



**Ministry of Health and
Long-Term Care**

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

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

**Rapport d'inspection sous la
Loi de 2007 sur les foyers de
soins de longue durée**

**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
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Report Date(s) / Date(s) du Rapport	Inspection No / No de l'inspection	Log # / Registre no	Type of Inspection / Genre d'inspection
Sep 19, 2014	2014_323130_0015	H-001030- 14	Complaint

Licensee/Titulaire de permis

THE REGIONAL MUNICIPALITY OF NIAGARA
2201 ST. DAVID'S ROAD, THOROLD, ON, L2V-4T7

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

LINHAVEN
403 Ontario Street, St. Catharines, ON, L2N-1L5

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

GILLIAN TRACEY (130)

Inspection Summary/Résumé de l'inspection



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

**This inspection was conducted on the following date(s): July 30 and August 1,
2014**

**During the course of the inspection, the inspector(s) spoke with the
Administrator, Manager of Adams Centre Respite Care, Director, Access to Care,
Hamilton Niagara Haldimand Brant Local Health Integrated Network (LHIN),
Manager of Client Services, Community Care Access Centre (CCAC), Hamilton
Niagara Haldimand Brant LHIN, registered staff and personal support workers.**

**During the course of the inspection, the inspector(s) interviewed staff, toured
the Adams Centre Respite Care, reviewed clinical records and relevant policy
and procedures.**

**The following Inspection Protocols were used during this inspection:
Admission and Discharge**

Findings of Non-Compliance were found during this inspection.



NON-COMPLIANCE / NON - RESPECT DES EXIGENCES

Legend	Legendé
WN – Written Notification VPC – Voluntary Plan of Correction DR – Director Referral CO – Compliance Order WAO – Work and Activity Order	WN – Avis écrit VPC – Plan de redressement volontaire DR – Aiguillage au directeur CO – Ordre de conformité WAO – Ordres : travaux et activités
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. 44. Authorization for admission to a home



Specifically failed to comply with the following:

s. 44. (7) The appropriate placement co-ordinator shall give the licensee of each selected home copies of the assessments and information that were required to have been taken into account, under subsection 43 (6), and the licensee shall review the assessments and information and shall approve the applicant's admission to the home unless,

(a) the home lacks the physical facilities necessary to meet the applicant's care requirements; 2007, c. 8, s. 44. (7).

(b) the staff of the home lack the nursing expertise necessary to meet the applicant's care requirements; or 2007, c. 8, s. 44. (7).

(c) circumstances exist which are provided for in the regulations as being a ground for withholding approval. 2007, c. 8, s. 44. (7).

Findings/Faits saillants :

1. The licensee did not ensure that an applicant's admission to the home was approved unless, (a) the home lacked the physical facilities necessary to meet the applicant's care requirements; (b) the staff of the home lacked the nursing expertise necessary to meet the applicant's care requirements; or (c) circumstances existed which were provided for in the regulations as being a ground for withholding approval. 2007, c. 8, s. 44. (7).

a) The home's Admission and Referral Pathway: Respite Centre For Dementia Care was reviewed and indicated that final acceptance was determined upon: "consideration of clients numbers, client mix, complexity of care, degree of risk to self and others, ability of staff to respond to client need, availability of staff and ability of physical environment to respond to client need". The Administrator and the Manager of Adams Centre Respite Care confirmed the home used this pathway when determining eligibility to respite care. On an identified date in 2014, the home informed resident #001 in writing, that they were discharged from the Adams Centre Respite Care because they no longer met the criteria respite care. The Administrator confirmed the resident's refusal for admission to respite care was not based on reasons provided for in the regulations. [s. 44. (7)]

WN #2: The Licensee has failed to comply with LTCHA, 2007 S.O. 2007, c.8, s. 104. Beds allowed under licence



Specifically failed to comply with the following:

s. 104. (1) A licensee shall not operate more beds in a long-term care home than are allowed under the licence for the home or under the terms of a temporary licence issued under section 111 or than are authorized under section 113. 2007, c. 8, s. 104. (1).

Findings/Faits saillants :

1. The licensee did not ensure that section 113. 2007, c. 8, s. 104. (1). was complied with.

A licensee shall not operate more beds in a long-term care home than are allowed under the licensee for the home or under the terms of a temporary licensee issued under section 111 or than are authorized under section 113. 2007, c. 8, s. 104. (1). not operate more beds in a long-term care home than are allowed under the licensee for the home or under the terms of a temporary licensee issued under section 111 or than are authorized under section 113. 2007, c. 8, s. 104. (1).

a) On August 5, 2014, the Administrator confirmed the home operated two beds in the Adams Centre Respite Care Unit, known as "Community Spaces", which were fully funded by the Local Health Integrated Network (LHIN). On September 16, 2014, the Director, Access to Care Hamilton Niagara Haldimand Brant LHIN confirmed the two community overnight respite beds were not included in the Long Term Care Service Accountability Agreement (LSAA). These beds operated as community respite beds and were a program included in the community agreement between Linhaven and the LHIN. The Administrator confirmed these two Community Space beds were in place prior to 2004 and exceeded the home's licensed capacity of 248 beds. [s. 104. (1)]



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Issued on this 19th day of September, 2014

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