of a long-term care home shall ensure that the following rights of residents are fully respected and promoted: 3. Every resident has the right not to be neglected by the licensee or staff.

Findings:

A resident stated she was left soiled with a clean brief applied after toileting and the PSW staff member refused to assist her, and responded with an inappropriate verbal comment.

Inspector ID #: 112

Additional Required Actions:

CO # 001.

Signature of Licensee or Representative of Licensee
Signature du Titulaire du représentant désigné

Signature of Health System Accountability and Performance Division
representative/Signature du (de la) représentant(e) de la Division de la
responsabilisation et de la performance du système de santé.

Title:

Date:

Date of Report: October 19, 2010



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

	<input type="checkbox"/> Licensee Copy/Copie du Titulaire	<input checked="" type="checkbox"/> Public Copy/Copie Public
Name of Inspector:	Carole Alexander	Inspector ID # 112
Log #:	L-01203	
Inspection Report #:	2010_112_2689_12Oct092752	
Type of Inspection:	Critical Incident	
Date of Inspection:	October 12, 2010	
Licensee:	Ritz Lutheran Villa, RR#5 Mitchell, NOK 1NO	
LTC Home:	Mitchell Nursing Home, 184 Napier Street, Mitchell, NOK 1NO	
Name of Administrator:	Bob Petruszewsky	

To Ritz Lutheran Villa, you are hereby required to comply with the following order by the date set out below:

Order #:	001	Order Type:	Compliance Order, Section 153 (1)(b)
Pursuant to: LTCHA, 2007, S.O.2007c.8 s.3(1)3. Every licensee of a long-term care home shall ensure that the following rights of residents are fully respected and promoted: 3. Every resident has the right not to be neglected by the licensee or staff.			
Order: The licensee is required to prepare, submit and implement a plan for achieving compliance with LTCHA, 2007, S.O. 2007 c.8 s.3(1)3.			
Grounds: 1) A resident stated she was left soiled with a clean brief applied after toileting and the PSW staff member refused to assist her, and responded with an inappropriate verbal comment.			
This order must be complied with by:		October 22, 2010	

**Ministry of Health and Long-Term Care**Health System Accountability and Performance Division
Performance Improvement and Compliance Branch**Ministère de la Santé et des Soins de longue durée**Division de la responsabilisation et de la performance du système de santé
Direction de l'amélioration de la performance et de la conformité**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 service 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: 416-327-7603

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 group of members not connected with the Ministry. They are appointed by legislation to review matters concerning health care services. If the Licensee decides to request a hearing, the Licensee must, with 28 days of being served with the notice of the Director's decision, mail or deliver a written notice of appeal to both:

Health Services Appeal and Review Board and the
Attention Registrar
151 Bloor Street West
9th Floor
Toronto, ON
M5S 2T5

Director
c/o Appeals Clerk
Performance Improvement and Compliance Branch
55 St. Claire 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 15 day of Nov., 2010.	
Signature of Inspector:	
Name of Inspector:	Carole Alexander
Service Area Office:	London Service Area Office