



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**

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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
Jan 14, 2014	2013_238501_0002	T-1-13B	Complaint

Licensee/Titulaire de permis

EXTENDICARE SOUTHWESTERN ONTARIO INC
3000 STEELES AVENUE EAST, SUITE 700, MARKHAM, ON, L3R-9W2

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

EXTENDICARE BAYVIEW
550 CUMMER AVENUE, NORTH YORK, ON, M2K-2M2

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

SUSAN SEMEREDY (501), DIANE BROWN (110)

Inspection Summary/Résumé de l'inspection

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

This inspection was conducted on the following date(s): December 3, 4, 5, 6, 2013.

During the course of the inspection, the inspector(s) spoke with Administrator, Program Manager, Registered Dietitian, Food Service Supervisor, Office Manager, Registered Nurses, Dietary Aides, Program staff, Social Worker, Personal Support Workers, Speech Language Pathologist (SLP), family members, residents, local rabbi.

During the course of the inspection, the inspector(s) observed meal service, reviewed health records for identified residents and reviewed menus.

The following Inspection Protocols were used during this inspection:



**Dining Observation
Nutrition and Hydration**

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.)	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. 3. Residents' Bill of Rights

Specifically failed to comply with the following:

s. 3. (1) Every licensee of a long-term care home shall ensure that the following rights of residents are fully respected and promoted:

4. Every resident has the right to be properly sheltered, fed, clothed, groomed and cared for in a manner consistent with his or her needs. 2007, c. 8, s. 3 (1).



Findings/Faits saillants :

1. The licensee failed to ensure that residents' right to be properly fed and cared for in a manner consistent with their needs was fully respected and promoted for Residents #1, #2 and #3.

Resident #1 was admitted to Extendicare Bayview with plan of care to receive nothing by mouth and requiring a G-tube for total nutrition. Resident #1 was identified as being of a certain faith on admission. Record review revealed that upon admission specialized food was identified as a cultural or religious dietary preference. Resident #1 was assessed by a SLP and deemed suitable to transition to oral feeding with a texture modified diet. Staff (including the SLP), family and resident interviews revealed that Resident #1 wanted specialized food as part of his/her religious observance and had received specialized food all his/her life. Record review, observation and family interviews revealed that Resident #1 was currently receiving a regular, minced diet with restricted food items as an alternative to having specialized food. It was determined that this restricted food item diet is not recognized as meeting his/her spiritual needs and Resident #1 and his/her family would want the resident to receive specialized meals. Record review and interviews revealed that the staff were aware of Resident #1's desire for specialized food. An interview with the Food Service Supervisor and Administrator confirmed that they are not able to offer this specialized food as they do not have a special kitchen. The alternatives provided to Resident #1 included a vegetarian diet or a diet that restricts certain food items. Family stated that Resident #1 likes meat and needs meat in his/her diet for protein so a vegetarian menu was not appropriate allowing only for a restricted food item menu plan. Family interviews revealed that it causes them worry and concern that when they or a private care giver are unable to attend meals, Resident #1 may unknowingly receive and ingest restricted food items. [s. 3. (1) 4.]

2. Resident #2 was admitted to Extendicare Bayview and was identified as being of a certain faith on admission assessment with a strong interest in all particular religious programming. Record review revealed that upon admission specialized food was identified as a cultural or religious dietary preference of Resident #2. Record review revealed and staff interviews confirmed that Resident #2 continued to observe his/her religion on a regular basis. Resident and staff interviews revealed Resident #2 consistently and persistently requested having specialized food especially during a particular holiday. Resident #2 stated his/her religion is very important to him/her and he/she has had specialized food his/her whole life. Resident and staff interview revealed that Resident #2 has not been offered specialized food by the licensee and



has only had it once at a holiday since admission. Resident and staff interview confirmed that the home is aware of how important his/her religion is to him/her and that he/she would want specialized food. Record review, observation and interviews confirmed that Resident #2 likes the food at the home but does not feel he/she is observing his/her religious faith. [s. 3. (1) 4.]

3. Resident #3 was admitted to Extendicare Bayview and was identified as being of a particular faith. Record review revealed Resident #3 was receiving specialized food before admission. Family interview confirmed Resident #3 is of a particular faith and had specialized food his/her whole life. Family also expressed that when they were offered a bed at this home they felt they had to accept it as Resident #3 needed immediate placement and there was a long waiting list for their first choice long term care home which offered specialized food. At the time of admission Resident #3's family members were aware that specialized food was not available at Extendicare Bayview and was offered a vegetarian menu as an alternative. Family interview confirmed resident's wish was to continue his/her religious observance through eating specialized food. When Resident #3 was first admitted family was providing specialized meat for one meal and staff would heat it up and provide other items along with this meat. Family stated they did not ask for compensation and were just pleased that Extendicare Bayview was willing to heat up this meat that was brought in. Due to a change in Resident #3's medical status his/her diet was changed to a modified texture. Record review and interviews confirmed family was buying modified textured specialized meals from a catering company for Resident #3's supper for approximately 6-8 months at a cost of \$5-7/day. Record review and interviews revealed that Resident #3 did not like these purchased texture modified specialized meals and it was agreed that a vegetarian texture modified diet with supplements would be provided by the licensee. [s. 3. (1) 4.]

