



Ministry of Health and  
Long-Term Care

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

Ministère de la Santé et des  
Soins de longue durée

Rapport d'inspection  
prévus le Loi de 2007 les  
foyers de soins de longue

Health System Accountability and Performance  
Division  
Performance Improvement and Compliance Branch  
Division de la responsabilisation et de la  
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| Date(s) of inspection/Date(s) de l'inspection | Inspection No/ No de l'inspection | Type of Inspection/Genre d'inspection |
|-----------------------------------------------|-----------------------------------|---------------------------------------|
| Aug 1, 2, 3, 13, 29, 2012                     | 2012_064167_0027                  | Complaint                             |

**Licensee/Titulaire de permis**

LIUNA LOCAL 837 NURSING HOME(ANCASTER) CORPORATION  
44 HUGHSON STREET SOUTH, HAMILTON, ON, L8N-2A7

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

REGINA GARDENS  
536 UPPER PARADISE ROAD, HAMILTON, ON, L9C-5E3

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

MARILYN TONE (167)

**Inspection Summary/Résumé de l'inspection**

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

During the course of the inspection, the inspector(s) spoke with staff working on the unit, the identified resident, the administrator related to complaint H-000725-12.

During the course of the inspection, the inspector(s) reviewed the health files for the identified resident and for two additional residents with responsive behaviours, the home's policy and procedure related to responsive behaviours and observed care and resident interaction on the unit where the identified resident resides.

The following Inspection Protocols were used during this inspection:

Responsive Behaviours

Findings of Non-Compliance were found during this inspection.

**NON-COMPLIANCE / NON-RESPECT DES EXIGENCES**



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| Legend                                                                                                                                                                                                                                                                  | Legendé                                                                                                                                                                                                                                                                                             |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| WN – Written Notification                                                                                                                                                                                                                                               | WN – Avis écrit                                                                                                                                                                                                                                                                                     |
| VPC – Voluntary Plan of Correction                                                                                                                                                                                                                                      | VPC – Plan de redressement volontaire                                                                                                                                                                                                                                                               |
| DR – Director Referral                                                                                                                                                                                                                                                  | DR – Aiguillage au directeur                                                                                                                                                                                                                                                                        |
| CO – Compliance Order                                                                                                                                                                                                                                                   | CO – Ordre de conformité                                                                                                                                                                                                                                                                            |
| WAO – Work and Activity Order                                                                                                                                                                                                                                           | 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 O.Reg 79/10, s. 26. Plan of care**

**Specifically failed to comply with the following subsections:**

**s. 26. (3) A plan of care must be based on, at a minimum, interdisciplinary assessment of the following with respect to the resident:**

1. Customary routines.
2. Cognition ability.
3. Communication abilities, including hearing and language.
4. Vision.
5. Mood and behaviour patterns, including wandering, any identified responsive behaviours, any potential behavioural triggers and variations in resident functioning at different times of the day.
6. Psychological well-being.
7. Physical functioning, and the type and level of assistance that is required relating to activities of daily living, including hygiene and grooming.
8. Continence, including bladder and bowel elimination.
9. Disease diagnosis.
10. Health conditions, including allergies, pain, risk of falls and other special needs.
11. Seasonal risk relating to hot weather.
12. Dental and oral status, including oral hygiene.
13. Nutritional status, including height, weight and any risks relating to nutrition care.
14. Hydration status and any risks relating to hydration.
15. Skin condition, including altered skin integrity and foot conditions.
16. Activity patterns and pursuits.
17. Drugs and treatments.
18. Special treatments and interventions.
19. Safety risks.
20. Nausea and vomiting.
21. Sleep patterns and preferences.
22. Cultural, spiritual and religious preferences and age-related needs and preferences.
23. Potential for discharge. O. Reg. 79/10, s. 26 (3).

**Findings/Faits saillants :**



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1. s. 26(3)5 The licensee did not ensure that the responsive behaviour plan of care for resident # 001 was based on an interdisciplinary assessment of the resident that included all identified responsive behaviours and potential behavioural triggers.

a) The Quarterly Review Assessment in the Minimum Data Set (MDS) documentation for resident # 001 indicated that they exhibited a number of responsive behaviours.

2) The progress notes for resident # 001 confirmed that the resident did exhibit these behaviours.

3) Interviews with personal support worker staff on the unit confirmed that these behaviours were present.

4) The plan of care for resident # 001 did not identify all responsive behaviours that they exhibited or identify any behavioural triggers based on the interdisciplinary assessment that was completed for the resident.

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**WN #2: The Licensee has failed to comply with O.Reg 79/10, s. 53. Responsive behaviours**

**Specifically failed to comply with the following subsections:**

**s. 53. (4) The licensee shall ensure that, for each resident demonstrating responsive behaviours,**

**(a) the behavioural triggers for the resident are identified, where possible;**

**(b) strategies are developed and implemented to respond to these behaviours, where possible; and**

**(c) actions are taken to respond to the needs of the resident, including assessments, reassessments and interventions and that the resident's responses to interventions are documented. O. Reg. 79/10, s. 53 (4).**

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**Findings/Faits saillants :**

1. s. 53(4)b The licensee did not ensure that strategies were developed and implemented to respond to resident # 001's responsive behaviours.

a) The plan of care for resident # 001 did not include strategies to respond to and manage all responsive behaviours exhibited by the resident.

b) An interview with Personal Support Worker staff on the unit confirmed that the plan of care for resident # 001 did not provide direction to staff related to specific interventions or monitoring activities to manage resident # 001's behaviours.

Issued on this 30th day of August, 2012

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