

Taylor, Laura

From: Legislative Assembly of Ontario
Sent: November 3, 2020 4:27 PM
To: Standing Committee on Justice Policy
Cc: Teng, Deborah
Subject: Webform submission: Submission of material 24771

Submitted on Tue, 11/03/2020 - 16:23

Application ID: 24771

Submitted values are:

Bill or item of business: **Bill 218, Supporting Ontario's Recovery and Municipal Elections Act, 2020**

Choose a topic

Do you know the bill title or business (e.g., pre-budget consultations) you'd like to speak or submit material about?

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I am submitting material as an individual

Full name

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Paste submission

November 3, 2020

Dear Members of the Committee:

I am writing on behalf of my mother, Angela Skrilec, and of her children, grandchildren and great

grandchildren. Please allow me the opportunity of telling you about our Mom, and her last 2 months of life.

Mom resided in Orchard Villa and was as content as could be for someone living out her final years, in her private room in Cedar Unit, surrounded by her belongings. Angela was very fortunate to have a quality of life most LTC residents did not. She was quite independent, semi-mobile, mentally competent, could feed, fend, communicate and advocate for herself. She had an amazing memory, acknowledging every family members' birthday or anniversary with a card. She moved about the facility freely, getting herself to activities. Before our father passed away in March 2018, he visited her every day and took her home occasionally. She enjoyed several hours a week visits from her family, usually spent playing games. Angela left the facility often to go on personal needs shopping trips with her children, and enjoyed attending all family functions and holiday celebrations. On Saturday, March 7, our family celebrated her 96th birthday taking her out for lunch to the Ajax Casino, followed by 2 hours of slots. Mom loved it and every year always chose to go there for her birthday.

On Saturday, March 14, our world changed - lockdown in all LTC facilities! Now visits to Mom were by phone and window. Fear set in! But the Covid outbreak was in the main hub of the facility, far, far from Cedar Unit - with several locked doors separating them ... surely Angela would be safe!!! Over the next few weeks there's no communications from OV/SC and Mom starts to complain about the declining quality of food. In mid-April, we find out that they are STILL sending residents to the dining room for meals. Then OV implements a daily phone message system, advising of the numbers of infections in the whole facility - no other details. But we needed to know what was happening in Cedar Unit and can't get any answers. During one phone call Mom says to me "people are dying in here". Then the phone message system changes, now specific to the resident's unit. The last call received was on or about April 20 - there are now 4 infected residents in Cedar Unit! How and why is this virus spreading? Staff! Staff who the public has now learned, were being moved around from unit to unit, who were not provided with proper PPE, who were not properly trained in infection control. And now more fear sets in. Mom says, it's quiet, hardly anyone comes in to check on her. Our several phone calls to the nursing station and administration go unanswered. Our family discusses removing Mom from OV, but we could not reach anyone to discuss the feasibility of doing this. When able to reach staff, we were told that all was fine. They were not allowed to answer our question re cases in Cedar Unit - "you have to speak to administration" we were told - but again our calls to administration go unanswered. Now mom complains 'cold' meals are being brought to her late, her medication is not being dispensed with regularly, they are late coming to help her dress/undress and she's missing her showers. Mom is getting quite upset, agitated and depressed. She cannot comprehend this neglect and mistreatment. Now lump together all Mom's complaints and just imagine what was happening to those many residents who were bed-ridden and totally dependant on care! Heart wrenching!

OV has now caught the public's attention and more tragic stories of neglect surface. The media is reporting the high number of Covid deaths and we learn of OV/SC's poor inspection records in following public health guidelines - spanning 5 years! We learn OV/SC did not remedy recommendations which resulted in sub-standard care. But why were these infractions not FOLLOWED UP on by our Ministry of Health and ENFORCED? Had they been, maybe OV would have been better prepared to handle this crisis.

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OV/SC let the situation deteriorate to a critical level before seeking assistance from Lakeridge Health. Then military is brought in and our family experienced a small sense of relief that all would be better now, mom could stay there and be safe! She tells us there's lots of new people there, all suited up (interestingly, this is the first reference she has made to PPE and hazmat gear), and she tells us they are cleaning a lot. Mom's meals are now boxed sandwiches, which she many times throws in the garbage. She's increasingly getting more upset and agitated. Now the horrific military report becomes public news!

May 5, Mom calls to say she's not feeling well. May 6, Mom is sent to hospital with fever and elevated heart rate and is admitted. May 10, on Mothers Day, hospital doctor phones me to advise Mom has Covid, doubtful

she will recover, allows us to come visit her. May 12, our mother, Angela, passes away. Our family mourns her loss and struggles with guilt that we unwittingly entrusted OV/SC to care for her and keep her safe. We are heartbroken that our Mom's last 2 months of life were so distressing. Mom was doing well, it was far from her time to go. Her death was a needless and avoidable loss.

We live in a society governed by laws and rules. If we follow them, there's no consequences, but if we don't there are. We have a legal system that allows us to advocate for our rights and beliefs and to make claims against others for wrong-doing. Even a person who 'accidentally' causes harm or death to an individual - in many cases suffers legal consequences.

Please refer to Explanatory Note, Schedule 1 to Bill 218, referring to Section 2 of the Ontario Recovery Act (definition of person in this case shall refer to Orchard Villa/Southbridge Care "OV/SC") - which Note reads:

"No cause of action arises against any person as a direct or indirect result of an individual being infected or exposed to Covid-19 as a direct or indirect result of an act or omission of the person if, (a) the person acted or made a good faith effort to act in accordance with, (i) public health guidance relating to Covid-19 that applied to the person; and (ii) any law that applied to the person; and (b) the act or omission of the person does not constitute gross negligence."

OV/SC failed in this Act's interpretation of "good faith effort" and "public health guidance". The evidence against OV/SC is clear - you are all well aware of the military report and the media accounts which have made this public. They continually ignored public health guidelines to remedy their practices in order to provide the best care possible to their residents. To have done this, would have a financial impact on their shareholders. The loss of life under their care has been substantial due to their negligence.

Please let your conscience guide you. By passing Bill 218 you are acknowledging that it is permissible for OV/SC (and other LTC facilities involved in actions) to break rules and not be punished or be held accountable for their wrong-doing. By demanding accountability, you will be the voice to implement change in order to make LTC living safe. We could all be there some day.

Please also ask yourself one question. "What if it was my parent who died of Covid in one of these facilities"?

Thank you for your consideration.

Annie Wyton,
On behalf of Angela Skrilec and her family