



**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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<b>Name of Inspector (ID #) / Nom de l'inspecteur (No) :</b>	MARGOT BURNS-PROUTY (106)
<b>Inspection No. / No de l'inspection :</b>	2011_051106_0026
<b>Type of Inspection / Genre d'inspection:</b>	Complaint
<b>Date of Inspection / Date de l'inspection :</b>	Dec 16, 19, 20, 21, 2011; Jan 10, Feb 2, 9, Mar 21, 22, 2012
<b>Licensee / Titulaire de permis :</b>	ST. JOSEPH'S CARE GROUP 35 NORTH ALGOMA STREET, P.O. BOX 3251, THUNDER BAY, ON, P7B-5G7
<b>LTC Home / Foyer de SLD :</b>	HOGARTH RIVERVIEW MANOR 300 LILLIE STREET, THUNDER BAY, ON, P7C-4Y7
<b>Name of Administrator / Nom de l'administratrice ou de l'administrateur :</b>	PAULINA CHOW

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To ST. JOSEPH'S CARE GROUP, 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**

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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*

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**Order # /**  
**Ordre no :** 001

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

**Pursuant to / Aux termes de :**

LTCHA, 2007 S.O. 2007, c.8, s. 20. (2) At a minimum, the policy to promote zero tolerance of abuse and neglect of residents,

- (a) shall provide that abuse and neglect are not to be tolerated;
- (b) shall clearly set out what constitutes abuse and neglect;
- (c) shall provide for a program, that complies with the regulations, for preventing abuse and neglect;
- (d) shall contain an explanation of the duty under section 24 to make mandatory reports;
- (e) shall contain procedures for investigating and responding to alleged, suspected or witnessed abuse and neglect of residents;
- (f) shall set out the consequences for those who abuse or neglect residents;
- (g) shall comply with any requirements respecting the matters provided for in clauses (a) through (f) that are provided for in the regulations; and
- (h) shall deal with any additional matters as may be provided for in the regulations. 2007, c. 8, s. 20 (2).

**Order / Ordre :**

The licensee shall prepare, submit and implement a plan for achieving compliance with LTCHA, 2007, S. O. 2007, c. 8, s. 20 (c) and (f), to ensure that the policy to promote zero tolerance of abuse and neglect of residents provides for a program, that complies with the regulations, for preventing abuse, specifically, O. Reg. 79/10, s. 96 (a) contains procedures and interventions to assist and support residents who have been abused or neglected or allegedly abused or neglected and O. Reg. 79/10 s, 96 (e) (i) (ii) identifies training on the relationship between power imbalances between staff and residents and the potential for abuse and neglect by those in a position of trust, power and responsibility for resident care and situations that may lead to abuse and neglect and how to avoid such situations and sets out consequences for those who abuse or neglect residents. The plan is to be submitted in writing to Long Term Care Home Inspector Margot Burns-Prouty, Ministry of Health and Long Term Care, Performance Improvement and Compliance Branch, 159 Cedar Street, Suite 603, Sudbury, P3E 6A5, by April 16, 2012.

**Grounds / Motifs :**



**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

1. The home's policies provided to inspector 106 by the Clinical Care Coordinator (CCC) on December 19, 2011, for abuse and neglect were reviewed. The policies do not set out the consequences for those who abuse or neglect residents. The licensee failed to ensure that the policy to promote zero tolerance of abuse and neglect of residents, sets out the consequences for those who abuse or neglect residents. [LTCHA, 2007, S. O. 2007, c. 8, s. 20 (2) (f)] (106)

2. The home's policies provided to inspector 106 by the Clinical Care Coordinator (CCC) on December 19, 2011, for abuse and neglect were reviewed. The homes written policies to promote zero tolerance of abuse and neglect of resident received from the CCC, on December 19, 2011, does not contain procedures and interventions to assist and support residents who have been abused or neglected or allegedly abused or neglected, as stated in, O. Reg. 79/10, s. 96 (a). The licensee failed to ensure that the policy to promote zero tolerance of abuse and neglect of residents shall provide for a program that complies with the regulations, for preventing abuse and neglect. [LTCHA, 2007, S. O. 2007, c. 8, s. 20 (2) (c)] (106)

