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To the Members of the Committee

Submission submitted to the Standing Committee on Justice Policy in respect of Bill 218

We are making this submission on behalf of our mother, Deta May Davidson. Our mother was a resident of the Erin Mills Lodge nursing home. Earlier this year she celebrated her 99th birthday and she was looking forward to reaching the big one, 100 years of age and there was no reason to think that she would not be celebrating that major milestone with us all.

In mid- March we were advised that her nursing home, Erin Mills Lodge, was closed to all outside visitors - family and friends. By mid - April Mum advised us that she was not allowed out of her room – the communal dining room had been closed and all meals were being served in her room. On May 4th we were advised by the nursing home that Mum had become ill with COVID -19. She died on May 14th. She suffered terribly over those ten days until she finally passed.

Erin Mills Lodge is owned by Schlegel Villages, an organization that claims the following on their website:

“We have a long-standing reputation for delivering quality care in our Villages. We believe in care practices that address the clinical needs of our residents but touches them at a personal level to nurture their spirit. Our care practices are tracked and measured by our qualified health care professionals and together with our team of researchers at the Schlegel-UW Research Institute for Aging, we’re consistently looking for new and better ways to provide support. Whether your need for care is modest to provide peace of mind or comprehensive to meet your highest of needs, we offer the best support possible for our residents when they need us most.”

Schlegel Villages and Erin Mills Lodge failed our mother and did not provide her with the quality care that they assert to provide when she needed it the most.

The only way that she could have contracted that terrible disease was from the very people who work for the company that we looked to provide her care and for that reason the companies that we are taking legal action against and others like them have to be held accountable for their actions.

During the last days before her death, family were allowed to visit her as she was deemed to be gravely ill. At that time, I (Marilyn Minto) observed the nursing staff entering and exiting her private room many times without observing standard infection protocols. There was no donning and doffing of PPE although there were supplies at her door. I feel that this is just one major example of gross negligence. Why were staff allowed to go from room to room, patient to patient, with no regard for infection protocols, during a Pandemic? This gross negligence cost our mother her life and has robbed us of a precious and very much-loved family member.

Bill 218, the *Supporting Ontario's Recovery Act* (2020) if passed will provide liability protection to individuals, businesses, and other organizations against COVID-19 exposure-related lawsuits. Erin Mills Lodge / Schlegel Villages were grossly negligent in the care provided to our mother which ultimately resulted in her death – where was her protection? The owners and directors of these nursing homes in addition to being responsible for patient care, also have a duty of good governance and should have insurance and reinsurance policies in place to protect themselves and their organizations against this very risk. Bill 218 should not be passed into law and the companies responsible for the death of our loved one need to be held accountable to families such as ours as we continue to grieve our loss.

Respectfully submitted

Lynda Leader and Marilyn Minto