Ministry of Health
and Long-Term Care

Health System Accountability and
Performance Division
Performance Improvement and Compliance Branch
Toronto Service Area Office

55 St. Clair Avenue West, 8th Floor
Toronto ON M4V 2Y7

Telephone: 416-325-9297
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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
Bureau régional de services de Toronto

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Ontario

FEB 0 2 2011

Ms. Leah Walters
Administrator
Cummer Lodge
205 Cummer Avenue
North York, ON M2M 2E8

Dear Ms. Walters:

Please find enclosed the ***Inspection Report-Public Copy*** for an inspection conducted **December 21, 2010** under the *Long-Term Care Homes Act, 2007* (LTCHA) for the purpose of ensuring compliance with requirements under the LTCHA.

This inspection report must be posted in the home, in a conspicuous and easily accessible location in accordance with the LTCHA, 2007, S.O. 2007, c.8, s.79 (1) and (2).

A copy of the ***Inspection Report-Public Copy*** must be made available without charge upon request. The report will also be on file with the Toronto Service Area Office, Performance Improvement and Compliance Branch.

Sincerely,

A. Marille

for Rosemary Lam
LTC Homes Inspector

A. Marille

for Catherine Palmer
LTC Homes Inspector

Ontario

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

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

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☐ Licensee Copy/Copie du Titulaire ☒ Public Copy/Copie Public

Date(s) of inspection/Date de l'inspection	Inspection No/ d'inspection	Type of Inspection/Genre d'inspection
December 21, 2010	2010_152_9512_21Dec094158	Complaint Log #2870

Licensee/Titulaire
Toronto Long-Term Care Homes and Services
55 John Street
Metro Hall, 11th Floor
Toronto, Ontario
M5V 3C6
Fax- 416-392-4180

Long-Term Care Home/Foyer de soins de longue durée
Cummer Lodge
205 Cummer Avenue
North York, ON M2M 2E8

Name of Inspector(s)/Nom de l'inspecteur(s)
Rosemary Lam (132) and Catherine Palmer (152)

Inspection Summary/Sommaire d'inspection

The purpose of this inspection was to conduct a complaint inspection regarding resident to resident abuse and insufficient staffing.

During the course of the inspection, the inspectors spoke with director of nursing, administrator, the home's corporate nursing and compliance manager, registered staff.

During the course of the inspection, the inspectors reviewed the home's staffing for nursing care, reviewed resident's health records, interviewed staff, observed resident.

The following Inspection Protocols were used in part or in whole during this inspection:
Sufficient Staffing Inspection Protocol
Responsive Behaviours Inspection Protocol

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

1 WN
1 VPC

NON- COMPLIANCE / (Non-respectés)

Definitions/Définitions

WN – Written Notifications/Avis écrit
VPC – Voluntary Plan of Correction/Plan de redressement volontaire
DR – Director Referral/Régisseur envoyé
CO – Compliance Order/Ordres de conformité
WAO – Work and Activity Order/Ordres: 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: The Licensee has failed to comply with LTCHA, 2007 S.O. 2007 c. 8 s. 24 (1) 2 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: 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.

Findings:
The licensee failed to report to the director two incidents of resident to resident physical abuse on two occasions. The victim sustained superficial cuts on his face and a skin tear. According to the Long-Term Care Homes Act, 2007- O. Reg. 79/10 definitions, physical abuse includes the use of physical force by a resident

that causes physical injury to another resident.	
Inspector ID #:	132 and 152

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 home immediately reports to the director the use of physical force by a resident that causes physical injury to another resident, to be implemented voluntarily.

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.** Cathy Palmer
Title: **Date:**	**Date of Report:** (if different from date(s) of inspection). January 24, 2011.