3. The home's policies provided to inspector 106 by the Clinical Care Coordinator (CCC) on December 19, 2011, for abuse and neglect were reviewed. The home's written policy to promote zero tolerance of abuse and neglect of residents does identify the training and retraining requirements for all staff, but those requirements do not include, (i) training on the relationship between power imbalances between staff and residents and the potential for abuse and neglect by those in a position of trust, power and responsibility for resident care, and (ii) situations that may lead to abuse and neglect and how to avoid such situations, as stated in O. Reg. 79/10, s. 96 (e) (i) and (ii). The licensee failed to ensure that the policy to promote zero tolerance of abuse and neglect of residents shall provide for a program that complies with the regulations, for preventing abuse and neglect. [LTCHA, 2007, S. O. 2007, c. 8, s. 20 (2) (c)] (106)

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

**Vous devez vous conformer à cet ordre d'ici le :** Apr 16, 2012



**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

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**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. 20. (3) Every licensee shall ensure that the policy to promote zero tolerance of abuse and neglect of residents is communicated to all staff, residents and residents' substitute decision-makers. 2007, c. 8, s. 20 (3).

**Order / Ordre :**

The licensee shall prepare, submit and implement a plan for achieving compliance with LTCHA, 2007, S. O. 2007, c. 8, s. 20 (3), to ensure that the policy to promote zero tolerance of abuse and neglect of residents is communicated to all staff, residents and residents' substitute decision-makers. The plan is to be submitted in writing to Long Term Care Home Inspector Margot Burns-Prouty, Ministry of Health and Long Term Care, Performance Improvement and Compliance Branch, 159 Cedar Street, Suite 603, Sudbury, P3E 6A5 by March 15, 2012.

**Grounds / Motifs :**

1. The Clinical Care Coordinator was unable to verify the home had ensured the policy to promote zero tolerance of abuse and neglect of residents has been communicated to all staff. The licensee failed to ensure that the policy to promote zero tolerance of abuse and neglect of residents is communicated to all staff. [LTCHA, 2007, S. O. 2007, c. 8, s. 20 (3)] (106)

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

**Vous devez vous conformer à cet ordre d'ici le :** Apr 16, 2012



**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**

**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  
55 St. Clair Avenue 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 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  
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).



**Ministry of Health and  
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**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*

**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  
55, avenue St. Clair Ouest  
8e étage, bureau 800  
Toronto (Ontario) M4V 2Y2  
Télécopieur : 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.

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  
55, avenue St. Clair Ouest  
8e étage, bureau 800  
Toronto (Ontario) M4V 2Y2  
Télécopieur : 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](http://www.hsarb.on.ca).

**Issued on this 22nd day of March, 2012**

**Signature of Inspector /**

**Signature de l'inspecteur :**

**Name of Inspector /**

**Nom de l'inspecteur :** MARGOT BURNS-PROUTY

**Service Area Office /**

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



**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**

**Sudbury Service Area Office  
159 Cedar Street, Suite 603  
SUDBURY, ON, P3E-6A5  
Telephone: (705) 564-3130  
Facsimile: (705) 564-3133**

**Bureau régional de services de Sudbury  
159, rue Cedar, Bureau 603  
SUDBURY, ON, P3E-6A5  
Téléphone: (705) 564-3130  
Télécopieur: (705) 564-3133**

**Public Copy/Copie du public**

<b>Date(s) of inspection/Date(s) de l'inspection</b>	<b>Inspection No/ No de l'inspection</b>	<b>Type of Inspection/Genre d'inspection</b>
Dec 16, 19, 20, 21, 2011; Jan 10, Feb 2, 9, Mar 21, 22, 2012	2011_051106_0026	Complaint

