

FINAL INSPECTION REPORT
Under the *Retirement Homes Act, 2010*

Inspection Information	
Date of Inspection: 10/11/2023	Name of Inspector: Pam Hand
Inspection Type: Responsive Inspection – Mandatory Report	
Licensee: ACC-002470 - Chartwell Master Care Corporation	
Retirement Home: Chartwell Tranquility Place Retirement Residence	
License Number: S0057	

About Responsive Inspections
<p>A responsive inspection, performed by an RHRA inspector, is a physical inspection of a licensed retirement home. A responsive inspection is conducted when RHRA receives information that the licensee may have failed to meet the standards of the <i>Retirement Homes Act, 2010</i> or its regulations (the “<i>RHA</i>”). An inspection being conducted does not infer that an allegation is substantiated or that a contravention of the RHA has occurred. A licensee is required to report to RHRA if they suspect harm or risk of harm to a resident. During a responsive inspection, an RHRA inspector may observe the operations of the home, interview relevant individuals, review records and other documentation, and determine whether the licensee’s management and staff have followed mandatory policies and practices designed to protect the welfare of residents.</p> <p>Following a responsive inspection, the RHRA inspector prepares a draft inspection report which is sent to the licensee. The draft report may include instances where the licensee has failed to meet the standards of the <i>RHA</i>. If included, the licensee can respond to these instances and is strongly encouraged to inform RHRA of its plans to meet the standards of the <i>RHA</i>.</p> <p>Following the draft report, the RHRA inspector prepares this final inspection report, incorporating any response from the licensee with their plans to meet the standards of the <i>RHA</i>. The most recent final inspection report must be posted in the home in a visible and easily accessible location. All final inspection reports from the previous two years must also be made available in an easily accessible location in the home. The licensee must provide a copy of this report to the home’s Residents’ Council, if one exists.</p> <p>In addition to inspection reports, RHRA may provide information to a licensee to encourage improvements of their current practices.</p> <p>If there is a serious incident or the licensee repeatedly does not meet the required standards, RHRA may take further action.</p>

Concern(s)

During a responsive inspection, an inspector will focus primarily on the concern(s) which prompted the inspection and may take various actions to determine whether the licensee is compliant with the RHA in relating to the concern(s). Any findings of non-compliance identified in relation to these concerns are listed below.

Concern #1: CON-6731-Building/maintenance**RHRA Inspector Findings**

A report was made to the RHRA surrounding the suspected neglect of a resident. As part of the inspection in response to the report, the inspector reviewed policies and training records for staff. The Licensee could not produce any training documentation or training sessions relating to the use of pendant style call bells or a home specific policy for responding to a medical emergency.

Outcome

The Licensee submitted a plan to achieve compliance by Fri Dec 22 2023. RHRA to confirm compliance by following up with the Licensee or by inspection.

Concern #2: CON-6732-Neglect - Failure to respond to emergency**RHRA Inspector Findings**

A report was made to the RHRA regarding the suspected neglect of a resident by the Licensee. As part of the inspection in response to the report, the inspector reviewed records and conducted interviews relating to a fall that the resident sustained and the resident being on the ground for seven hours prior to being found. The inspector determined that the Licensee had failed to ensure that multiple requirements and policies were complied with. The residents call bell had been reported defective for two weeks and had not been repaired, hourly checks were not being performed as per home policy for residents with defective call bells, and for the daily attendance check the resident was marked present at lunch when she was not there. Further, the Licensee could not produce a home specific medical emergency response policy and staff responded improperly to another residents report of an unknown party calling for help on the floor the resident fell. As a result of the Licensee's inactions the health and safety of the resident was jeopardized and she was injured. The Licensee failed to follow it's Abuse and Neglect policy as the Licensee had reason to suspect that the incident may have constituted neglect yet failed to immediately start an investigation, or report the incident to RHRA until five days after the fall and one day after receiving a written complaint from the residents family.

Outcome

The Licensee submitted a plan to achieve compliance by Fri Dec 22 2023. RHRA to confirm compliance by following up with the Licensee or by inspection.

Concern #3: CON-6733-Failure to respond to emergency - Falls**RHRA Inspector Findings**

A report was made to the RHRA regarding suspected neglect of a resident. As part of the inspection in response to the report, the Inspector reviewed records relating to the resident and conducted interviews. The Inspector determined that the residents plan of care had not been updated in the areas of dining and attendance checks. The Inspector also determined that the fall had not been properly documented as outlined in the Falls Policy of the home. The Licensee could not produce a falls report, and the documenting of the fall in the progress notes did not indicate the residents pallor/colour, or emotional state of the resident, and there was no 72 hour documentation of the residents condition in the residents progress notes.

Outcome

The Licensee submitted a plan to achieve compliance by Fri Dec 22 2023. RHRA to confirm compliance by following up with the Licensee or by inspection.

