

Ministry of Long-Term Care (MLTC)

Long-Term Care Inspection Branch (LTCIB)

Long-Term Care Inspections

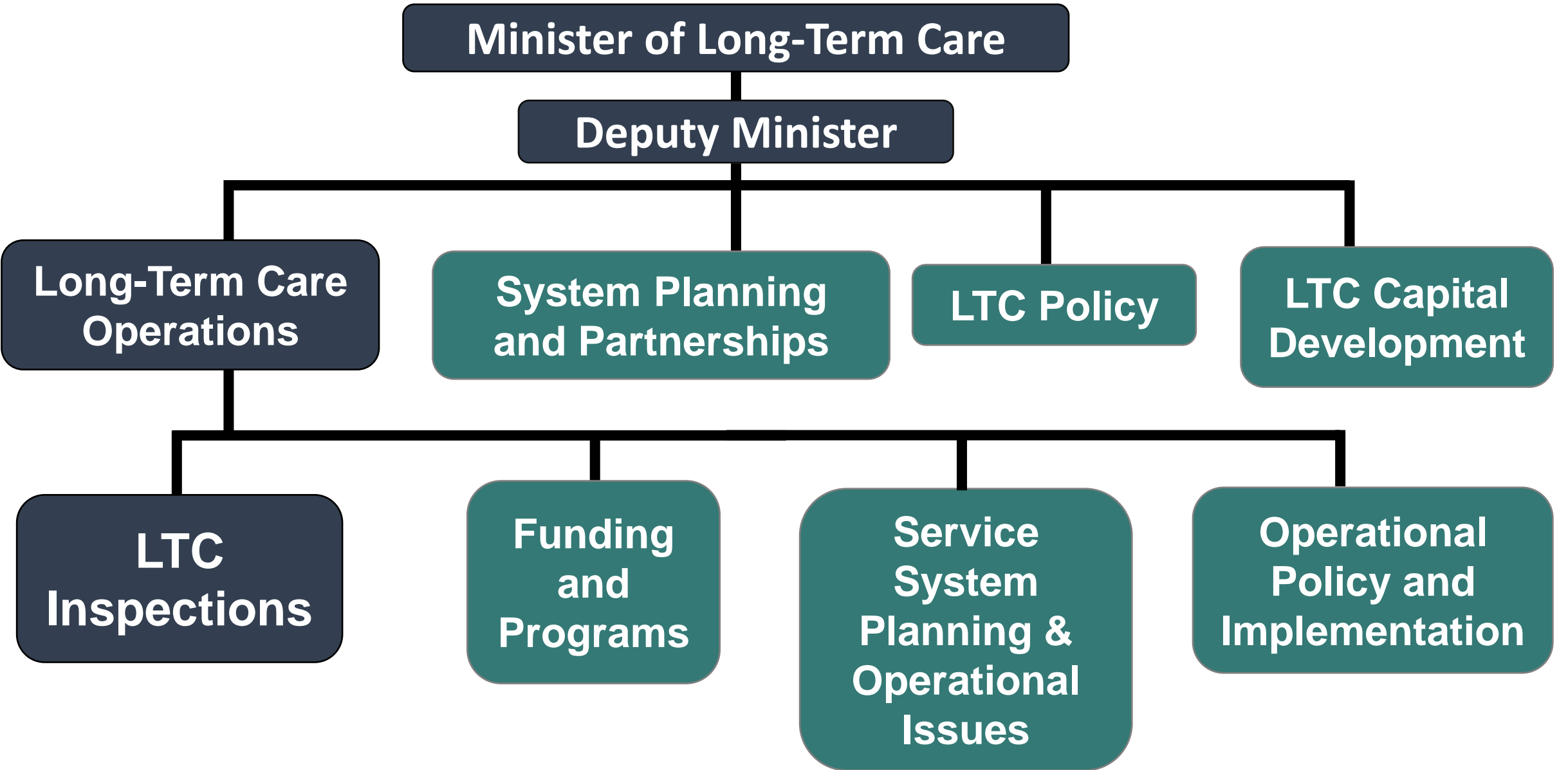
OARC Member Webinar

June 07, 2023

Outline

- The Long-Term Care Inspections Branch
- The inspections process
- Complaint processes