**Licensee/Titulaire de permis**

**ST. JOSEPH'S CARE GROUP  
35 NORTH ALGOMA STREET, P.O. BOX 3251, THUNDER BAY, ON, P7B-5G7**

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

**HOGARTH RIVERVIEW MANOR  
300 LILLIE STREET, THUNDER BAY, ON, P7C-4Y7**

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

**MARGOT BURNS-PROUTY (106)**

**Inspection Summary/Résumé de l'inspection**

**The purpose of this inspection was to conduct a Complaint inspection.**

**During the course of the inspection, the inspector(s) spoke with Acting Director of Care (ADOC), Clinical Care Coordinator (CCC), RAI Coordinator, Registered Nurses (RN), Registered Practical Nurses (RPN), Personal Support Workers (PSW), Housekeepers, Family Members and Residents.**

**During the course of the inspection, the inspector(s) Conducted a walk-through of resident home areas and various common areas, observed care provided to residents in the home, reviewed resident health care records.**

**The following Inspection Protocols were used during this inspection:**

**Personal Support Services**

**Prevention of Abuse, Neglect and Retaliation**

**Findings of Non-Compliance were found during this inspection.**

**NON-COMPLIANCE / NON-RESPECT DES EXIGENCES**

<b>Legend</b>  WN – Written Notification VPC – Voluntary Plan of Correction DR – Director Referral CO – Compliance Order WAO – Work and Activity Order	<b>Legende</b>  WN – Avis écrit VPC – Plan de redressement volontaire DR – Aiguillage au directeur CO – Ordre de conformité WAO – Ordres : travaux et activités
<b>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.)</b>  <b>The following constitutes written notification of non-compliance under paragraph 1 of section 152 of the LTCHA.</b>	<b>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.)</b>  <b>Ce qui suit constitue un avis écrit de non-respect aux termes du paragraphe 1 de l'article 152 de la LFSLD.</b>

**WN #1: The Licensee has failed to comply with LTCHA, 2007 S.O. 2007, c.8, s. 20. Policy to promote zero tolerance**

**Specifically failed to comply with the following subsections:**

- s. 20. (2) At a minimum, the policy to promote zero tolerance of abuse and neglect of residents,**
- (a) shall provide that abuse and neglect are not to be tolerated;**
  - (b) shall clearly set out what constitutes abuse and neglect;**
  - (c) shall provide for a program, that complies with the regulations, for preventing abuse and neglect;**
  - (d) shall contain an explanation of the duty under section 24 to make mandatory reports;**
  - (e) shall contain procedures for investigating and responding to alleged, suspected or witnessed abuse and neglect of residents;**
  - (f) shall set out the consequences for those who abuse or neglect residents;**
  - (g) shall comply with any requirements respecting the matters provided for in clauses (a) through (f) that are provided for in the regulations; and**
  - (h) shall deal with any additional matters as may be provided for in the regulations. 2007, c. 8, s. 20 (2).**

**s. 20. (3) Every licensee shall ensure that the policy to promote zero tolerance of abuse and neglect of residents is communicated to all staff, residents and residents' substitute decision-makers. 2007, c. 8, s. 20 (3).**

**Findings/Faits saillants :**



1. The home's policies provided to inspector 106 by the Clinical Care Coordinator (CCC) on December 19, 2011, for abuse and neglect were reviewed. The home's written policy to promote zero tolerance of abuse and neglect of residents does identify the training and retraining requirements for all staff, but those requirements do not include, (i) training on the relationship between power imbalances between staff and residents and the potential for abuse and neglect by those in a position of trust, power and responsibility for resident care, and (ii) situations that may lead to abuse and neglect and how to avoid such situations, as stated in O. Reg. 79/10, s. 96 (e) (i) and (ii). The licensee failed to ensure that the policy to promote zero tolerance of abuse and neglect of residents shall provide for a program that complies with the regulations, for preventing abuse and neglect. [LTCHA, 2007, S. O. 2007, c. 8, s. 20 (2) (c)](106)

