

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

Inspection Information	
<b>Date of Inspection:</b> November 29, 2018	<b>Name of Inspector:</b> Michele Davidson
<b>Inspection Type:</b> Mandatory Reporting Inspection	
<b>Licensee:</b> The First Step Group Home / 138 Janray Drive, Scarborough, ON M1G 1Y9 (the "Licensee")	
<b>Retirement Home:</b> The First Step Group Home / 138 Janray Drive, Scarborough, ON M1G 1Y9 (the "home")	
<b>Licence Number:</b> T0530	

Purpose of Inspection
The RHRA received a report under section 75(1) of the <i>Retirement Homes Act, 2010</i> (the "RHA").

NON-COMPLIANCE
<p><b>1. The Licensee failed to comply with O. Reg. 166/11, s. 43; Initial assessment of care needs. The Licensee failed to comply with O. Reg. 166/11, s. 44; Full assessment of care needs.</b></p> <p>Specifically, the Licensee failed to comply with the following subsection(s):</p> <p><b>43. (1)</b> Subject to section 45, no later than two days after a resident commences residency in a retirement home, the licensee of the home shall ensure that an initial assessment of the resident's immediate care needs is conducted.</p> <p><b>43. (2)</b> The initial assessment mentioned in subsection (1) shall consider the following matters with respect to the resident:</p> <ol style="list-style-type: none"> <li>1. Continence.</li> <li>2. Presence of infectious diseases.</li> <li>3. Risk of falling.</li> <li>4. Known allergies.</li> <li>5. Dietary needs including known food restrictions.</li> <li>6. Cognitive ability.</li> <li>7. Risk of harm to self and to others.</li> <li>8. Risk of wandering.</li> <li>9. Needs related to drugs and other substances.</li> </ol> <p><b>44. (1)</b> Subject to section 46, no later than 14 days after a resident commences residency in a retirement home, the licensee shall ensure that a full assessment of the resident's care needs and preferences is conducted.</p>

**44. (2)** The full assessment mentioned in subsection (1) shall consider the following matters with respect to the resident:

1. Physical and mental health.
2. Functional capacity.
3. Cognitive ability.
4. Behavioural issues.
5. Need for care services.
6. Need for assistance with the activities of daily living.
7. The matters listed in subsection 43 (2).
8. Any other matter relevant to developing a plan of care for the resident.

**44. (3)** If a licensee or a staff member of a retirement home has reason to believe that a resident's care needs may include dementia care, skin and wound care, or the use of a personal assistance services device, the licensee shall ensure that the full assessment is,

- (a) conducted by a member of a College, as defined in the Regulated Health Professions Act, 1991;
- (b) if the resident's care needs include dementia care, carried out using a clinically appropriate assessment instrument that is specifically designed for the assessment of dementia and related conditions.

**Inspection Finding**

At the time of the inspection, the Licensee failed to provide evidence that residents had received initial and final assessments.

**Outcome**

The Licensee must take corrective action to achieve compliance.

- 2. The Licensee failed to comply with the RHA, S.O. 2010, c. 11, s. 62; Plan of care.**  
**The Licensee failed to comply with the RHA, S.O. 2010, c. 11, s. 62; Contents of plan.**  
**The Licensee failed to comply with the RHA, S.O. 2010, c. 11, s. 62; Involvement of resident, etc..**  
**The Licensee failed to comply with the RHA, S.O. 2010, c. 11, s. 62; Assessment of resident.**  
**The Licensee failed to comply with the RHA, S.O. 2010, c. 11, s. 62; Persons who approve plans of care.**  
**The Licensee failed to comply with the RHA, S.O. 2010, c. 11, s. 62; Documentation.**  
**The Licensee failed to comply with O. Reg. 166/11, s. 47; Development of plan of care.**  
**The Licensee failed to comply with O. Reg. 166/11, s. 48; Approval of the plan of care.**

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

**62. (1)** When a resident commences his or her residency in a retirement home, the licensee shall, within the prescribed times, ensure that the resident is assessed and that a plan of care is developed based on the assessment and in accordance with this section and the regulations.

