



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

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

Ministry of Health and Long-Term Care
Health System Accountability and Performance Division
Performance Improvement and Compliance Branch

Hamilton Service Area Office
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**Ministère de la Santé et des Soins de
longue durée**

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Date(s) of inspection/Date de l'inspection Janaury 18 and 19, 2011	Inspection No/ d'inspection 2011_192_2858_18Jan123433	Type of Inspection/Genre d'inspection Complaint H - 0281
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Licensee/Titulaire

Extendicare (Canada) Inc., 3000 Steeles Avenue East, Suite 700, Markham, ON, L3R 9W2

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

Extendicare Hamilton, 90 Chedmac Drive, Hamilton, ON, L9C 7S6

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

Debora Saville Nursing Inspector #192

Inspection Summary/Sommaire d'inspection

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

During the course of the inspection, the inspector spoke with: The Administrator and Director of Care

During the course of the inspection, the inspector: Reviewed refusal letters, and policy related to admission.

The following Inspection Protocols were used during this inspection: Admission Process

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

2 WN

NON- COMPLIANCE / (Non-respectés)

Definitions/Définitions

WN – Written Notifications/Avis écrit
VPC – Voluntary Plan of Correction/Plan de redressement volontaire
DR – Director Referral/Régisseur envoi
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'exigences 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 *Long-Term Care Homes Act, 2007*, S.O. 2007, c.8, s. 44(7)(a)(b)

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;
- (b) the staff of the home lack the nursing expertise necessary to meet the applicant's care requirements;

Findings:

1. The home forwarded letters to the Ministry of Health, the local Community Care Access Centre and each of the applicants, notifying them of a refusal of admission to Extendicare Hamilton. The letters issued to specified applicants did not provide and support valid grounds for refusal.
2. Current residents of the home were observed exiting the main entrance for the designated smoking area of the home. The home appears to be meeting the needs of some residents who smoke.
3. Discussion held with the Administrator and Director of Care, related to refusal letters submitted confirmed that the specified residents were denied admission for reasons other than a lack of physical facilities or nursing expertise.

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WN #2: The Licensee has failed to comply with *Long-Term Care Homes Act, 2007*, S.O. 2007, c.8, s. 44(9)(b)(c).

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

- (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;
- (c) an explanation of how the supporting facts justify the decision to withhold approval;

Findings:

1. According to a letter produced by the home, a specified applicant was refused acceptance "due to current case mix and complexity of our current care requirements". This statement does not provide detailed explanation of the supporting facts, or justification of the decision to withhold approval for this specific individual.
2. A specified applicant was refused acceptance. The refusal letter does not clearly explain why the home would not be able to manage the applicant's care given that training was offered to the home from the Community Care Access Centre.

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