



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

**Rapport d'inspection
prévus 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

**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

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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
Nov. 12, 15, 18 & 26, 2010	2010_124_2728_12Nov090017	Complaint-log O-002061

Licensee/Titulaire

Gibson Holdings (Ontario) Ltd., 343 Amherst Drive, Amherstview ON K7N 1X3 Fax: 613-384-9407

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

Helen Henderson Nursing Home, 343 Amherst Drive, Amherstview, ON K7N 1X3 Fax: 613-384-9407

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

Lynda Hamilton (124)

Inspection Summary/Sommaire d'inspection

The purpose of this inspection was to conduct a complaint inspection related to the registered nurse staffing levels.

During the course of the inspection, the inspector spoke with the administrator, the Director of Care, three registered nurses and the business manager.

During the course of the inspection, the inspector reviewed the 24 hour reports, the assignment sheets for October and November 2010, worksheets entitled "Nursing Reallocation to Lodge", the work schedules and the journal entries from the home's accounting system.

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

1 WN

1 CO: CO# 001

NON- COMPLIANCE / (Non-respectés)



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**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***

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.8 (3) Every licensee of a long-term care home shall ensure that at least one registered nurse who is both an employee of the licensee and a member of the regular nursing staff of the home is on duty and present in the home at all times, except as provided for in the regulations.

Findings:

1. Helen Henderson is a long-term care home with an attached retirement home.
2. Two registered nurses (RN) reported having been called to the retirement home on the night shift to provide care to retirement home residents and during this time, there was no RN in the licensed home.
3. The Director of Care reported that the registered nurse from the nursing home may be asked to respond to calls from the retirement home.
4. The Business Manager with Gibson Holdings reported that every month there is 1- 2 hours of registered nurses' time that is allocated to the retirement home. Some of the allocated time occurs when there is only one RN working. When only one RN is working and is assisting a resident in the retirement home, the RN is not on duty and present in the licensed home.

Compliance Order #001 was faxed to the licensee on

Inspector ID #: 124

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.**

Title: **Date:**

Date of Report: (if different from date(s) of inspection).

Lynda Hamilton

Jan. 7, 2011

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

Order(s) of the Inspector

Pursuant to section 153 and/or section 154 of the
Long-Term Care Homes Act, 2007, S.O. 2007, c.8

	☐ Licensee Copy/Copie du Titulaire	☒ Public Copy/Copie Public
Name of Inspector:	Lynda Hamilton	Inspector ID # 124
Log #:	O-002061	
Inspection Report #:	2010_124_2728_12Nov090017	
Type of Inspection:	Complaint	
Date of Inspection:	November 12, 15, 18 & 26, 2010	
Licensee:	Gibson Holdings (Ontario) Ltd., 343 Amherst Drive, Amherstview ON K7N 1X3 Fax: 613-384-9407	
LTC Home:	Helen Henderson Nursing Home, 343 Amherst Drive, Amherstview, ON K7N 1X3 Fax: 613-384-9407	
Name of Administrator:	Lisa Gibson	

To Gibson Holdings (Ontario) Ltd., you are hereby required to comply with the following order by the date set out below:

Order #:	001	Order Type:	Compliance Order, Section 153 (1)(a)
Pursuant to: The Licensee has failed to comply with LTCHA 2007, S.O. 2007, c.8, s.8 (3) Every licensee of a long-term care home shall ensure that at least one registered nurse who is both an employee of the licensee and a member of the regular nursing staff of the home is on duty and present in the home at all times, except as provided for in the regulations.			
Order: The licensee will stop allocating any registered nurse time to the retirement home if that time is required in the home to meet the requirements of LTCHA 2007, S.O. 2007, c.8, s.8 (3).			
Grounds: 1. Helen Henderson is a long-term care home with an attached retirement home. 2. Two registered nurses (RN) reported having been called to the retirement home on the night shift to provide care to retirement home residents and during this time, there was no RN in the licensed home.			

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

Health System Accountability and Performance Division
Performance Improvement and Compliance Branch

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

3. The Director of Care reported that the registered nurse from the nursing home responds to calls from the retirement home.
4. The Business Manager with Gibson Holdings, reported that every month there is 1- 2 hours of registered nurses' time that is allocated to the retirement home. Some of the allocated time occurs when there is only one RN working. When only one RN is working and is assisting a resident in the retirement home, the RN is not on duty and present in the licensed home.

This order must be complied with by:	January 12, 2011
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REVIEW/APEAL INFORMATION**TAKE NOTICE:**

The Licensee has the right to request a review by the Director of this (these) Order(s) and to request that the Director stay this(these) Order(s) in accordance with section 163 of the *Long-Term Care Homes Act, 2007*.

The request for review by the Director must be made in writing and be served on the Director within 28 days from the day the order was served on the Licensee.

The written request for review must include,

- (a) the portions of the order in respect of which the review is requested;
- (b) any submissions that the Licensee wishes the Director to consider; and
- (c) an address for service for the Licensee.

The written request for review must be served personally, by registered mail or by fax upon:

Director
c/o Appeals Clerk
Performance Improvement and Compliance Branch
Ministry of Health and Long-Term Care
55 St. Clair Ave. West
Suite 800, 8th floor
Toronto, ON M4V 2Y2
Fax: 416-327-7603

When service is made by registered mail, it is deemed to be made on the fifth day after the day of mailing and when service is made by fax, it is deemed to be made on the first business day after the day the fax is sent. If the Licensee is not served with written notice of the Director's decision within 28 days of receipt of the Licensee's request for review, this(these) Order(s) is(are) deemed to be confirmed by the Director and the Licensee is deemed to have been served with a copy of that decision on the expiry of the 28 day period.

The Licensee has the right to appeal the Director's decision on a request for review of an Inspector's Order(s) to the Health Services Appeal and Review Board (HSARB) in accordance with section 164 of the *Long-Term Care Homes Act, 2007*. The HSARB is an independent group of members not connected with the Ministry. They are appointed by legislation to review matters concerning health care services. If the Licensee decides to request a hearing, the Licensee must, with 28 days of being served with the notice of the Director's decision, mail or deliver a written notice of appeal to both:

Health Services Appeal and Review Board and the
Attention Registrar
151 Bloor Street West
9th Floor
Toronto, ON
M5S 2T5

Director
c/o Appeals Clerk
Performance Improvement and Compliance Branch
55 St. Claire Avenue, West
Suite 800, 8th Floor
Toronto, ON M4V 2Y2

Fax: 416-327-7603

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Upon receipt, the HSARB will acknowledge your notice of appeal and will provide instructions regarding the appeal process. The Licensee may learn more about the HSARB on the website

Issued on this	7 day of January, 2011.
Signature of Inspector:	<i>Lynda Hamilton</i>
Name of Inspector:	Lynda Hamilton
Service Area Office:	Ottawa Service Area Office