2. The home's policies provided to inspector 106 by the Clinical Care Coordinator (CCC) on December 19, 2011, for abuse and neglect were reviewed. The homes written policies to promote zero tolerance of abuse and neglect of resident received from the CCC, on December 19, 2011, does not contain procedures and interventions to assist and support residents who have been abused or neglected or allegedly abused or neglected, as stated in, O. Reg. 79/10, s. 96 (a). The licensee failed to ensure that the policy to promote zero tolerance of abuse and neglect of residents shall provide for a program that complies with the regulations, for preventing abuse and neglect. [LTCHA, 2007, S. O. 2007, c. 8, s. 20 (2) (c)](106)

3. The Clinical Care Coordinator was unable to verify the home had ensured the policy to promote zero tolerance of abuse and neglect of residents has been communicated to all staff. The licensee failed to ensure that the policy to promote zero tolerance of abuse and neglect of residents is communicated to all staff. [LTCHA, 2007, S. O. 2007, c. 8, s. 20 (3)] (106)

4. The home's policies provided to inspector 106 by the Clinical Care Coordinator (CCC) on December 19, 2011, for abuse and neglect were reviewed. The policies do not set out the consequences for those who abuse or neglect residents. The licensee failed to ensure that the policy to promote zero tolerance of abuse and neglect of residents, sets out the consequences for those who abuse or neglect residents. [LTCHA, 2007, S. O. 2007, c. 8, s. 20 (2) (f)]

**Additional Required Actions:**

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

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**WN #2: The Licensee has failed to comply with LTCHA, 2007 S.O. 2007, c.8, s. 24. Reporting certain matters to Director**

**Specifically failed to comply with the following subsections:**

**s. 24. (1) A person who has reasonable grounds to suspect that any of the following has occurred or may occur shall immediately report the suspicion and the information upon which it is based to the Director:**

**1. Improper or incompetent treatment or care of a resident that resulted in harm or a risk of harm to the resident.**

**2. Abuse of a resident by anyone or neglect of a resident by the licensee or staff that resulted in harm or a risk of harm to the resident.**

**3. Unlawful conduct that resulted in harm or a risk of harm to a resident.**

**4. Misuse or misappropriation of a resident's money.**

**5. Misuse or misappropriation of funding provided to a licensee under this Act or the Local Health System Integration Act, 2006. 2007, c. 8, ss. 24 (1), 195 (2).**

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**Findings/Faits saillants :**

1. According to a Critical Incident Report, on November 26, 2011 at 2000 hours, a PSW used excessive force when transferring a resident. This was immediately reported to the RN [REDACTED] who reported it to another staff person, as the DOC was unavailable. This was not reported to the Director until November 28, 2011, at 1013 hours when a voice message was left at the Sudbury Service Area Office (SSAO) for the duty inspector. The licensee failed to ensure that persons who had reasonable grounds to suspect abuse of a resident by anyone or neglect of a resident by the licensee or staff that resulted in harm or risk of harm, immediately reported the suspicion and the information upon which it was based to the Director. [LTCHA, 2007, S. O. 2007, c. 8, s. 24 (1)] (106)

**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 to ensure that persons who have reasonable grounds to suspect abuse of a resident by anyone or neglect of a resident by the licensee or staff that resulted in harm or risk of harm, immediately reported the suspicion and the information upon which it was based to the Director, 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. 76. Training**  
Specifically failed to comply with the following subsections:

**s. 76. (2) Every licensee shall ensure that no person mentioned in subsection (1) performs their responsibilities before receiving training in the areas mentioned below:**