About the Long-Term Care Inspections Branch



Long-Term Care Inspections Branch



DISTRICT OFFICES

- London
- Sudbury
- Toronto
- Ottawa
- Hamilton
- Central East
- Central West
- (+7 satellite offices)



CENTRAL SUPPORT:

- Data and Analysis
- Training
- Quality Assurance
- Appeals
- Issues Management
- Third Party Responses
- Strategic Planning

Our Service Commitment to the LTC Sector

As modern regulators, our inspectors commit to honesty, integrity, respect, objectivity, confidentiality, continuous learning, and timeliness.

We are trained to be:

TRANSPARENT

PROPORTIONATE

TARGETED

PROFESSIONAL

Response to Non-Compliance

The kind of action we take in response to non-compliance is based on whether the issue poses a risk to residents and whether it is widespread in the home.

***Response to
Higher Risk Issues***



***Response to
Lower Risk Issues***

Investigations and Prosecution,
Director Orders, License Revocation

Compliance Orders / Plans; Penalties

Inspections & Written Notices

Education, Outreach & Mandatory Reporting

Residents' Bill of Rights

FLTCA – Fundamental Principle:

The fundamental principle to be applied in the interpretation of this Act and anything required or permitted under this Act **is that a long-term care home is primarily the home of its residents** and is to be operated so that it is a place where they may live with **dignity** and in **security, safety** and **comfort** and have their physical, psychological, social, spiritual and cultural **needs adequately met**.

PART II
RESIDENTS: RIGHTS, CARE AND SERVICES

RESIDENTS' BILL OF RIGHTS

Residents' Bill of Rights

3 (1) Every licensee of a long-term care home shall ensure that the following rights of residents are fully respected and promoted:



RIGHT TO BE TREATED WITH RESPECT

1. Every resident has the right to be treated with courtesy and respect and in a way that fully recognizes the resident's inherent dignity, worth and individuality, regardless of their race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability.
2. Every resident has the right to have their lifestyle and choices respected.
3. Every resident has the right to have their participation in decision making respected.

The Inspection Process

Types of Inspections

Inspections are **unannounced** and may be done reactively or proactively.

-  **Reactive inspections** are conducted in response to complaints or critical incidents and generally focus on the issues outlined in the complaint or incident. Follow-up inspections are also carried out whenever compliance orders are issued.
-  **Proactive inspections** are broad-based inspections done on a regular basis to ensure a home is in compliance with the Act and Regulation.