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 the residents right to be properly fed and cared for in a manner consistent with his or her needs is fully respected and promoted, to be implemented voluntarily.



WN #2: The Licensee has failed to comply with O.Reg 79/10, s. 71. Menu planning

Specifically failed to comply with the following:

s. 71. (5) The licensee shall ensure that an individualized menu is developed for each resident whose needs cannot be met through the home's menu cycle. O. Reg. 79/10, s. 71 (5).

Findings/Faits saillants :

1. The licensee failed to ensure that an individualized menu is developed for each resident whose spiritual needs cannot be met through the home's menu cycle.

Resident #1 was identified as being of a certain faith on admission. Record review revealed that upon admission specialized food was identified as a cultural or religious dietary preference. Family and resident interviews revealed that Resident #1 wanted specialized food as part of his/her religious observance and had specialized food all his/her life. Resident #1's plan of care was developed by the RD and did not include an individualized menu that met his/her spiritual needs. Record review, observation and family interviews revealed that Resident #1 was currently receiving a regular, texture modified diet with restricted food items. It was determined that a restricted food item diet is not recognized as meeting his/her religious observance and Resident #1 and his family would want resident to receive specialized meals. An interview with the Food Service Supervisor and Administrator confirmed that they are not able to offer specialized food as they do not have a special kitchen. Family stated that Resident #1 likes meat and needs meat in his diet for protein so a vegetarian menu was not appropriate allowing only for a restricted food item menu plan. Family interviews revealed that it causes them worry and concern that when they or a private care giver are unable to attend meals, Resident #1 may unknowingly receive and ingest restricted food items. [s. 71. (5)]

2. Resident #2 was identified as being of a particular faith during admission. Record review revealed that upon admission specialized food was identified as a cultural or religious dietary preference. Resident #2's plan of care was developed by the RD and did not include an individualized menu. Record review revealed that Resident #2 was on a therapeutic, textured modified diet and was to be provided a restricted food item diet. Information gathered confirmed that this diet plan is not recognized as meeting his/her spiritual needs. Resident #2 stated his/her religion is very important to him and he/she had specialized food his/her whole life. Resident and staff interview revealed that Resident #2 has not been offered specialized food by the licensee and has only



had it once at a holiday since admission. [s. 71. (5)]

3. Resident #3 was identified as being of a particular faith. Record review revealed Resident #3 was receiving specialized food before admission. Family interview confirmed Resident #3 is of a particular faith and had specialized food his/her whole life. Resident #3's plan of care was developed by the RD and did not include an individualized menu. At the time of admission Resident #3's family members were aware that specialized food was not available at Extendicare Bayview and was offered a vegetarian menu as an alternative. Information gathered confirmed that this alternative is not recognized as meeting his/her spiritual needs. Family interview confirmed the resident's wish was to continue his/her religious observance through eating specialized food. When Resident #3 was first admitted family was providing specialized meat for one meal and staff would heat it up and provide other items along with the special meat. Due to a change in Resident #3's medical status his/her diet was changed to a textured modified. Record review and interviews confirmed family members were buying texture modified specialized meals from a catering company for Resident #3's supper. Record review and interviews revealed that Resident #3 did not like these purchased texture modified specialized meals and as of October 23, 2013 it was agreed that a vegetarian specialized diet with supplements would be provided by the licensee. [s. 71. (5)]

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 an individualized menu is developed for each resident whose needs cannot be met through the home's menu cycle, to be implemented voluntarily.

WN #3: The Licensee has failed to comply with LTCHA, 2007 S.O. 2007, c.8, s. 91. Resident charges

Specifically failed to comply with the following:

s. 91. (4) A licensee shall not accept payment from or on behalf of a resident for anything that the licensee is prohibited from charging for under subsection (1) and shall not cause or permit anyone to make such a charge or accept such a payment on the licensee's behalf. 2007, c. 8, s. 91. (4).



Findings/Faits saillants :

1. The licensee failed to ensure that it shall not cause or permit anyone to make a charge or accept a payment on the licensee's behalf that the licensee is prohibited from charging for under the legislation.

Resident #3 was living in Extendicare Bayview and is of a particular faith requiring specialized foods as part of his/her religious observance. Extendicare Bayview does not have a special kitchen. Family and staff interview confirmed that family previously purchased specialized meals to be served to Resident #3 once a day along with the vegetarian diet provided to the resident by the licensee. Family interview revealed that they did not consider or ask for compensation of the purchased meals as they were thankful that Extendicare Bayview was willing to accommodate for family bringing in this specialized food. Family confirmed they were buying texture modified specialized meals from a catering company for Resident #3's supper for approximately 6-8 months at a cost of \$5-7/day. Record review and interviews revealed that as of October 23, 2013 Resident #3 was no longer receiving these purchased meals due to an agreed alternative provided by the licensee. [s. 91. (4)]

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 the licensee shall not accept payment from or on behalf of a resident for anything that the licensee is prohibited from charging for under the legislation and shall not cause or permit anyone to make such a charge or accept such a payment on the licensee's behalf, to be implemented voluntarily.



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Loi de 2007 sur les foyers de
soins de longue durée**

Issued on this 14th day of January, 2014

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

N. Semeredy.