- 1. The Residents' Bill of Rights.**
- 2. The long-term care home's mission statement.**
- 3. The long-term care home's policy to promote zero tolerance of abuse and neglect of residents.**
- 4. The duty under section 24 to make mandatory reports.**
- 5. The protections afforded by section 26.**
- 6. The long-term care home's policy to minimize the restraining of residents.**
- 7. Fire prevention and safety.**
- 8. Emergency and evacuation procedures.**
- 9. Infection prevention and control.**
- 10. All Acts, regulations, policies of the Ministry and similar documents, including policies of the licensee, that are relevant to the person's responsibilities.**
- 11. Any other areas provided for in the regulations. 2007, c. 8, s. 76. (2).**

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**Findings/Faits saillants :**

- 1. A RN was interviewed on December 20, 2011, they were unable to tell inspector 106, who they would report allegations of abuse or witnessed abuse to. When asked if they had any training regarding abuse and neglect and mandatory reporting requirements, the RN stated "no". The licensee failed to ensure that the RN received training in the area of mandatory reporting under section 24 of the Act, prior to performing their responsibilities. [LTCHA, 2007, S. O. 2007, c. 8, s. 76 (2) (4)] (106)**

**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 to ensure that all staff receive training regarding the duty under section 24 of the Act to make mandatory reports, prior to performing their responsibilities, to be implemented voluntarily.**

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**WN #4: The Licensee has failed to comply with O.Reg 79/10, s. 73. Dining and snack service**

Specifically failed to comply with the following subsections:

s. 73. (1) Every licensee of a long-term care home shall ensure that the home has a dining and snack service that includes, at a minimum, the following elements:

1. Communication of the seven-day and daily menus to residents.
2. Review, subject to compliance with subsection 71 (6), of meal and snack times by the Residents' Council.
3. Meal service in a congregate dining setting unless a resident's assessed needs indicate otherwise.
4. Monitoring of all residents during meals.
5. A process to ensure that food service workers and other staff assisting residents are aware of the residents' diets, special needs and preferences.
6. Food and fluids being served at a temperature that is both safe and palatable to the residents.
7. Sufficient time for every resident to eat at his or her own pace.
8. Course by course service of meals for each resident, unless otherwise indicated by the resident or by the resident's assessed needs.
9. Providing residents with any eating aids, assistive devices, personal assistance and encouragement required to safely eat and drink as comfortably and independently as possible.
10. Proper techniques to assist residents with eating, including safe positioning of residents who require assistance.
11. Appropriate furnishings and equipment in resident dining areas, including comfortable dining room chairs and dining room tables at an appropriate height to meet the needs of all residents and appropriate seating for staff who are assisting residents to eat. O. Reg. 79/10, s. 73 (1).

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**Findings/Faits saillants :**

1. On December 21, 2011 at 1731 hrs, inspector 106 observed a resident in the dining room eating supper, with no staff present to monitor the resident. A PSW entered dining area, when asked who would normally be monitoring the dining room when residents are eating the PSW stated their partner, a RPN or a RN. [O. Reg. 79/10, s. 73 (1) 4] (106)

**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 to ensure that all resident are monitored during meals, to be implemented voluntarily.***

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**WN #5: The Licensee has failed to comply with O.Reg 79/10, s. 16. Every licensee of a long-term care home shall ensure that every window in the home that opens to the outdoors and is accessible to residents has a screen and cannot be opened more than 15 centimetres. O. Reg. 79/10, s. 16.**

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**Findings/Faits saillants :**

1. On December 19, 2011 two windows in the Spruce Grove TV lounge and one window in the Cedar Den were assessable to residents and found to open to the outdoors and could be opened in excess of 15 cm. The licensee failed to ensure that every window in the home that opens to the outdoors and is accessible to residents has a screen and cannot be opened more than 15 centimeters.[O. Reg. 79/10, s. 16] (106)

**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 to ensure that every window in the home that opens to the outdoors and is accessible to residents cannot be opened more than 15 centimeters, to be implemented voluntarily.***



**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  
prévus le Loi de 2007 les  
foyers de soins de longue**

Issued on this 22nd day of March, 2012

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

A handwritten signature in black ink, appearing to be "J. L. [unclear]". The signature is written in a cursive style with a large, stylized initial.