Concern #4: CON-6987-Documentation of Complaint**RHRA Inspector Findings**

A report was made to the RHRA regarding the suspected neglect of a resident, which indicated that the family of the resident had made a complaint to the home. The Inspector reviewed relevant documentation and conducted interviews with the involved parties. The complaint was not documented in the home's complaints binder. There was no evidence that the home had communicated with the resident's substitute decision maker. Evidence showed that the only communication from the home was received by the complainant one day after they received the complaint. This was not documented in the complaints binder. Evidence also showed the complaint was sent to head office for investigation and 40 days later there has been no communication from head office with the POA or complainant. The Licensee failed to ensure that their complaints procedures were followed appropriately.

Outcome

The Licensee provided information indicating that corrective action was being taken, however, further action must be taken to achieve compliance with all areas outlined in the finding. RHRA to confirm compliance by following up with the Licensee or by inspection.

Additional Findings

During a responsive inspection, an inspector may observe areas of non-compliance that are not related to the concern(s) which prompted the inspection. In these cases, an inspector may cite the home for these contraventions at the time of this inspection. In addition, an inspector may follow-up on findings of non-compliance from previous inspections. Where the licensee is unable to demonstrate they have come into compliance or maintained compliance, an inspector may cite the home for these repeat contraventions at the time of this inspection.

Not Applicable**Current Inspection – Citations**

Citations relating to the above Concerns or Additional Findings made during the current inspection are listed below.

The Licensee failed to comply with the RHA s. 22. (3); Risk of falls**s. 22. (3); Risk of falls**

22. (3) If a resident of a retirement home falls in the home in circumstances other than those described in subsection (2) and the licensee or a staff member becomes aware of the fall, the licensee shall ensure that the licensee or a staff member documents the fall, the response to the fall and the corrective actions taken, if any.

The Licensee failed to comply with the RHA s. 59. (2); Procedure for complaints to licensee**s. 59. (2); Procedure for complaints to licensee**

59. (2) The licensee shall ensure that a written record is kept in the retirement home that includes,

Specifically, the Licensee failed to comply with the following subsection(s):

s. 59. (2), (a)

(a) the nature of each verbal or written complaint;

s. 59. (2), (b)

(b) the date that the complaint was received;

s. 59. (2), (c)

(c) the type of action taken to resolve the complaint, including the date of the action, time frames for actions to be taken and any follow-up action required;

s. 59. (2), (d)

(d) the final resolution, if any, of the complaint;

s. 59. (2), (e)

(e) every date on which any response was provided to the complainant and a description of the response;

s. 59. (2), (f)

(f) any response made in turn by the complainant.

The Licensee failed to comply with the RHA s. 62. (12); Reassessment and revision

s. 62. (12); Reassessment and revision

62. (12) The licensee shall ensure that the resident is reassessed and the plan of care reviewed and revised at least every six months and at any other time if, in the opinion of the licensee or the resident,

Specifically, the Licensee failed to comply with the following subsection(s):

s. 62. (12), (b)

(b) the resident's care needs change or the care services set out in the plan are no longer necessary;

The Licensee failed to comply with the RHA s. 65. (2); Training

s. 65. (2); Training

65. (2) Every licensee of a retirement home shall ensure that no staff work in the home unless they have received training in,

Specifically, the Licensee failed to comply with the following subsection(s):

s. 65. (2), (i)

(i) all Acts, regulations, policies of the Authority and similar documents, including policies of the licensee, that are relevant to the person's duties;

The Licensee failed to comply with the RHA s. 67. (2); Same, neglect

s. 67. (2); Same, neglect

67. (2) Every licensee of a retirement home shall ensure that the licensee and the staff of the home do not neglect the residents.

The Licensee failed to comply with the RHA s. 67. (4); Policy to promote zero tolerance

s. 67. (4); Policy to promote zero tolerance

67. (4) Without in any way restricting the generality of the duties described in subsections (1) and (2), the licensee shall ensure that there is a written policy to promote zero tolerance of abuse and neglect of residents and shall ensure that the policy is complied with.

The Licensee failed to comply with the RHA s. 75. (1); Reporting certain matters to Registrar

s. 75. (1); Reporting certain matters to Registrar

75. (1) A person who has reasonable grounds to suspect that any of the following has occurred or may occur shall immediately report the suspicion and the information upon which it is based to the Registrar:

Specifically, the Licensee failed to comply with the following subsection(s):

s. 75. (1), para. 2

2. Abuse of a resident by anyone or neglect of a resident by the licensee or the staff of the retirement home of the resident if it results in harm or a risk of harm to the resident.

Closed Citations

During an inspection, an inspector may follow-up with areas of non-compliance cited during a previous inspection, or verify compliance with areas initially cited during the current inspection. The inspector has verified that at the time of this report, the licensee was able to demonstrate that the following areas have come into compliance.


Not Applicable

NOTICE

The Final Inspection Report is being provided to the Licensee, the Registrar of the RHRA and the home's Residents' Council, if any.

Section 55 of the *RHA* requires that the Final Inspection Report be posted in the home in a conspicuous and easily accessible location. In addition, the Licensee must ensure that copies of every Final Inspection Report from the previous two (2) years are made available in the Home, in an easily accessible location.

The Registrar's copy of the Final Inspection Report, as it appears here, will be included on the RHRA Retirement Home Database available online at <http://www.rhra.ca/en/retirement-home-database>.

Signature of Inspector 	Date December 1, 2023 (reissued on April 18, 2024)
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