Inspection Types



COMPLAINT INSPECTION



CRITICAL INCIDENT INSPECTION



FOLLOW UP INSPECTION

Reactive
Inspections



PROACTIVE INSPECTION



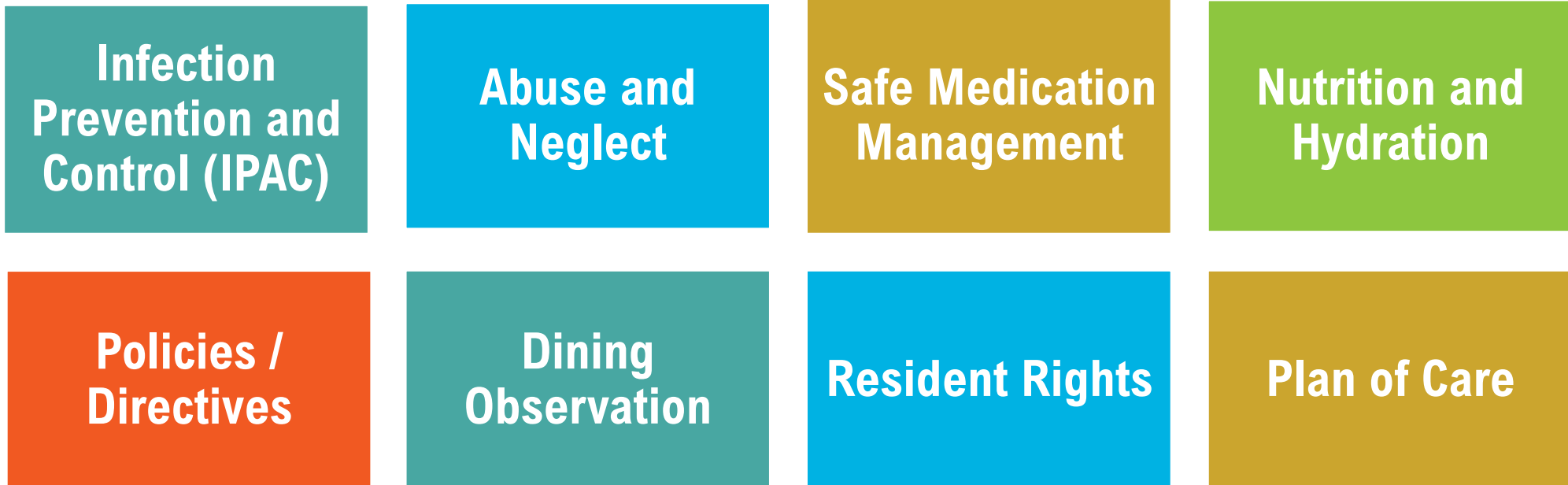
**PRE-LICENSING/OCCUPANCY ASSESSMENTS
& POST OCCUPANCY INSPECTION**

Proactive
Inspections

Proactive Inspections

The average Proactive Inspection takes just over 7 days to complete.

These are some of the areas that inspectors focus on:



About Our Inspectors

Inspectors have a current registration in good standing as a:

registered nurse, registered dietitian, registered physiotherapist,
social worker, occupational therapist, or speech language pathologist

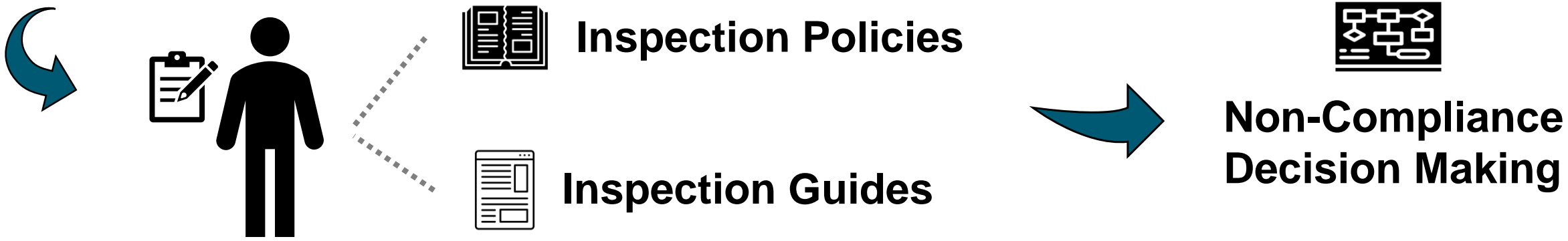


- Inspectors complete extensive training and job shadowing prior to conducting inspections independently.
- They wear name tags and identify themselves upon arrival and when speaking with staff, families and residents during their inspection.
- Inspectors determine compliance with the Act and Regulations. They do not provide advice and/or recommendations on *how* to comply.

The Inspection Process

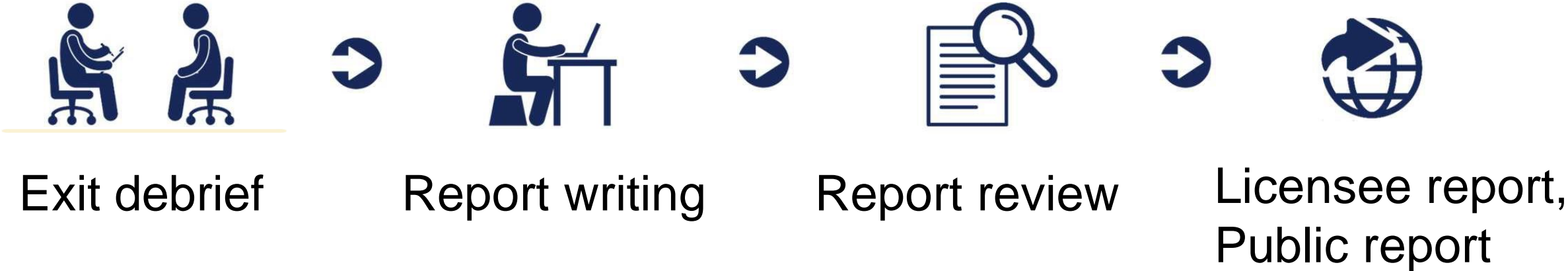


Inspector Tools



The Inspection Process

Once the inspection is complete, the following steps are taken:



Residents' Councils



- A highly functioning Residents' Council is a key contributor to positive outcomes for residents.
- The *FLTCA, 2021* requires every home to establish a Residents' Council made up only of residents of that LTCH.

Residents' Councils



- During **Proactive Inspections**, Inspectors speak with the Residents' Council President, review notes from previous council meetings and verify that the home is responding in writing within 10 days to the council's concerns.
- During a **Complaint** or **Critical Incident Inspection**, Inspectors will speak with the Residents' Council members if there is a connection between the complaint/critical incident and the Residents' Council.
- Residents' Council members are welcome to approach and speak with Inspectors at any time when they are in the home.

Complaint Processes

Making a Complaint to the Home

- When a complaint is not of an urgent nature, the home can usually resolve the issue without the ministry being involved.
- Homes must tell residents how to file a complaint. If a resident is unsure of how to file a complaint, they can speak to the home staff.



Section 30(4) of the *FLTCA, 2021* states that there shall be no retaliation against residents for making a complaint or disclosing information to the ministry.

Making a Complaint to the Home *(cont'd)*

- Home staff must confirm that they received the complaint within 10 business days.
- They must call or write to let you know:
 - What the home is doing to resolve the complaint now
 - What they plan to do to resolve the complaint in the future
 - When you can expect the complaint to be resolved
- If the home believes there is no cause for complaint, they must explain why.
- It's best to try and resolve minor issues with the home first. Once resolved, these issues do not have to be reported to the ministry.

Making a Complaint to the Ministry

- When issues are of a more serious or urgent nature, call the Long-Term Care Family Support and Action Line: 1-866-434-0144
- Provide as much information as you can:
 - name of the home
 - address of the home (including town or city)
 - a description of what happened (is the concern an ongoing problem?)
 - for a specific event: when and where it happened (for example, outside or inside the home)
 - who was involved
 - what you would like the home to do to resolve your complaint

Making a Complaint to the Ministry (*cont'd*)

- If you choose not to give your contact information when making a complaint to the ministry:
 - Staff will pass your complaint to a ministry inspector for follow-up. The inspector will not be able to contact you later to inform you of what happened.

Making a Complaint to the Ministry (*cont'd*)

Once you submit a complaint, a Triage Inspector reviews the information and may contact you to ask follow up questions. A risk level is then assigned to the complaint.

Higher risk = Inspection

Lower risk = Inquiry

Making a Complaint to the Ministry (*cont'd*)

- After the Triage Inspector makes the first call to the complainant and determines the risk level, there will either be an **inspection** or an **inquiry** into the complaint.
- When the risk level is high enough for an **inspection** to take place, the inspector may call the complainant prior to the inspection.
- The inspector may make a follow up call to the complainant after the inspection is complete.

Making a Complaint to the Ministry (*cont'd*)

- When the risk level is low enough for an *inquiry* to take place, the inspector may speak with staff at the home regarding the complaint.
- During this call to the home, the inspector can escalate the inquiry to an inspection if necessary.
- Inspectors may follow up with the complainant afterward to share the results of the inquiry.

Making a Complaint to the Ministry (*cont'd*)

What if the Long-Term Care Inspections Branch is not able to address the complaint?

In the case of a complaint that is not related to our work as LTC Inspectors, we will redirect the complainant to other organizations or services such as:

- Service Ontario
- Patient Ombudsman
- Ministry of Labour, Immigration, Skills, Training and Development
- Public Health Ontario, Public Health Units
- Home and Community Care Support Services (HCCSS)

Questions?