



**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**

**Long-Term Care Homes Division
Long-Term Care Inspections Branch**

**Division des foyers de soins de
longue durée
Inspection de soins de longue durée**

Central East Service Area Office
419 King Street West Suite #303
OSHAWA ON L1J 2K5
Telephone: (905) 433-3013
Facsimile: (905) 433-3008

Bureau régional de services du
Centre-Est
419 rue King Ouest bureau 303
OSHAWA ON L1J 2K5
Téléphone: (905) 433-3013
Télécopieur: (905) 433-3008

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Report Date(s) / Date(s) du rapport	Inspection No / No de l'inspection	Log # / No de registre	Type of Inspection / Genre d'inspection
Oct 10, 2018	2018_643111_0014	009230-18, 011227-18, 016096-18	Complaint

Licensee/Titulaire de permis

CVH (No. 6) GP Inc. as general partner of CVH (No. 6) LP
766 Hespeler Road, Suite 301 c/o Southbridge Care Homes CAMBRIDGE ON N3H 5L8

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

Orchard Villa
1955 Valley Farm Road PICKERING ON L1V 3R6

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

LYNDA BROWN (111)

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 31, 2018

There were three complaints inspected concurrently during this inspection:

-Log # 16096-18 and #011227-18 related to bed refusals.

-Log # 009230-18 related to discharge of a resident.

During the course of the inspection, the inspector(s) spoke with the Administrator, the Director of Care, Regional Director for Extensicare Assist and Behavioural Support Ontario (BSO) staff.

During the course of the inspection, the inspector reviewed a discharged resident's health record and reviewed admission packages submitted to the home by CCAC.

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

During the course of this inspection, Non-Compliances were issued.

1 WN(s)

0 VPC(s)

0 CO(s)

0 DR(s)

0 WAO(s)



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

s. 44. (9) If the licensee withholds approval for admission, the licensee shall give to persons described in subsection (10) a written notice setting out,

(a) the ground or grounds on which the licensee is withholding approval; 2007, c. 8, s. 44. (9).

(b) a detailed explanation of the supporting facts, as they relate both to the home and to the applicant's condition and requirements for care; 2007, c. 8, s. 44. (9).

(c) an explanation of how the supporting facts justify the decision to withhold approval; and 2007, c. 8, s. 44. (9).

(d) contact information for the Director. 2007, c. 8, s. 44. (9).

Findings/Faits saillants :

The licensee has failed to comply with section 44(7) of the LTCHA whereby the licensee refused the application for applicant #003 for grounds other than provided for in the LTCHA. In addition, the licensee's response to the applicants failed to contain all of the required elements of section 44(9).

Related to log # 026123-17:

This inspection was initiated related to a complaint received by the Ministry of Health and Long Term Care. The complaint pertained to Orchard Villa withholding approval for admission.

A review was completed of applicant #003's admission application and the home's

response letter. The response letter from the Administrator of Orchard Villa indicated on a specified date, applicant #003 was refused a bed due to nursing lacking the expertise to manage the applicants behavioural needs. Review of the admission application indicated there was one incident when the applicant demonstrated specified responsive behaviour. There was no indication the resident demonstrated other responsive behaviours.

An interview with the Administrator by Inspector #111, revealed that the home had a Responsive Behaviour Program (BSO Team) who reviewed the admission applications and would be able to discuss the withholding of approval for admission. The Administrator indicated the approval for admission was withheld due to a concern for specified responsive behaviours by the applicant towards others.

Interview with the BSO team (staff #100 and #101) by Inspector #111, both confirmed the admission application for applicant #003 did not have enough information to support how the nursing staff lacked the expertise to manage specified responsive behaviours. The BSO staff confirmed there was only one incident noted where the applicant demonstrated a specified responsive behaviour.

The licensee had failed to demonstrate grounds for withholding admission to applicant #001. [s. 44. (7)]

2. The licensee has failed to ensure that when withholding approval for admission, the licensee shall give a written notice setting out the ground or grounds on which the licensee is withholding approval; a detailed explanation of the supporting facts, as they relate both to the home and to the applicant's condition and requirements for care; an explanation of how the supporting facts justify the decision to withhold approval; and contact information for the Director. 2007, c. 8, s. 44 (9).

Related to log # 16096-18:

A record review was completed of applicant #003's admission application and the home's response letter. The letter did not provide a detailed explanation of the supporting facts, as they related both to the home and to the applicant's condition and requirements for care, and an explanation of how the supporting facts justify the decision to withhold approval or the contact information for the Director.

During an interview with the Administrator and the BSO team, they acknowledged that



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the letter did not include sufficient detail, as required, for withholding an approval of admission to applicant #003.

The licensee failed to ensure that when they withheld an approval for admission, the written notice that set out the explanation, as they related both to the home and to the applicant's condition and requirements for care, failed to explain how the supporting facts justified the decision to withhold approval.[s.44(9)]

Issued on this 10th day of October, 2018

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

Original report signed by the inspector.