**62. (4)** The licensee of a retirement home shall ensure that there is a written plan of care for each resident of the home that sets out,

- (a) the care services that are part of a package of care services that the resident is entitled to receive under the resident's agreement with the licensee, whether or not the resident receives the services;
- (b) the planned care services for the resident that the licensee will provide, including,

- (i) the details of the services,
  - (ii) the goals that the services are intended to achieve,
  - (iii) clear directions to the licensee's staff who provide direct care to the resident;
- (c) if the resident has consented to the inclusion of the information in the plan of care, the planned care services for the resident that external care providers will provide with the consent of the resident, to the extent that such information is available to the licensee after the licensee has taken all reasonable steps to obtain such information from the resident and the external care provider, including,
- (d) a statement indicating whether the resident has provided consent to the licensee to collect information from external care providers, to use such information and to disclose the contents of the plan of care to external care providers and others.

**62. (5)** The licensee shall ensure that the resident, the resident's substitute decision-maker, if any, and any other persons designated by the resident or substitute decision-maker are given an opportunity to participate in the development, implementation and reviews of the resident's plan of care.

**62. (6)** The licensee shall ensure that the plan of care is based on an assessment of the resident and the needs and preferences of the resident.

**62. (9)** The licensee shall ensure that the following persons have approved the plan of care, including any revisions to it, and that a copy is provided to them:

1. The resident or the resident's substitute decision-maker.
2. The prescribed person if there is a person prescribed for the purpose of this paragraph.
3. A person with the requisite expertise in assessing the suitability of care services for the resident in light of those set out in the plan, if there is no person prescribed for the purpose of paragraph 2.

**62. (11)** The licensee shall ensure that the following are documented in accordance with the regulations, if any:

1. The provision of the care services set out in the plan of care.
2. The outcomes of the care services set out in the plan of care.
3. The effectiveness of the plan of care.

**47. (1)** Subject to subsection (4), as soon as possible and not later than two days after a resident commences residency in a retirement home, the licensee of a retirement home shall develop an initial plan of care for the resident based on the initial assessment of the resident's immediate care needs conducted under section 43 that includes all of the information listed in subsection 62 (4) of the Act that is relevant to the resident's immediate care needs.

**47. (2)** No later than 21 days after a resident commences residency in a retirement home, the licensee of the home shall develop a complete plan of care for the resident based on the full assessment of the resident's care needs and preferences conducted under section 44 that takes into account all of the matters that must be considered in a full assessment.

**47. (3)** A licensee of a retirement home is exempt from the requirement in subsection (1) to develop an initial plan of care for a resident not later than two days after the resident commences residency if the

licensee develops a complete plan of care for the resident based on a full assessment of the resident's care needs and preferences not later than two days after the resident commences residency.

**47. (4)** Subject to subsections (5) and (6), a plan of care for a resident is complete if the plan,

(b) sets out,

(i) any information that is necessary to allow the licensee's staff to understand the resident's needs and preferences, including cultural, spiritual and religious preferences and customary routines,

(ii) the names and contact information of the resident's substitute decision-makers, if any,

(iii) the names of the persons who participated in the development of the plan and whether the resident and his or her substitute decision-makers, if any, participated in the development of the plan;

(a) satisfies the requirements in subsections 62 (4) of the Act;

(c) has been approved in accordance with subsection 62 (9) of the Act.

**47. (5)** If an assessment of a resident indicates that the resident's care needs may include dementia care, skin and wound care or the use of a personal assistance services device, the licensee shall ensure that an interdisciplinary care conference is held as part of the development of the resident's plan of care and that the resident's plan of care takes into account the results of the care conference.

**47. (6)** The licensee shall ensure that the resident, the resident's substitute decision-maker, if any, and any other person designated by the resident or the substitute decision-maker are given an opportunity to participate in the interdisciplinary care conference mentioned in subsection (5).

**47. (7)** If one of the care services that the licensee provides to a resident is the provision of a meal, the resident's plan of care is only complete if it includes a description of the food restrictions, food allergies and food sensitivities of the resident that are known.

**48. (1)** For the purposes of paragraph 2 of subsection 62 (9) of the Act and subject to subsection (2), the licensee shall ensure that a resident's plan of care is approved by,

(a) a member of the College of Physicians and Surgeons of Ontario or the College of Nurses of Ontario;

(b) a person acting under the supervision of a member of the College of Physicians and Surgeons of Ontario or the College of Nurses of Ontario.

**48. (2)** For the purposes of paragraph 2 of subsection 62 (9) of the Act, if an assessment of a resident indicates that the resident's care needs may include dementia care, skin and wound care or the use of a personal assistance services device, the licensee shall ensure that the resident's plan of care is approved by a member of the College of Physicians and Surgeons of Ontario or the College of Nurses of Ontario.

**Inspection Finding**

At the time of the inspection, the resident records did not contain any plans of care, nor involvement and approval of individuals as required by the Act and Regulations.

**Outcome**

The Licensee must take corrective action to achieve compliance.

**3. The Licensee failed to comply with O. Reg. 166/11, s. 55; Contents of records.**

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

**55. (1)** The licensee of a retirement home shall keep a record for each resident of the home that complies with the requirements of this section.

**55. (2)** The record for each resident shall include,

- (a) documentation of all consents related to the collection, use, retention or disclosure of the resident’s personal information, including personal health information;
- (b) if the resident was assessed for the purposes of developing the resident’s plan of care, documentation of when the resident was assessed and by whom;
- (c) if the resident did not consent to an assessment, documentation of that fact;
- (d) a copy of the resident’s most recent plan of care;
- (e) a copy of the written agreement between the resident and the licensee required under section 53 of the Act;
- (f) if the licensee is required to deliver notice to the resident under clause 49 (1) (b) of the Act with respect to ceasing to operate the home as a retirement home, evidence that the licensee delivered the notice and that the resident received it;
- (g) a copy of the written instructions and authorizations and acknowledgements of receipt of funds of the resident and the person acting on behalf of the resident that relate to money required to be held in trust under section 72 of the Act and that subclause 57 (9) (g) (ii) of this Regulation requires the licensee to retain.

**55. (3)** In addition to subsection (2), for each resident of a retirement home to which the licensee of the home provides at least one care service, the record shall include,

- (a) the following documents or information to the extent that they are reasonably available to the licensee:
  - (i) the name and contact information of the resident’s known substitute decision-makers, if any,
  - (ii) the name and contact information of the resident’s next of kin,
  - (iii) the name of the resident’s primary health care provider;
- (b) the information required under subsection 62 (11) of the Act.

**55. (4)** In addition to subsection (2), for each resident of a retirement home to which the licensee of the home provides at least one care service described in subsection 2 (1), the record shall include,

- (a) the resident’s health number;
- (b) all information of the resident’s medical history, including the period before the date on which the resident commenced residency in the home, that is relevant to the care services that the licensee provides to the resident.

**Inspection Finding**

The resident records presented at the inspection did not contain the listed prescribed elements.

**Outcome**

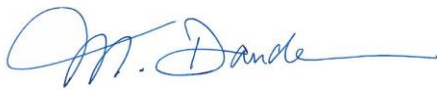
The Licensee must take corrective action to achieve compliance.

**NOTICE**

The Final Inspection Report is being provided to the Licensee, the Registrar of the Retirement Homes Regulatory Authority (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 Public Register, available online at <http://rhra.ca/en/register/>

Signature of Inspector 	Date January 4, 2019
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